

Sedibeng District Municipality



BID DOCUMENT

Tender No.	8/2/4/1-2020
Closing Date and Time	Tuesday,01 December 2020@12H00
Description	Request to appoint an external service provider professional services relating to the rural roads assets management system
Contractor / Bidder	
Bid amount	R
Physical address	
Contact person	
Telephone no.	
Fax no.	
Cell no.	
Email address	
Central Supplier Database No.	

¹ Request to appoint an external service provider professional services relating to the rural roads assets management system

Bid no.:8/2/4/1-2020

Initial here

CONDITIONS OF TENDER

1. The prospective bidder's attention is drawn to the following list of forms, attached to this document and other documents that **shall** be completed and submitted with his/her bid documents:
 - a) Tender Form
 - b) Form of Offer
 - c) Declaration of interest
 - d) Certificate of independent Bid Determination
 - e) **An original Tax Clearance Certificate / Pin issued by the South African Revenue Services**
 - f) **A current account or proof that utilities account (municipal rates and taxes, water and lights account) of the bidder is up to date. (Not in arrears for more than 3 months).**
 - g) Proof of registration for VAT (if applicable).
 - h) Valid B-BBEE Certificate Certified copy
 - i) Central Supplier Database (CSD) Registration Number.

In terms of Section 112 (1)I of the Local Government Municipal Finance Management Act, (Act 56 of 2003), persons who were convicted of fraud or corruption or who willfully neglected, reneged on or failed to comply with a government tender during the past 5 years, or whose tax matters are not cleared by the South African Revenue Services may not participate in the tendering process and the Tenderer shall submit a sworn statement to this effect.

2. **The official tender form shall be completed in BLACK ink and any corrections to the official tender form must also be made in BLACK ink and signed by the bidder. Any tender documents received with correction fluid (Tippex) corrections shall be disqualified.**
3. Bids shall be sealed and endorsed (with bid number and bid description) and must be deposited at Sedibeng District Municipality's tender box (Ground Floor, outside the main building).
4. Sedibeng District Municipality's Supply Chain Management Policy shall apply.
5. Late, Telexed, faxed or emailed tenders will not be accepted.
6. The Council does not bind itself to accept the lowest or any tender and reserves the right to accept any tender in whole or in part.
7. Persons in the service of the state are not allowed to bid.
8. In the event that you are awarded a tender the strict compliance with terms have to observed and in so doing within a period (3 days) (*after an order is issued) a confirmation letter must be forwarded by you in terms of which you need to indicate whether or not you will be in a position to source the items per the



tender and deliver same by the due date.

9. In the event that you do not furnish us with the said letter as requested and fail to comply as per the tender the Sedibeng District Municipality reserves in terms of rights to cancel this tender automatically after 3 days on the basis of your non-compliance and furthermore should you fail to deliver said goods which may necessitate the allocation of a new supplier the Sedibeng District Municipality may impose any further penalty or charges against you.
10. **In the case where all MBD Documents are not completely filled and returned, your quotation will be disqualified.**
11. **The 80/20 Preferential Procurement System will be used to evaluate all the Formal Written Quotations.**
12. Bidders must ensure that, the company status is “in business” with the **Company and Intellectual Property Commission (CIPC)**.
13. Bidders who are not registered on the Central Supplier Database are requested to contact National Treasury at csd@treasury.gov.za or 012 406 9222 for any assistance.
14. Exempted Micro Enterprises can submit a letter from the accounting officer; and
15. A trust, consortium or joint venture must submit a consolidated B-BBEE Status Level Verification.

**Sedibeng District Municipality
RFQ Number: 8/2/4/1-2020**

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MBD 1

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SEDIBENG DISTRICT MUNICIPALITY

BID NUMBER:	8/2/4/1-2020	CLOSING DATE:	Tuesday, 01 December 2020	CLOSING TIME:	12:00
DESCRIPTION	Request to appoint an external service provider professional services relating to the rural roads assets management system				

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

MUNICIPAL BUILDING

GROUND FLOOR

CORNER BEACONSFIELD AND LESLIE

VEREENIGING

SUPPLIER INFORMATION

NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
TAX COMPLIANCE STATUS	TCS PIN:			CSD No:	

⁴ Request to appoint an external service provider professional services relating to the rural roads assets management system

Bid no.:8/2/4/1-2020

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

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

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
---	--	--	--

TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R
--------------------------------------	--	------------------------	----------

SIGNATURE OF BIDDER		DATE	
-------------------------------------	--	-------------	--

CAPACITY UNDER WHICH THIS BID IS SIGNED	
--	--

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:	TECHNICAL INFORMATION MAY BE DIRECTED TO:
--	--

DEPARTMENT	SUPPLY CHAIN MANAGEMENT	DEPARTMENT	LICENCING
CONTACT PERSON	Sophy Ntjepela	CONTACT PERSON	Monica Khalema
TELEPHONE NUMBER	016 450 3131	TELEPHONE NUMBER	016 450 3248/3000
E-MAIL ADDRESS	sophyk@sedibeng.gov.za	E-MAIL ADDRESS	monicak@sedibeng.gov.za



**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER’S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B: 3.
- 2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

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

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

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE

SIGNATURE OF BIDDER:

⁶ Request to appoint an external service provider professional services relating to the rural roads assets management system



CAPACITY UNDER WHICH THIS BID IS SIGNED:
DATE:.....

ATTACH SARS TAX CLEARANCE CERTIFICATE/PIN HERE

Initial here

MBD2: DISCONTINUED
MFMA CIRCULAR NO.90



**DEPARTMENT: SUPPLY CHAIN
MANAGEMENT**

Sedibeng District Municipality
P.O. Box 471
Vereeniging, 1930
Republic of South Africa
Tel: +27 16 450 3110
Fax: +27 86 682 9820

CLEARANCE CERTIFICATE FOR WATER & LIGHTS

Section 38 (d) (i) of Municipal Supply Chain Regulations requires that the municipality must reject a bidder whose municipal rates and taxes are in arrears for more than three months.

The purpose of this form is to obtain prove that municipal services, rates and taxes of the service provider are not more than three months in arrears with the relevant municipality / landlord in the municipal area where the service provider conduct his / her business. **This form is to be completed only if the service provider's rates and taxes are not in arrears for more than three months.**

EACH BIDDER MUST COMPLETE THE BELOW CHECKLIST (Please tick with X where appropriate):

QUESTIONS	YES	NO
1. Is your municipal rates and taxes account up to date/current (not in arrears for more than three months)?		
2. If yes, please submit proof in the form of the original or certified copy of the bidder's municipal rates and taxes account.		
3. Does the bidder lease/rent the property where the business is situated?		
4. If yes provide the contact name and contact number of the lessor/landlord:		
Contact Name:	Contact Number:	
5. Please attach the copy of the lease agreement signed by the Landlord/ lessor and the tenant/lessee as proof.		

I (FULL NAMES), _____ OF (PHYSICAL ADDRESS) _____ being a Director / principal shareholder, owner of company¹ (COMPANY NAME):

Signature

NB: IF YOU FAIL TO COMPLETE THIS FORM, PLEASE REGARD YOUR BID AS NON RESPONSIVE!

⁹ Request to appoint an external service provider professional services relating to the rural roads assets management system

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Hereby confirms that, the information submitted in this form is accurate, to the best of my knowledge.

ATTACH UTILITIES ACCOUNT HERE

Initial here



DESCRIPTION.: Request to appoint an external service provider to render professional services relating to the rural roads assets management system

BID NO.: 8/2/6-2020

SCOPE OF WORK

General Description of Consulting Services

Bidders will be expected to provide a detailed proposal (Proposed Work Plan) on the Methodology and Technical Approach to be used for the implementation of this programme over the next 3 years i.e. 2020/2021, 2021/2022, 2022/2023 financial years based on the following:

Employer's Objectives

Sedibeng District Municipality awaits offers from suitably qualified and experienced service providers to develop a Roads Asset Management System (RAMS), collect applicable data and information and populate the RAMS for all local municipalities within the District. The exercise will be carried in the following local municipalities which fall under the district:

- Emfuleni Local Municipality
- Lesedi Local Municipality
- Midvaal Local Municipality

Scope

The appointed bidder must assist the District Municipality to set up a rural roads asset management system and collect road and traffic data for the road network in its jurisdiction area in line with the Road Infrastructure Strategic Framework for South Africa (RISFSA). The current extent of road network may increase as new roads are captured and the road network if further refined. The Rural RAMS grant requires the development of systems to manage Local Municipal (LM) road and bridge assets to allow for the planning of LM road and bridge asset maintenance activities. Technical Methods for Highways (TMH) 22 provides the national guideline for the development of RAMS in South Africa. TMH 22 gives

¹¹ Request to appoint an external service provider professional services relating to the rural roads assets management system

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insight into the various components of RAMS covering the people, processes and technology. It is an aim of the Rural RAMS programme that the RAMS system developed or incorporated conforms to a minimum Level II RAMS as outlined within TMH 22. For extensive detail on RAMS development and implementation you are directed to TMH 22.

Outcome Statement

Improve data on rural (all Municipal) roads to guide infrastructure investment. Reduce vehicle operating cost and extend the lifespan of rural (all municipal) roads.

Outputs

Collection of selected road inventory data including condition assessment and traffic data. Setting up pavement and bridge management systems compatible with National Standards and used by the local municipalities in the district. Capacity building and training of Graduates.

Update Road Asset Data

Ortho-photos and available road network data to be utilised to identify and record the alignment of all roads within the District. Graduates to do further cleaning and updating of the network, especially in respect of roads constructed subsequent to the dates of the ortho-photos. Available GIS data and planning data to be used to classify each road according to the RISFSA functional classification system. Configuring of data in order to be compliant to the requirements of the electronic visual assessment capturing system. Attributes tables of the road network to be updated with data available from relevant municipal and provincial GIS systems. Bridge structure attributes and condition assessment results to be captured into GIS.

Acquire Resources

- Computer hardware for electronic capturing of visual Assessments
- Computer software for electronic capturing of visual Assessments
- Desktop Computers with Microsoft Office and ARC GIS 10 Software
- Hire suitable vehicles – 1 LDV per team when the need arise
- PPE (Personal Protective Equipment) such as reflective jackets
- Miscellaneous hand tools as required

Training of S4 Civil Engineering Technician/ B/Eng. Graduates

- Ensure that the Graduates are comprehensively trained in the following areas in order to ensure compliance for the successful completion of their practical training and to further enable them to register with ECSA as a Professional Civil Engineering Technician/Engineer:
 - Road inventory data collection
 - Road condition visual assessments
 - Quality assurance and control
 - Analysis of visual condition data
 - Selection, adaption and training related to network decision support systems
 - GIS in a RAMS application
 - Tools to develop strategic and annual maintenance plans
 - Management of RAMS



Visual Condition Assessment Fieldwork

- Ensure that suitably qualified Graduates employed have been comprehensively trained to execute the physical “on road” visual condition survey in accordance with the new TMH9, TMH12 and M3-1 prescribed criteria by travelling across every road segment capturing the assessments electronically on tablets.
- Ensure that the captured data is downloaded daily and send for processing.

Road Inventory Data Fieldwork

- A road log of select furniture will be prepared once by the Graduates to record certain selected road-related assets.

Condition Data Checking and Capturing

- Screen the captured and downloaded data for quality and once verified, upload to the relevant authorities.

Capturing of Traffic Data

- Once the Visual Assessments have been completed the Graduates will continue with the conducting of Traffic Counts at certain nodes in accordance with the prescribed criteria.

Bridge Visual Condition Survey

- All bridge structures will be listed on a database/register and the physical properties of each structure will be captured and logged into the specific GIS layer by the Graduates after which a suitable qualified structural engineer will conduct the prescribed condition inspection/survey on each structure. These results will also be logged into the GIS attribute table by the Graduates.
- Any bridges or culvert structure which poses a risk due to its structural condition will immediately be reported to the relevant authority for action.

RRAMS Acquisition, Installation and Training

- The acquisition of membership on the provincial wide Road Asset Management System that will be hosted by the Provincial Department of Transport
- Identify and train Graduates and other RAMS champions
- Load all data, including the Roads Asset Register into the various RAMS sub-systems.

RRAMS Analysis, performance standards, program and budget

- Once all the data has been captured and processed into the Road Asset Management System the following deliverables will be extracted from the system:
 - Performance standards for bridge structures according to the class of roads it serves.
 - Performance standards for roads per class
 - Repair and maintenance programs
 - Capital investment plan (constructing of new assets)
 - Multi-year financial budget estimates.



Project Management and Reporting

- The daily management and coordination of the project.
- Liaising with the District Municipality, Local Municipalities as well as the Provincial Department of Transport.
- Compilation and timely submission of Monthly and Progress Reports in the formats as prescribed by the District Municipality, DOT and DORA
- Financial Management of the project.

Note: With the District RRAMS project, besides the Road Infrastructure Strategic Framework for South Africa (RISFSA) requirements, THERE ARE ADDITIONAL REQUIREMENTS PRESCRIBED BY THE FOLLOWING AUTHORITIES:

- DEPARTMENT OF TRANSPORT (NATIONAL): Methodology and RRAMS SYSTEMS SPECIFICATIONS
- NATIONAL TREASURY: Requirements as defined in the DIVISION OF REVENUE ACT
- It should be noted that RRAMS includes ALL Municipal roads, urban and rural, surfaced and un-surfaced, as it is a requirement from the Division of Revenue Act (DORA) as published in the Government Gazette No. 36180 of 26 February 2014.

Financial ability to execute the contract

Evaluation of the Tenderer’s financial ability to execute the contract. Emphasis will be placed on the following:

- Bank Letter of Good Standing

EVALUATION CRITERIA

The Bid will be based on the 80:20 point system. Any Bidder scoring less than 70% on functionality will not be considered for further evaluation.

1 = Poor, 2 = Average, 3 = Good, 4 = Very Good, 5 = Excellent

Project Director / Team Leader : *(Maximum Points obtainable 35)*

Name of Project

Director/Leader...../.....
/.....

Evaluation Criteria	Rating	Value	Score = weight x value
Academic Qualifications (Note 1) B.Eng or Bsc or B Tech in Civil Engineering	10		
CV with above qualification 3=5 Points			

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2=3 Points 1=Point			
Professional Registration (Note 2) Professional Engineer (Pr. Eng.) or Professional Engineering Technologist (Pr. Tech. Eng.) Proof of registration of the Project Leader/ Director as Professional Engineer or Professional Engineering Technologist with the Engineering Council of South Africa (ECSA) must be attached 1=5 Points 0=0 Points	5		
Involvement in RRAMS projects (Note 3) Previous experience in similar Project. Contactable references letters 3=5 Points 2=3 Points 1=Point	10		
Current Employment (Note 4) Full time employed by the Consulting Firm letter from Employer must be attached 1=5 Points 0=0 Points	10		

Support Technologist / Technician: (Maximum Points obtainable 25)

Name of Support Engineer/Technologist/Technician:.....

Evaluation Criteria	Rating	Values	Score = weight x value
Academic Qualifications (Note 1) Diploma in Civil Engineering or B.Eng or Bsc or B Tech in Civil Engineering CV with above qualification 3=5 Points 2=3 Points 1=Point	5		

<p>Professional Registration (Note 2) Candidate Engineering Technician / Technologist / Engineer</p> <p>Proof of registration of the Project Leader/ Director as Professional Engineer or Professional Engineering Technologist with the Engineering Council of South Africa (ECSA) must be attached</p> <p>1=5 Points 0=0 Points</p>	5		
<p>3 Years of experience after qualification CV with above qualification</p> <p>3= years 5 Points 2= Years 3 Points 1= Years 1Point</p>	5		
<p>Involvement in RRAMS projects (Note 3)</p> <p>CV with above qualification</p> <p>3=5 Points 2=3 Points 1=Point</p>	5		
<p>Current Employment (Note 4)</p> <p>Full time employed by the Consulting Firm</p> <p>letter from Employer must be attached</p> <p>1=5 Points 0=0 Points</p>	5		

Note 1: Academic Qualifications

Proof of academic qualifications in the form of copies must be attached to the Team Leader/Project Director’s CV. Foreign qualifications must be accompanied by a verification certificate from South African Qualifications Authority. The proposed Project Director/Team Leader shall be in possession of at least a Bachelors’ Degree or B.Tech in Civil Engineering and must be registered as either Professional Engineer or Professional Engineering Technologist. The proposed Support Technician / Technologist shall be in possession of at least a National Diploma in Civil Engineering. Failure to provide this proof of academic qualifications will result in the project Leader/Director and/or Support Technician / Technologist being regarded as not having minimum prescribed qualifications and will eliminate the tender from further evaluation.

Note 2: Professional Registration

Proof of registration of the Project Leader/ Director as Professional Engineer or Professional Engineering Technologist with the Engineering Council of South Africa (ECSA) must be attached. Failure to provide this proof of professional registration will result in the project Leader/Director being regarded as not professionally registered and will eliminate the tender from further evaluation.

Note 3: Employment History (Involvement in RRAMS projects)

Proof of employment history must be contained in the Curriculum Vitae (CV) and must include references and contact details. The CV must contain only necessary and relevant information for the purpose of this project (not marital status, hobbies, number of children, etc.).

Note 4: Current Employment

Current employment in the form of letter from Employer must be attached. In the event a Project Director/Leader is his/her own Employer, a letter confirming same must still be attached. Where a confirmation letter is not available, current employment must then be clearly be indicated on the attached to the CV.

Experience of Firm in Infrastructure Projects successfully implemented and completed

(Maximum Points obtainable 40)

Evaluation Criteria	Rating	Values	Score = weight x value
Experience on Provincial Road Asset Management Systems and/or Rural Roads Assets Management Systems (RRAMS) Projects in the past 5 years Reference letter in similar Project 3= Years 5 Points 2=Years 3 Points 1=Point	15		
Proof of registration with CESA or any consulting firm recognition affiliate	15		
Proof of QMS certification	10		
Total	100		

Guideline to experience on PRAMS, RRAMS projects and Local Presence (Local company not local work)

- a) **Experience in PRAMS and RRAMS projects implemented and successfully completed**
The Tenderer must attach BOTH the copies of Appointment Letters and Completion Certificates. Where a Completion Certificate is not available, a written confirmation of successful project completion of a project must be obtained from previous employer.

¹⁷ Request to appoint an external service provider professional services relating to the rural roads assets management system



MINIMUM REQUIREMENTS :

- Up to date utilities account;
- Tax Compliant status/Tax compliance status pin(to enable the municipality to verify the bidders tax)
- The Bidder must submit proof that they are registered professionals with Engineering Council of South Africa (ECSA).
- Registered on Central Supplier Database (CSD)

Technical Queries	Ms. Monica Khalema – (016) 450 3248/082 802 1793 E-mail: monicak@sedibeng.gov.za
SCM Related Queries	Ms. Sophy Ntjepela – (016) 450 3131 E-mail: sophyk@sedibeng.gov.za

MBD 3.3

**PRICING SCHEDULE
(Professional Services)**

Name of Bidder:.....	Bid Number:
Closing Time:	Closing Date

OFFER TO BE VALID FORDAYS FROM THE CLOSING DATE OF BID.

ITEM CURRENCY NO INCLUDED)	DESCRIPTION	BID PRICE IN RSA
		**(ALL APPLICABLE TAXES

1. The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION

HOURLY RATE

DAILY RATE

R-----

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----- R-----
 ----- R-----
 ----- R-----
 ----- R-----

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

----- R-----
 days
 ----- R-----
 days
 ----- R----- days
 ----- R----- days

5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
-----	R.....
-----	R.....
-----	R.....
-----	R.....

****“all applicable taxes” includes value-added taxes, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.**

5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
-----	R.....
-----	R.....
-----	R.....
-----	R.....

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TOTAL: R.....

6. Period required for commencement with project after acceptance of bid

7. Estimated man-days for completion of project

8. Are the rates quoted firm for the full period of contract?*YES/NO.

9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.....

.....
.....
.....

*Delete if not applicable

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 positioning relation to the evaluating/adjudicating authority.
3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his or her representative:.....

3.2 Identity Number:

3.3 Position occupied in the Company (director, trustee, hareholder²):.....

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

3.7 The names of all directors / trustees / shareholder 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

²⁰ Request to appoint an external service provider professional services relating to the rural roads assets management system



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 director’s trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

3.13.1 If yes, furnish particulars.
.....
.....

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

3.14.1 If yes, furnish particulars:

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

Initial here

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, 2011.

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
 - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- 1.2 The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.
- 1.3 Preference points for this bid shall be awarded for:
 - (a) Price; and
 - (b) B-BBEE Status Level of Contribution.

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

	POINTS
1.3.1.1 PRICE	80
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION	20
Total points for Price and B-BBEE must not exceed	100

- 1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.5 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- 2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based

²³ Request to appoint an external service provider professional services relating to the rural roads assets management system

on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

- 2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less .
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or Bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.



3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respect, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

4.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

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

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

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	16
4	12
5	8

6	6
7	4
8	2
Non-compliant contributor	0

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

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

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

7.1 B-BBEE Status Level of Contribution: =(maximum of 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

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

8.1.1 If yes, indicate:

- (i) What percentage of the contract will be subcontracted?%
- (ii) The name of the sub-contractor?
- (iii) The B-BBEE status level of the sub-contractor?
- (iv) Whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of firm :.....

9.2 VAT registration number :.....

9.3 Company registration number :.....

:

9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....
.....
9.6 COMPANY CLASSIFICATION

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

9.7 MUNICIPAL INFORMATION

- Municipality where business is situated
.....
Registered Account Number
- Stand Number

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

.....
9.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBEE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) Disqualify the person from the bidding process;
 - (b) Recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) Cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the

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- (e) audialteram'partem (hear the other side) rule has been applied; and
forward the matter for criminal prosecution

WITNESSES:

1.

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

2.

DATE:.....

ADDRESS:.....

.....

.....

**ATTACH BBB-EE CERTIFICATE / SWORN AFFIDAVIT
HERE**

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MBD 7.2

**CONTRACT FORM - RENDERING OF SERVICES
THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER
(PART 1) AND THE
PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT
THE SERVICE
PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY
SIGNED CONTRACTS
FOR THEIR RESPECTIVE RECORDS.**

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.

2. The following documents shall be deemed to form and be read and construed as part of this agreement:

- (i) Bidding documents, viz
- Invitation to bid;
- Tax clearance certificate;

30 Request to appoint an external service provider professional services relating to the rural roads assets management system

Bid no.:8/2/4/1-2020

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- Pricing schedule(s);
- Filled in task directive/proposal;
- Preference claims for Broad Based Black Economic Empowerment Status Level of
- Contribution in terms of the Preferential Procurement Regulations 2011;
- Declaration of interest;
- Declaration of Bidder’s past SCM practices;
- Certificate of Independent Bid Determination;
- Special Conditions of Contract;
- (ii) General Conditions of Contract; and
- (iii) Other (specify)

3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

<p>WITNESSES</p> <p>1</p> <p>2</p> <p>DATE:</p>

MBD 7.2

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I.....in my capacity as.....
accept your bid under reference numberdated.....for the rendering of
services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of
the contract, within 30 (thirty) days after receipt of an invoice.

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DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP WITNESSES

WITNESS

1-----

2-----

DATE:-----

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	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>audialterampartem</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.	Yes <input type="checkbox"/>	No <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.	Yes <input type="checkbox"/>	No <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	Yes <input type="checkbox"/>	No <input type="checkbox"/>
34	Request to appoint an external service provider professional services relating to the rural roads assets management system		



4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME)
CERTIFY THAT THE INFORMATION FURNISHED ON THIS
DECLARATION FORM TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION
PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js367bW

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**DEPARTMENT: SUPPLY CHAIN
MANAGEMENT**

Sedibeng District Municipality
P.O. Box 471
Vereeniging, 1930
Republic of South Africa
Tel: +27 16 450 3110
Fax: +27 86 682 9892

Please provide at least 3 references

1. Name:.....
Company:.....
Position Held:.....
Contact Number (s) work.....
Mobile.....
2. Name:.....
Company:.....
Position Held:.....
Contact Number (s) work.....
Mobile.....
3. Name:.....
Company:.....
Position Held:.....
Contact Number (s) work.....
Mobile.....
4. Name:.....
Company:.....
Position Held:.....
Contact Number (s) work.....
Mobile.....
5. Name:.....
Company:.....
Position Held:.....
Contact Number (s) work.....
Mobile.....

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PLEASE NOTE THAT THIS IS COMPULSORY***

**ATTACH ADDITIONAL
LETTERS OF REFERENCE
(IF APPLICABLE)
HERE**

DESCRIPTION	YES (√)	NO (X)
1. All pages are completely filled and signed by the authorized person:		
2. Original valid Tax Clearance Certificate obtainable from any South African Revenue Services branch has been attached:		
3. Original BBBEE Certificate		
4. Original current account of water and lights/Rates and Taxes obtainable from any Local or Metropolitan Municipality has been attached		
5. In a case of Joint Ventures (JV)/Consortium, the JV agreement has been attached		
6. The bidder has provided at least three contactable references		
7. Company registration documents e.g. CK document has been attached, in a case of a Private/Public company, shareholding information e.g. share certificate, has been attached		
8. Central Supplier Database summary report.		

**ATTACH COMPANY
REGISTRATION DOCUMENTS
HERE**

ATTACH CENTAL SUPPLIER DATABASE
REGISTRATION
HERE

41 Request to appoint an external service provider professional services relating to the rural roads assets management system
Bid no.:8/2/4/1-2020

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CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.

2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:

- a. take all reasonable steps to prevent such abuse;
- b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
- c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: _____ that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

1. 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.
2. 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.
3. 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.
4. 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.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js9141w 4

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FORM OF OFFER AND ACCEPTANCE

OFFER

The Employer, identified in the acceptance signature block, has solicited offer to enter into a Contract in respect of the following service:

TENDER No: 8/2/4/1-2020

The tenderer, identified in the offer signature block has examined the documents listed in the tender data and addenda thereto as listed in the tender schedules, and by submitting this offer has accepted the Conditions of Tender.

By the representative of the tenderer, deemed to be duly authorized, signing this part of this form of offer and acceptance, the tenderer offer to perform all of the obligations and liabilities of the Service Provider under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount of R..... be determined in accordance with the conditions of contract identified in the Conditions of Contract.

THE OFFERED PRICE IS R..... (INCLUSIVE OF VAT)

This offer may be accepted by the Employer by signing the Acceptance part of this form of offer and acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the Conditions of Tender, whereupon the Tenderer becomes the party named as the Service Provider in the Condition of Contract.

Signature(s):.....
.....

Name(s):.....
.....

Capacity for the
Tenderer:
...

Name and address of
organization).....

Name and
Signature of
Witness:..... Date:.....

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ACCEPTANCE

By signing this part of this form of offer and acceptance, the Employer identified below accepts the Tenderer's offer. In consideration thereof, the Employer shall pay the Service Provider the amount due in accordance with the Conditions of Contract identified in the contract that is the subject of this agreement.

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the tender scheduled as well as any changes to the terms of the offer agreed by the tenderer and the Employer during this process of offer and acceptance, are contained in the schedule of deviations attached to, and forming part of this agreement. No amendments to or deviations from said documents are valid unless contained in this schedule, which must be signed by the authorized representative(s) of both parties.

The tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the Employer's agent (whose details are given in the contract data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the Contract Data at, or just after, the date this agreement comes into effect. Failure to fulfill any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the tenderer (now Service Provider) within five days of the date of such receipt notifies the Employer in writing of any reason why he cannot accept the contents of this agreement shall constitute a binding between the parties.

Signature(s):

.....

Name(s):

.....
.....

Capacity for the Employer:

(Name and address of organization).....

.....

Name and Signature of

Witness:.....

Date:.....

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CREDIT ORDER INSTRUCTION

It is the policy of the Sedibeng District Municipality to pay all creditors by means of direct bank transfers. Please complete this information and acquire your banker’s confirmation.

Name of Firm Account Holder

.....

Address:.....

.....
.....

Name of Bank:

Name of Branch:.....

Branch Code:.....

Account Number:.....

Type of Account:.....

I/we hereby requested and authorize the Sedibeng District Municipality to pay any amounts that may accrue to me/us to the credit of my/our bank account.

I/we understand that a payment advice will be supplied by the Sedibeng District Municipality in the normal way that will indicate the date on which funds will be available in my/our bank account and details of payment.

I/we further undertake to inform the Sedibeng District Municipality in advance of any change in my/our bank details and accept that this authority may only be cancelled by me/us by giving thirty days’ notice by prepaid registered post.

.....
Initials and Surname

.....
Authorized Signature

Date:.....

FOR BANK USE ONLY

I/We hereby certify that the details of our clients bank account as indicated on the credit order instruction is correct:

.....
AUTHORISED SIGNATURE(S)

Initial here



OFFICIAL DATE STAMP

Initial here