



SOL PLAATJE LOCAL MUNICIPALITY

INVITATION FOR QUOTATIONS

Q044/2020/2021

**RE-ADVERTISE: THE APPOINTMENT OF A PROFESSIONAL ELECTRICAL
ENGINEERING CONSULTANT FOR THE DETERMINATION OF NEW LOAD SHEDDING
SCHEDULES FOR SOL PLAATJE MUNICIPALITY – RE-ADVERT**

SUPPLIER: _____

PHYSICAL TRADING OFFICE ADDRESS: _____

TEL NO: _____ **CELL NO:** _____

FAX NO: _____ **EMAIL ADDRESS:** _____

Prepared for:- N Mnanzana and P Mosito
Sol Plaatje Municipality
Private Bag X5030
KIMBERLEY
8300

Prepared by: - N. L. Songqishe

SCOA BUDGET VOTE NO: 28862304510ELCAPZZWM

Compile Date: 02/06/2021

SCOA PRINT VOTE NO ...As Above

SOL PLAATJE LOCAL MUNICIPALITY

INVITATION FOR QUOTATIONS

Directorate: INFRASTRUCTURE
Contact person: N MNANZANA AND P MOSITO
Date: 02/06/2021

Section: ELECTRICAL
Telephone: 053 830 6602
Reference No. Q044/2020/2021

RE-ADVERTISE: THE APPOINTMENT OF A PROFESSIONAL ELECTRICAL ENGINEERING CONSULTANT
FOR THE DETERMINATION OF NEW LOAD SHEDDING SCHEDULES FOR SOL PLAATJE MUNICIPALITY-

RE-ADVERT

*Documents are obtainable from:
SCU Contract Department, Abattoir Road, Stores Complex (Opposite Security),
Kimberley
Telephone: 053 8306180*

**INVITATION FOR QUOTATIONS FOR ORDERS
ABOVE R30 000 BUT LESS THAN R200 000**

**One complete set of documents is available to download from
<http://www.solplaatje.org.za> at no cost.**

**ANY QUOTE WILL NOT NECESSARILY BE ACCEPTED AND THE COUNCIL RESERVES
THE RIGHT TO ACCEPT THE WHOLE OR ANY PART OF ANY QUOTE**

**QUOTATIONS SUBMITTED WILL ONLY BE CONSIDERED IF THE BIDDER HAS BEEN
APPROVED ON THE CENTRAL SUPPLIER DATABASE (CSD) ON THE NATIONAL
TREASURY'S WEBSITE (www.csd.gov.za); COMPLETED AND SUBMITTED ALL
DOCUMENTS AS PER LISTING CRITERIA IN THE ATTACHED DOCUMENT AND
THE BIDDER COMPLIES WITH THE REQUIREMENTS OF THE ATTACHED MQD 2.**

GENERAL CONDITIONS

Quotations must be submitted using this official quotation form.

**SOL PLAATJE LOCAL MUNICIPALITY
INVITATION TO QUOTATION BID**

**PART A
INVITATION TO QUOTATION BID**

| | | | | | |
|---|--|---------------|------------|---------------|-------|
| THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED) | | | | | |
| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOL PLAATJE MUNICIPALITY | | | | | |
| BID NUMBER: | Q044/2020/2021 | CLOSING DATE: | 24/06/2021 | CLOSING TIME: | 10H00 |
| DESCRIPTION | <p><u>RE-ADVERTISE: THE APPOINTMENT OF A PROFESSIONAL ELECTRICAL ENGINEERING CONSULTANT FOR THE DETERMINATION OF NEW LOAD SHEDDING SCHEDULES FOR SOL PLAATJE MUNICIPALITY– RE-ADVERT</u></p> <p>One complete set of document is available at http://www.etenders.gov.za or http://www.solplaatje.org.za at no cost.</p> <p>The services shall commence on the date of signing the contract, and for a period of 3 months / once off henceforth, with an option to extend as may be agreed upon by both parties upon expiry.</p> <p>One complete set of documents is available from SCU Contracts Department, Municipal Stores Complex Abattoir Road, Ashburnham, Kimberley, upon payment of an amount of R100-00 (One hundred rand), which is non-refundable.</p> <p>Payment must be made at the cashiers on a "NO 10 deposit slip" using the following mSCOA vote no 21 12 1 42 451 0 SG ZZZ ZZ WM</p> | | | | |
| 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
SOL PLAATJE MUNICIPALITY**

SCU – CONTRACTS DEPARTMENT, MUNICIPAL STORES COMPLEX

ABATTOIR ROAD, ASHBURNHAM

KIMBERLEY

8301

SUPPLIER INFORMATION

NAME OF BIDDER

POSTAL

| | | | | |
|--|---|--|---|---------|
| ADDRESS | | | | |
| PHYSICAL TRADING ADDRESS | | | | |
| TELEPHONE NUMBER | CODE | | NUMBER | |
| CELLPHONE NUMBER | | | | |
| FACSIMILE NUMBER | CODE | | NUMBER | |
| E-MAIL ADDRESS | | | | |
| VAT REGISTRATION NUMBER | | | | |
| TAX COMPLIANCE STATUS | TCS PIN: | | AND | CSD No: |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX] | <input type="checkbox"/> Yes <input type="checkbox"/> No | | B-BBEE STATUS LEVEL ORIGINAL 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] | | | | |
| 1. In terms of section 2 (1) (d-f) of the PPPFA 2017 – The following Pre-Qualification criteria are applicable Open tender will be considered for this quotation. <u>An Original B-BBEE Certificate accredited by SANAS or Certified Copy thereof OR</u> <u>An original certified B-BBEE Sworn Affidavit</u> for EME'S must be included in this bid document to qualify for relevant points claimed as per MBD 6.1 Certificate. 2. Companies or bidders bidding as a <u>Joint venture must include their consolidated</u> <ul style="list-style-type: none"> • <u>Joint Venture Agreement</u> • <u>Joint B-BBEE certificate</u> • <u>MBD's 2, 4,8 & 9 must</u> be completed respectively by both/all parties and submitted as part of the bid document | | | | |

| | | | |
|--|--|---|--|
| 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 | | | |
| SIGNATURE OF WITNESS NO 1 | NAME PRINT | | |
| SIGNATURE OF WITNESS NO 2 | NAME PRINT | | |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO: | | TECHNICAL INFORMATION MAY BE DIRECTED TO: | |
| DEPARTMENT | Infrastructure | Electrical | |
| CONTACT PERSON | M Mnzana and P Masito | | |
| TELEPHONE NUMBER | <u>053 830 6602</u> | | |
| FACSIMILE NUMBER | | | |
| E-MAIL ADDRESS | NMNANZANA@solplaatje.org.za and Pmosito@solplaatje.org.za | | |

**PART B
TERMS AND PRE-CONDITIONS FOR BIDDING**

VERY IMPORTANT NOTICE:

(1): NO QUOTATION BIDS WILL BE CONSIDERED FROM BIDDERS WHO HAS NOT BEEN APPROVED ON THE CENTRAL SUPPLIERS DATABASE (CSD) ON THE NATIONAL TREASURY WEBSITE www.csd.gov.za

(2) NO QUOTATION BIDS WILL BE CONSIDERED WHO HAS NOT COMPLETED THE LISTING CRITERIA AND SUBMITTED THE REQUIRED DOCUMENTS PRESCRIBED IN THIS DOCUMENT

(3) NO QUOTATION BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (as defined in Regulation 1 of the Local Government: Municipal Supply Chain Management Regulations)

1. BID SUBMISSION:

1.1. Bids must be delivered by the stipulated time to the correct address. Late bids will not be accepted.

1.2 All bids must be submitted on the official forms provided – (may not to be re-typed, only hand written submissions will be accepted,). Bidders who have purchased the bid documents from the Municipality MUST include the proof of such purchase by including a copy of the receipt with the original bid document

1.3 Should a bidder fail to maintain this status after the contract is awarded; the Council may cancel this contract or make single or multiple deductions from any payment claims in terms of the contract to the amount equal to any outstanding amounts owed to the municipality. The bidder shall have no right whatsoever to claim damages resulting from such action.

1.4 **No correction tape or fluid** may to be used on the tender document. Any errors made should be neatly crossed out and initialled by the bidder.

1.5 All prices **must** include value added tax, bid prices excluding value added tax may not be considered.

Please attach all annexures on the pages as indicated in the bid document

1.7 This bid is subject to the Preferential Procurement Policy Framework Act and the Preferential Procurement Regulations, 2017, the General Conditions of Contract (GCC) and, where applicable, any other legislation and special conditions of contract.

2. TAX COMPLIANCE REQUIREMENTS

2.1 Bidders must ensure compliance with their tax obligations. see MBD 2

Bidders are required to submit their unique personal identification number (pin) issued by SARS to enable Municipality to view the taxpayer's profile and tax status.

2.2 Application for the tax compliance status (TCS) pin may be made via e-filing through the SARS website www.sars.gov.za.

2.3 Foreign suppliers must complete the pre-award questionnaire in Part B Paragraph 5.

2.4 In bids where consortia / joint ventures / sub-contractors are involved each party must submit a separate TCS certificate / pin / CSD number.

2.5 All Bidders must be **SARS COMPLIANT** on Central Suppliers Database (CSD) and **A CURRENT PROOF** of compliancy and a **TAX COMPLIANCE STATUS CERTIFICATE** must be submitted with the Tender document on closing date.

Bidders are required to submit their detailed CURRENT Central Suppliers Database (CSD) registration report (NOT the summary report) together with the bid document.

3. MUNICIPAL RATES AND SERVICES STATUS: BIDDERS ARE REQUIRED TO CONFIRM THE STATUS OF THEIR MUNICIPAL RATES AND SERVICES ACCOUNTS BY MEANS OF INCLUDING IN THIS BID DOCUMENT

3.1. **A RECENT (60 DAY) MUNICIPAL ACCOUNT OF THE PHYSICAL TRADING OFFICE ADDRESS** of the bidder indicating that all accounts are in good standing; or, if the bidder is not liable for, and has no, municipal account, even outside the Frances Baard Municipal boundaries

YES NO

3.2 **A VALID LEASE AGREEMENT** clearly stating who is responsible for the municipal account and supported by documents indicating that all accounts are in good standing.

YES NO

3.3 **IF THE LESSEE PAY TO THE LOSSOR A RECENT (60 DAY) TAX INVOICE/ MUNICIPAL ACCOUNT** of the bidder indicating that all accounts are in good standing, or if the bidder is not liable for any municipal services, **the Lessor recent (60 day) municipal account must be attached**

YES NO

3.2 **NO CONFIRMATION LETTER / GENERAL AFFIDAVIT** of a lease agreement / Renting will be accepted;

YES NO

3.3 **A RECENT (60 DAY) MUNICIPAL ACCOUNTS MUST** also be submitted in cases where the owner/director of the business also acts as landlord of the business property and submitted a lease agreement also see listing criteria and MBD 6.1 in this bid document and

YES NO

3.4 Bidders who has failed to submit and prove that all relevant accounts are in good standing **WILL NOT BE CONSIDERED**, such confirmation and supporting documents **MUST NOT BE OLDER THAN 60 DAYS**.

One complete set of documents is available at

<http://www.solplaatje.org.za> at no cost

4. **COMPULSORY CLARIFICATION MEETINGS/ CIDB GRADINGS (IF APPLICABLE) N/A**

Compulsory site briefing will be held on Wednesday the 3rd of February 2021, at Homevale WWTW grounds.

5. **QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

5.1 IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO

5.2 DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO

5.3 DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO

5.4 DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

5.5 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.

IT WOULD BE APPRECIATED IF YOUR COMPANY COULD PROVIDE THIS OFFICE WITH A RETURNABLE ADDRESS ON THE BACK OF THE ENVELOPES

YES NO

In terms of section 13 of the Municipal Supply Chain Management Regulations No. 27636 of 30 May 2005, the Municipal Manager shall reject all bids that do not comply with the following preconditions:

1. Bidders that have not furnished the Municipality with his/her full names, identification number or company or other registration number and tax reference number and vat registration number, if any.
2. Bidders that have not submitted a valid tax clearance certificate from SARS or provided their tax compliance status pin number
3. Bidders that have not indicated: -
 - a. Whether he/she is in the service of the state or has been in the service of the state in the previous twelve months;
 - b. If the bidder is not a natural person, whether any of its directors, managers, principal shareholders or stakeholder is in the service of the state or has been in the service of the state in the previous twelve months, or
 - c. Whether a spouse, child or parent of the bidder or of a director, manager, shareholders or stakeholder in the previous twelve months.
4. Any special conditions as contained in the bid documents.

Bidders scoring the highest points or any bid will not necessarily be accepted, and the Municipality reserves the right to Sub-divide the contract and accept any portion of any bid, or determine a multiple award.

Bids will be evaluated in terms of the approved point system **80/20** of Sol Plaatje Municipality as detailed in Preference Points form MBD 6 enclosed in Bid document. The Tender validity period should be for **30 days**.

NO BIDS BY FAX OR BY E-MAIL WILL BE ACCEPTED. Sealed bids outwardly marked with the relevant contract number **CONTRACT: Q044/2020/2021** - **RE-ADVERTISE: THE APPOINTMENT OF A PROFESSIONAL ELECTRICAL ENGINEERING CONSULTANT FOR THE DETERMINATION OF NEW LOAD SHEDDING SCHEDULES FOR SOL PLAATJE MUNICIPALITY- RE-ADVERT** must be addressed to the Municipal Manager and placed in the **TENDER BOX (OPPOSITE SECURITY), MUNICIPAL STORES COMPLEX, ABATTOIR ROAD, ASHBURNHAM, Kimberley, not later than 10:00 on 24th June 2021.**

Bids will be opened in public in the SCU BOARDROOM, STORES COMPLEX, ABATTOIR ROAD, Kimberley, immediately after closing on the same day at 10am.

INVITATION FROM: MUNICIPAL MANAGER

CIVIC OFFICES, SOL PLAATJE DRIVE

PRIVATE BAG X5030,

KIMBERLEY, 8300

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

NAME OF BIDDER _____

AUTHORISED BY THE BIDDER: PRINT NAME _____

SIGNATURE _____

NAME OF COMPANY: _____

POSTAL ADDRESS: _____

TELEPHONE NO. _____ FAX NO. _____

E-MAIL ADDRESS _____

Certificate of Attendance of Clarification Meeting on Site (if applicable)

NOTE: If the attendance register was signed at the clarification meeting held at the SCM Boardroom, the name of the signatory shall be inserted on this page and the authorized signatory shall sign this page.

| |
|---|
| <i>If attendance register has been signed at the clarification meeting:</i> |
| Name of person appearing on attendance register: |
| Representative organization name on attendance register: |
| <i>If the attendance register has not been signed at the clarification meeting.</i> |
| This is to certify that I,, representative of (Tenderer) of (address) telephone number fax number e-mail attended the bid clarification meeting (date) in the company of (Employer's Line Manager / Engineer's representative) EMPLOYER'S LINE MANAGER / ENGINEER'S REPRESENTATIVE: |

TAX CLEARANCE CERTIFICATE REQUIREMENT

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations. Bids will not be considered if these requirements are not met.

1. Previously a taxpayer (bidder) was required to submit a valid, original paper Tax Clearance Certificate (TCC), the tax payer/ bidder **MUST** now submit TAX COMPLIANCE STATUS PIN NO. Bids **WILL NOT be considered** if the correct PIN NO and Tax Reference Number are not included in this document
2. Applications for the Tax Clearance Certificates **MUST be made via eFiling**. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za or contact the SARS Contact Centre on 0800007277
3. The bidder (Name) Hereby grants Sol Plaatje Local Municipality
Permission to use the following TAX COMPLIANCE STATUS PIN NO
With reference to the following Tax reference Number.....
4. The bidder (Name) Hereby further grants SARS permission to disclose the bidders TAX COMPLIANCE STATUS to Sol Plaatje Local Municipality on an on-going basis during the Contract Term.
5. A bidder who appoints a Sub-Contractor / Joint Venture / Consortia to execute a portion of a contract (Sub-Contractor in excess of National Treasury threshold) must ensure that each appointment is TAX COMPLIANT and remains TAX COMPLIANT for the duration of the contract. Successful bidders must provide Sol Plaatje Local Municipality authority from their appointments confirming that SARS may, on an on-going basis during the contract term, disclose the appointed Sub-Contractor / Joint Venture / Consortia TAX COMPLIANCE STATUS.
6. A bidder who acts on behalf of an undisclosed principal must disclose such a fact upon submission of a bid as well as identity of that principal. The TAX COMPLIANCE STATUS of that principle must be verified in the same manner as that of the bidder. The same principle applies mutatis mutandis to any Sub-Contractor / Joint Venture / Consortia appointed by a successful bidder to execute a portion of a contract.
7. The TAX COMPLIANCE STATUS of all parties must be disclosed and verified if the bidder consists of a partnership and
8. A bidder, who is not resident in the Republic of South Africa, must apply for TAX CLEARANCE at SARS.

SIGNATURE OF BIDDER DATE:

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

WITNESS 1 DATE:

WITNESS 2 DATE:

This page (MBD2) must be fully completed and signed by two witnesses.

Sol Plaatje Municipality



SOL PLAATJE MUNICIPALITY, KIMBERLEY

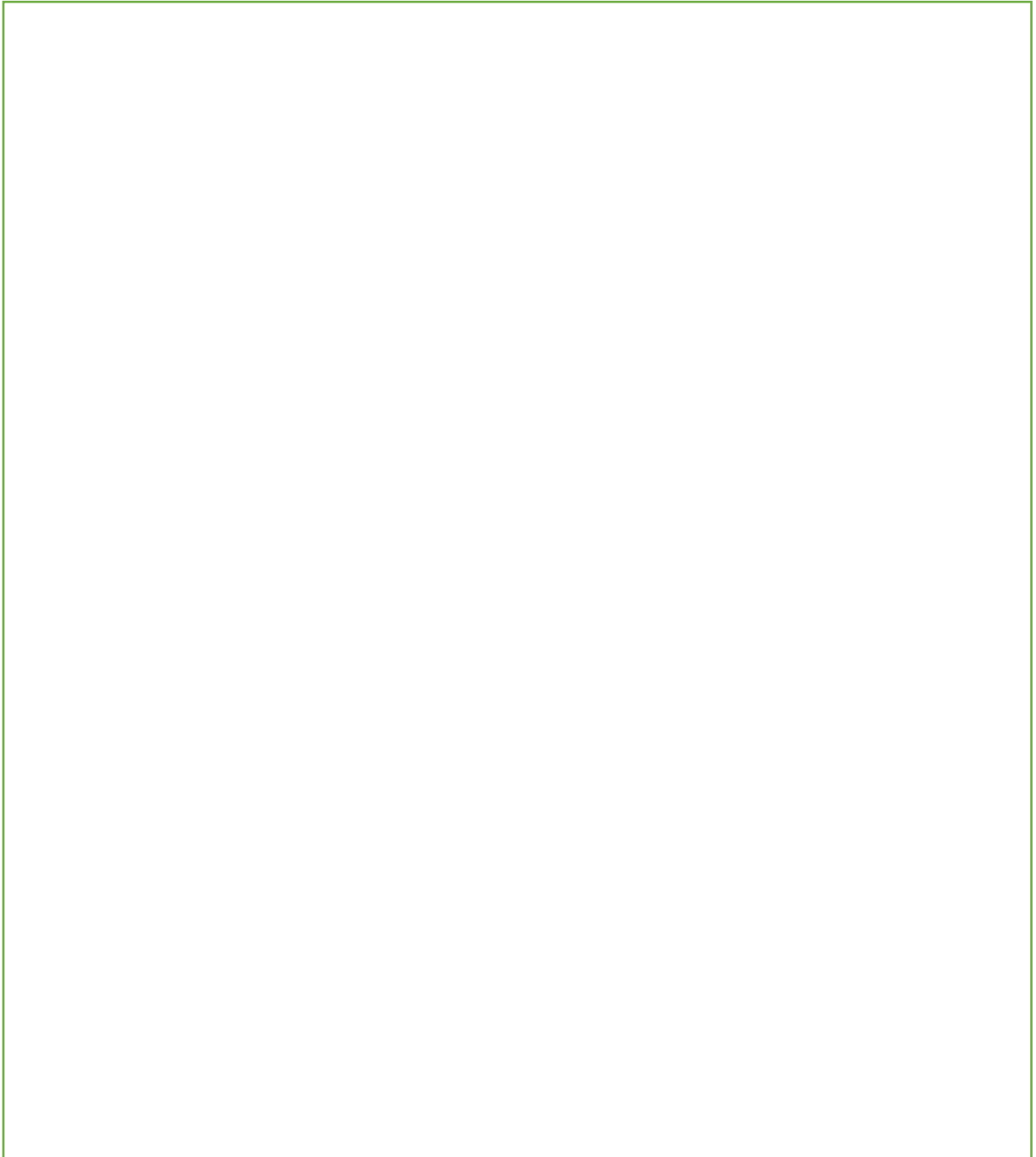
****MANDATORY** LISTING CRITERIA**

CENTRAL SUPPLIER DATABASE REGISTRATION NUMBER (CSD): _____

| | | | |
|----|---|--|--|
| 1 | Company name | | |
| 2 | Contact details | Telephone Number: _____ | Fax Number: _____ Cell phone number: _____ |
| | Email address Contact person: | _____ _____ | |
| 3 | Postal Address: _____ | | |
| 4 | VAT registered | Yes <input type="checkbox"/> No <input type="checkbox"/> | If registered, VAT Registration No: _____ |
| 5 | Settlement discount allowed | _____ % | For payment within _____ days |
| 6 | Bank account details | Account No.: | Branch No.: |
| | Bank Name | _____ | |
| | Branch Name | _____ | |
| | Bank account type | _____ | |
| 7 | Business Municipal Rates and Service Account Number: ** A current (30 days) account, or Lease Agreement in the case of a Landlord responsible for account, must be attached to this document ** | _____ | |
| 8 | Located in Sol Plaatje Municipal Area | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 9 | % owned by black male: _____ % % owned by black youth: _____ % % owned by disabled persons: _____ % | % owned by black female: _____ % % owned by white female: _____ % | |
| 10 | B-BBEE status level of contribution: _____ | | |
| 11 | Indicate main sector. Please select one (1) only: Agriculture <input type="checkbox"/> ; Mining and Quarrying <input type="checkbox"/> ; Manufacturing <input type="checkbox"/> ; Electricity, Gas, Water <input type="checkbox"/> ; Construction <input type="checkbox"/> ; Retail & Motor Trade & Repairs <input type="checkbox"/> ; Wholesale Trade, Commercial Agents and Allied Services <input type="checkbox"/> ; Catering & Accommodation & other Trade <input type="checkbox"/> ; Transport, Storage & Communications <input type="checkbox"/> ; Finance and Business Services <input type="checkbox"/> ; Community, Social and Personal Services <input type="checkbox"/> | | |
| 12 | Amount full time employed staff: _____ | Annual Turnover: R _____ | Asset Value (Excluding fixed property) R _____ |
| 13 | It is the responsibility of the Supplier/Bidder to inform Sol Plaatje Municipality of any changes during the contract period | | |
| | NAME (PRINT) _____ SIGNATURE: _____ | | |
| | CAPACITY: _____ | | |
| | WITNESS (NAME): _____ SIGNATURE: _____ | | |
| | DATE: _____ | | |

**ATTACH PROOF OF CSD DATABASE REGISTRATION
HERE**

ATTACH THE RECENT MUNICIPAL ACCOUNT OR AGREEMENTS AS PER GENERAL CONDITIONS NO: 2 (MQD 1)

A large, empty rectangular box with a thin green border, occupying the majority of the page below the text. It is intended for the user to attach the required documents.

SOL PLAATJE LOCAL MUNICIPALITY

**Q044/2020/2021 - RE-ADVERTISE: THE APPOINTMENT OF A PROFESSIONAL
ELECTRICAL ENGINEERING CONSULTANT FOR THE DETERMINATION OF
NEW LOAD SHEDDING SCHEDULES FOR SOL PLAATJE MUNICIPALITY- RE-
ADVERT**

NB. PRICES MUST HOLD GOOD FOR AT LEAST 1 MONTH (30 days) AS FROM CLOSING DATE

+ THIS BID WILL NOT BE CONSIDERED IF THIS PAGE IS NOT FULLY COMPLETED.

+ PRICES ALTERED BY MEANS OF CORRECTION FLUID WILL NOT BE CONSIDERED

+ THE QUOTE WILL BE EVALUATED ON THE TOTAL PRICE AND NOT PER LINE ITEM

**ANY QUOTE WILL NOT NECESSARILY BE ACCEPTED AND THE COUNCIL RESERVES THE
RIGHT TO ACCEPT THE WHOLE OR ANY PART OF THE QUOTE**

SPECIAL CONDITIONS, SPECIFICATIONS AND PRICE SCHEDULE

Suppliers are to adhere to the specifications given. Non-adherence to the specifications will result in the quotation not being considered.

+ PLEASE NOTE: ANY QUOTE WILL NOT NECESSARILY BE ACCEPTED AND THE COUNCIL RESERVES THE RIGHT TO ACCEPT THE WHOLE OR ANY PART OF THE QUOTE.

SPECIFICATIONS

Determination of new load shedding schedules

The Sol Plaatje Municipality is continuously striving to improve on its service delivery commitments and hence the need to limit electricity interruptions. Hence, the municipality is looking at revising its Load Shedding Schedules in order to minimise the impact thereof. The aim is to develop a more structured and strategic approach in arriving at the new Load Shedding Schedules.

A Load Shedding fact sheet must be compiled by the service provider. An example of such a fact sheet will be provided at the compulsory site briefing.

The service provider is expected to compile the Load Shedding Schedules from Stage 1 - 8

It will thus be expected of the service provider to:

- Be familiar with the different stages as specified by Eskom (Stages 1-8) and what is expected to be shed during each stage
- Study the load profiles of Kimberley covering a 12-month period in order to understand the demand patterns
- Consider the physical distances between the various substations
- Familiarise themselves with the different switchgear and switching operations required at the various substations
- Categorise the various substations per consumer type, typically where you find businesses, large residential loads etc
- Study the Peak, Off-Peak and Standard time consumption patterns in order to look into potential savings for the municipality based on a new schedule. Typically switching a substation during a certain time period which has a high Peak TOU consumption
- Consider changing the length / duration a substation is switched off
- Look at the load management system at the municipality (geyser control) and the role it plays within the Load Shedding Schedules. Typically perform notch test to ascertain the amount of load that can be switched (this would be done by the municipality).
- Consider the option of introducing load curtailment to certain customers
- Draft the proposed schedule and supply soft copies to the municipality
- Impact of switching the municipalities own loads – example switching off Beaconsfield WWTW for a certain period rather than switching off a substation
- Study the impact of Load Shedding on local business and how it can be minimised
- Make feasible recommendations where impact of Load Shedding can be minimised
- Identification of critical loads and the possibility of excluding it from the schedule.
- Study Load Shedding Schedules from other municipalities in order to adopt any best practices

- Familiarise themselves with NRS048-9 which is the national standard for load shedding

The aim of this web quote is this to mitigate, as far as possible, the negative impacts of Load Shedding on our local economy. It will this be expected that the service provider holds consultations with the following groups:

- Business groups
- Several Large Power Users (consumers above 100kVA)
- Groups with large SSEG installations

Special conditions:

1. Service provide to provide proof of at least one Pr Eng or Pr Tech (Electrical) in their permanent employ
2. Member of CESA (Provide proof)

Pricing Schedule

| Description | Unit Price | Quantity | Total (excl VAT) |
|-------------------------------|---------------|----------|------------------|
| Consultation Meeting | R | 15 | R |
| Substation inspections | R | 10 | R |
| Information gathering | R | 1 | R |
| Load management system study | R | 1 | R |
| Study into load curtailment | R | 1 | R |
| Compilation of critical loads | R | 1 | R |
| Fact sheet | R | 1 | R |
| New load shedding schedule | R | 1 | R |
| | | | |
| Total | | | R |
| VAT | | | R |
| Grand Total | (Total + VAT) | | R |

SPECIAL CONDITIONS

Bids **MUST** comply with the following Special conditions of Contract where applicable

Period required for delivery by Line Manager

▪ _____ days

○ **Completion of Project by Line Manager**

• _____ weeks

○ Does the offer comply with the specification(s)? *YES/NO

○ Delivery basis *YES/NO

○ Settlement Discount Allowed

○ _____ % 30 days

○ _____ % 15 days

○ Value added Tax as well as Delivery Costs to the Municipal Stores must be included in ALL PRICES

○ **THESE BID PRICES MUST HOLD GOOD 30 DAYS AS FROM CLOSING DATE**

○ **THE BIDDER WILL BE HELD LIABLE FOR ANY DAMAGES CAUSED DURING TRANSPORTATION OF GOODS AND SERVICES**

BIDDER SIGNATURE

DATE:

| No | Description | Signature | Date |
|-----------|---|------------------|-------------|
| 1 | Specifications and Special Conditions submitted by line manager | | |
| | Quotation Document: Prepared by Demand Manager | | |
| | Verified by SC Manager | | |
| | Agreed by Line Manager | | x |
| | | | |
| 2 | Pre-Qualification Criteria as per supporting Documents From Demand Manager | | |
| | Agreed by: Line / Project Manager | | x |
| | Approved for Advertising by SC Manager | | |

DECLARATION OF INTEREST

BIDDERS WHO FAIL TO DECLARE ACCURATELY AND HONESTLY SHALL BE DISQUALIFIED AND THEIR NAMES AND COMPANY DETAILS WILL BE SUBMITTED TO NATIONAL TREASURY AND PROVINCIAL TREASURY TO BE BLACK LISTED. SHOULD YOUR INTEREST BE DISCOVERED AFTER THE AWARD OF THE CONTRACT THE MUNICIPALITY SHALL TERMINATE YOUR CONTRACT ON THE BASIS OF THE ABOVE.

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

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

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

3.2 Identity Number:

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

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? (Employed by the State)? **YES / NO**

3.8.1 If yes, furnish particulars.

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

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);

- (e) an executive member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

“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 (employed by 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 (employed by 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 (employed by 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 the service of the State (employed by 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 the service of the State (employed by 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 |
|-----------|-----------------|-----------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

DECLARATION

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
(Print) Name of bidder

FAILURE TO SIGN THE DOCUMENT WILL LEAD TO DISQUALIFICATION

MBD 4 TO BE REVIEWED ANNUALLY BY BIDDER ON SOL PLAATJE MUNICIPALITY DATABASE

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

PURCHASES

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 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.
- 1.3 Preference points for this bid shall be awarded for:
- (a) Price; and
 - (b) B-BBEE Status Level of Contribution.
- 1.4 The maximum points for this bid are allocated as follows:

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

- 1.5 Failure on the part of a bidder to 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 a sworn affidavit confirming annual turnover and level of black ownership in case of an EME and QSE 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.

2. DEFINITIONS

- (a) **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- (b) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (c) **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (d) **“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;
- (e) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003) as amended by Act No 46 of 2013;
- (f) **“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;
- (g) **“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;
- (h) **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- (i) **“EME”** means an Exempted Micro Enterprise as defines by Codes of Good Practice issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (j) **“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;
- (k) **“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;
- (l) **“non-firm prices”** means all prices other than “firm” prices;
- (m) **“person”** includes a juristic person;
- (n) **“QSE”** means a Qualifying Small Enterprise as defines by Codes of Good Practice issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (o) **“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;
- (p) **“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;
- (q) **“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;

- (r) **“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
- (s) **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

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

4. POINTS AWARDED FOR PRICE

4.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 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 | 14 |
| 4 | 12 |

| | |
|---------------------------|---|
| 5 | 8 |
| 6 | 6 |
| 7 | 4 |
| 8 | 2 |
| Non-compliant contributor | 0 |

- 5.2 A bidder who qualifies as an EME in terms of the B-BBEE Act must submit a sworn affidavit confirming Annual Total Revenue and Level of Black Ownership.
- 5.3 A Bidder other than EME or QSE must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary Institutions and Public Entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

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

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 5.1

- 7.1 B-BBEE Status Level of Contribution: = (maximum 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 a sworn affidavit.

8. SUB-CONTRACTING

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

(Tick applicable box)

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

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.

(Tick applicable box)

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

9. DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name _____ of
company/firm:.....

9.2 VAT _____ registration
number:.....

9.3 Company _____ registration
number:.....

9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

9.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

9.7 MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account Number:

Stand Number:.....

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

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

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

N.B.:- THIS FORM MUST BE SIGNED BY THE BIDDER AND TWO WITNESSES (FAILURE TO COMPLY TO THIS WILL LEAD TO DISQUALIFICATION)

SIGNATURE: _____

NAME: (PRINT) _____

DULY AUTHORISED TO SIGN ON BEHALF OF _____

ADDRESS _____

TELEPHONE NO. _____

DATE _____

WITNESS (1) _____ NAME (PRINT) _____

WITNESS (2) _____ NAME (PRINT) _____

ATTACH CERTIFIED COPY OF B-BBEE CERTIFICATE HERE

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

| Item | Question | Yes | No |
|-------|--|---------------------------------|--------------------------------|
| 4.1 | <p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p> | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.1.1 | If so, furnish particulars: | | |

| | | | |
|-------------|---|---------------------------------|--------------------------------|
| 4.2 | 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 years? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.3.1 | If so, furnish particulars: | | |
| Item | Question | Yes | No |
| 4.4 | Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.4.1 | If so, furnish particulars: | | |
| 4.5 | Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.7.1 | If so, furnish particulars: | | |

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging). Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

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

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

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

ATTACH ALL ADDITIONAL ANNEXURES HERE

PPPFA PRE-QUALIFICATION CRITERIA – FORMAL WRITTEN QUOTATIONS

Quote Reference

Line Manager:

Quote Description:

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

PURPOSE:

To determine and motivate where pre-qualification criteria are applicable to this quotation as envisaged in Regulation 4 and or 9

Pre-qualification criteria for preferential procurement

- (a) a tenderer having a stipulated minimum B-BBEE status level of contributor;
- (b) an EME or QSE;
- (c) a tenderer subcontracting a minimum of 30% to-
 - (i) an EME or QSE which is at least 51% owned by black people;
 - (ii) an EME or QSE which is at least 51% owned by black people who are youth;
 - (iii) an EME or QSE which is at least 51% owned by black people who are women;
 - (iv) an EME or QSE which is at least 51% owned by black people with disabilities;
 - (v) an EME or QSE which is 51% owned by black people living in rural or underdeveloped areas or townships;
 - (vi) a cooperative which is at least 51% owned by black people;
 - (vii) an EME or QSE which is at least 51% owned by black people who are military veterans;
 - (viii) an EME or QSE.

Subcontracting as condition of tender

9.(1) If feasible to subcontract for a contract above R30 million, an organ of state must apply subcontracting to advance designated groups.

(2) If an organ of state applies subcontracting as contemplated in subregulation (1), the organ of state must advertise the tender with a specific tendering condition that the successful tenderer must subcontract a minimum of 30% of the value of the contract to-

- (a) an EME or QSE;

- (b) an EME or QSE which is at least 51% owned by black people;
- (c) an EME or QSE which is at least 51% owned by black people who are youth;
- (d) an EME or QSE which is at least 51% owned by black people who are women;
- (e) an EME or QSE which is at least 51% owned by black people with disabilities;
- (f) an EME or QSE which is 51% owned by black people living in rural or underdeveloped areas or townships;
- (g) a cooperative which is at least 51% owned by black people;
- (h) an EME or QSE which is at least 51% owned by black people who are military veterans; or
- (i) more than one of the categories referred to in paragraphs (a) to (h).

(3) The organ of state must make available the list of all suppliers registered on a database approved by the National Treasury to provide the required goods or services in respect of the applicable designated groups mentioned in subregulation (2) from which the tenderer must select a supplier.

IMPORTANT TO BE NOTED SECT 9 (3)

COMMENTS AND RESEARCH LINE MANAGER:

SIGNATURE: DATE:

.....

COMMENTS AND RESEARCH DEMAND MANAGER:

SIGNATURE: DATE:

.....

**COMMENTS AND RESEARCH GENERAL MANAGER
LED:**

SIGNATURE: DATE:
.....

**Consideration and approval in accordance with the SCM
Policy Section 4 (c)
by Manager: SCM**

Relevant Yes [.....] / No [.....]

If yes (Section 4 of PPPF, Reg 2017): **INDICATE ONLY ONE OR MORE**

PPPFA RESOLUTION DD:

- Pre-Qualification Criteria as follows based on justifiable motivations as indicated
1.....
.....

2.....
.....

3.....
.....

SIGNATURE: **DATE:**

.....

MANAGER: SUPPLY CHAIN MANAGEMENT