

GENERAL CONDITIONS

- (1) Quotations must be submitted using this official quotation form.
- (2) All quotations must be submitted with a completed Preference point system procurement certificate.
- (3) Price should include value added tax and delivery charges to the Municipal Stores in Industria Road, Ashburnham, Kimberley (unless otherwise stated).
- (4) Any quote will not necessarily be accepted and the Municipality reserves the right to accept the whole or any part of any quote and the bidder scoring the highest number of points will not necessarily be accepted.
- (5) **Preference will be given to date base suppliers.**
- (6) Quotations submitted by non-registered (data base) providers will only be considered *if a valid original tax clearance certificate from SARS* is submitted *with this quotation* (for amounts above R15000.00) and if all information is submitted as required in the company profile form attached.
- (7) Quotations submitted by registered providers will only be considered if a copy of proof of registration is submitted with this quotation.
- (8) All quotations will be evaluated on a point system in accordance with the provisions of the Preferential Procurement Policy Framework Act No. 5 of 2000.
- (9) Sealed quotations, outwardly marked: **"Q058/2010: Maintenance of Bambanani Park"** must be addressed to the ***Municipal Manager*** and placed in the: **Tender box, Ground Floor, Main Entrance of the City Hall, 2 Market Square, Kimberley** not later than **11:00 on FRIDAY, 25th JUNE 2010.**
Quotations will be opened in public in the Boardroom of the City Hall immediately after closing the same day.
- (10) ***Should pages be omitted from original quote, the quote will be disqualified.***
- (11) Invoices received before the last working day of each month will, as far as possible, be paid not later than the 15th day of the following month.

IS YOUR COMPANY REGISTERED AS AN AUTHORISED PROVIDER WITH SOL PLAATJE MUNICIPALITY? YES NO

IF YES, PROVIDE REGISTRATION NO. _____

DELIVERY TIME _____

SETTLEMENT DISCOUNT ALLOWED _____ % _____ DAYS

THESE QUOTED PRICE/S WILL HOLD GOOD UNTIL _____

NAME OF BIDDER _____

AUTHORISED BY _____

NAME OF COMPANY: _____

ADDRESS: _____

TELEPHONE NO. _____ FAX NO. _____

E-MAIL ADDRESS _____

SPECIAL CONDITIONS

- (1) Quote will be evaluated on the total amount of quote and not per line item.
- (2) Contract will be for the duration of 12 months.

AS AGREED BY :-

LINE/PROJECT MANAGER _____ DATE _____

ACQUISITION MANAGER _____ DATE _____

APPROVED BY :-
SUPPLY CHAIN MANAGER _____ DATE _____

**Sol Plaatje
Municipality**



SOL PLAATJE MUNICIPALITY, KIMBERLEY

LISTING CRITERIA

*****Please return immediately***with your application form and / or quotation**

- 1) **Company Name:**
- 2) **Contact Details:** Tel No: Fax No:.....Cell phone No:.....
- 3) **Postal Address:**
- 4) **VAT Registered:** Yes No **If registered, VAT Registration No:**
- 5) **Settlement Discount Allowed:** % for payment within.....days
- 6) **Bank Name:**
- 7) **Account No:** **Type of Account:** **Branch code:**.....
- 8) **Location in Sol Plaatje Municipal Area:** Yes No
- 9) **% owned by black male:**.....% **% owned by black female:** %
% owned by black youth:%
- 10) **% owned by disabled persons:**% **% owned by white female:**..... %
- 11) **Indicate Main Sector/ Please select one only:**
Agriculture ; Mining and Quarrying ; Manufacturing ; Electricity, Gas, Water ;
Construction ; Retail & Motor Trade & Repairs ; Wholesale Trade, Commercial Agents and
Allied Services ; Catering & Accommodation & other Trade ; Transport, Storage &
Communications; Finance and Business Services ; Community, Social and Personal
Services
- 12) **Amount of full time employed staff:** **Annual Turnover: R**.....
Asset Value (excluding fixed property): R.....
- 13) **Declaration of Interest:**
 Are you in the service of the State or have you been in the service of the State (including
Municipal officials or councillors) in the previous 12 months?
 Are any close family members (spouse, child or parent) of a director, manager, shareholder or
stakeholder of your company in the service of the State (including municipal officials or councillors)
or has been in the service of the State during the previous 12 months?

SOL PLAATJE MUNICIPALITY



PREFERENCE POINT SYSTEM

PROCUREMENT CERTIFICATE

Preference point system for procurement with a Rand value equal to, or above R30,000.

NAME OF FIRM: _____

POSTAL ADDRESS _____

TELEPHONE NO. _____

CONTACT PERSON _____

**PREFERENCE POINTS CLAIM FORM IN TERMS OF
THE PREFERENTIAL PROCUREMENT REGULATIONS 2001
PURCHASES**

METHOD OF POINTS CALCULATION

The points system used is in accordance with the provisions of the Preferential Procurement Policy Framework Act, No. 5 of 2000. The total combined points allowed for Functionality and Price, in respect of tenders with an estimated Rand value equal to, or below, R500000, will not exceed 90 points.

Functionality and Price will be allocated 50% each on either applicable point system. The required minimum score for Functionality will be 60% in accordance to outline score card, to qualify for further adjudication.

The balance of the points, 10 or 20 respectively, will be awarded for factors of importance to Sol Plaatje Municipality. The points indicated for these factors hereunder can be totaled to 100 points but will be adjusted pro-rata to the points applicable to this Contract, i.e. 10 or 20.

This preference form must form part of all bids invited. It contains general information and serves as a claim form for Historically Disadvantaged Individuals (HDI's) preference points as well as a summary for preference points claimed for attainment of other specified goals and points for functionality.

N.B. :

BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF EQUITY OWNERSHIP BY HISTORICALLY DISADVANTAGED INDIVIDUALS (HDI'S) AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS 2001

The following preference point systems are applicable to all quotes:

- 1.1 The following preference point systems are applicable to all quotes: -
The 80/20 system for requirements with a Rand value of up to R200 000

- 1.2 Preference points for this bid shall be awarded for: -
 - (a) Functionality
 - (b) Price; and
 - (c) Specific contract participation goals, as specified in the attached forms

- 1.3 Failure on the part of a bidder to fill in and/or to sign this form may be interpreted to mean that preference points are not claimed.

- 1.4. 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.

SOL PLAATJE MUNICIPALITY

METHOD OF POINTS CALCULATION

- 1.5 Preference for being an HDI and/or subcontracting with an HDI and/or achieving specified goals will be calculated separately and will be added to the points scored for functionality and prices.

80/20 Points

Functionality	40
Price	40
Specific Contract Participation Goals	20

The following formula will be used to calculate the points for price and functionality: -

$$PS = P_c \times \left\{ 1 - \frac{P_t - P_{\min}}{P_{\min}} \right\}$$

Where

P_c = 80 or 90 dependent on the Contract Value as described above

PS = points scored for price of quote under consideration

P_t = Rand value of offer quote under consideration including functionality

P_{\min} = Rand value of lowest acceptable quote including functionality

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2001

PURCHASES

This preference form must form part of all bids invited. It contains general information and serves as a claim form for Historically Disadvantaged Individuals (HDI's) preference points as well as a summary for preference points claimed for attainment of other specified goals.

N.B.: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF EQUITY OWNERSHIP BY HISTORICALLY DISADVANTAGED INDIVIDUALS (HDI'S) AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS 2001

GENERAL DEFINITIONS

- 2.1 **“Acceptable bid”** means any bid which, in all respects, complies with the specifications and conditions of bid as set out in the bid document.
- 2.2 **“Bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods, works or services.
- 2.3 **“Comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilised have been taken into consideration.
- 2.4 **“Consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skills and knowledge in an activity for the execution of a contract.
- 2.5 **“Contract”** means the agreement that results from the acceptance of a bid by an organ of state.
- 2.6 **“Specific contract participation goals”** means the goals as stipulated in the Preferential Procurement Regulations 2001.
- 2.6.1 In addition to above-mentioned goals, the Regulations [12.(1)] also make provision for organs of state to give particular consideration to procuring locally manufactured products.
- 2.7 **“Control”** means the possession and exercise of legal authority and power to manage the assets, goodwill and daily operations of a business and the active and continuous exercise of appropriate managerial authority and power in determining the policies and directing the operations of the business.
- 2.8 **“Disability”** means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being.
- 2.9 **“Equity Ownership”** means the percentage ownership and control, exercised by individuals within an enterprise.
- 2.10 **“Good standing”** means not being blacklisted or involved in illegal activities, must comply with the credit control policy with regard to payments for services and must have satisfactorily complied with present and previous contractual obligations.

GENERAL DEFINITIONS (Continue)

- 2.11 **“Historically Disadvantaged Individual (HDI)”** means a South African citizen
- (1) who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No 110 of 1983) or the Constitution of the Republic of South Africa, 1993, (Act No 200 of 1993) (“the interim Constitution); and/or
 - (2) who is a female; and/or
 - (3) who has a disability;
 - (4) who is a youth
- provided that a person who obtained South African citizenship on or after the coming to effect of the Interim Constitution, is deemed not to be a HDI;
- 2.12 **“Management”** means an activity inclusive of control and performed on a daily basis, by any person who is a principal executive officer of the company, by whatever name that person may be designated, and whether or not that person is a director.
- 2.13 **“Owned”** means having all the customary elements of ownership, including the right of decision-making and sharing all the risks and profits commensurate with the degree of ownership interests as demonstrated by an examination of the substance, rather than the form of ownership arrangements.
- 2.14 **“Person”** includes reference to a juristic person.
- 2.15 **“Rand value”** means the total estimated value of a contract in Rand denomination that is calculated at the time of bid invitations and includes all applicable taxes and excise duties.
- 2.16 **“Small, Medium and Micro Enterprises (SMMEs)”** bears the same meaning assigned to this expression in the National Small Business Act, 1996 (No 102 of 1996).
- 2.17 **“Sub-contracting”** means the primary contractor’s assigning or leasing or 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.
- 2.18 **“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.
- 2.19 **“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.

Scorecard for Functionality

IMPORTANT: -

Failure on the part of the bidder to complete this scorecard means that the quote will not be evaluated and will be set aside.

Penalty:

Upon detecting any false claim or statement hereunder will result in the bidders de-registration and the bidder will be prevented from participation in future contracts for a period of three (3) years.

		Bidders to complete this section	Office use maximum points 50
Criteria		Please indicate \checkmark ↓	
1.	Track Record How long has the company been involved in similar projects?		(15)
	0-1 year		5
	2-4 years		10
	More than 5 years		15
2.	Qualifications and composition of management Involvement of Ward Committee Members		(20)
	40%		10
	60%		15
	80%		20
3.	Asset Value (Machinery / Equipment) What is the value of Machinery kept?		(15)
	R50 000		5
	R100 000		10
	R150 000 or more		15

AS AGREED BY: -

LINE/PROJECT MANAGER: _____ DATE _____

ACQUISITION MANAGER : _____ DATE _____

APPROVED BY:

SUPPLY CHAIN MANAGER: _____ DATE _____

TOTAL	
*(Note: Suppliers must score at least 30/50 to be considered)	50

	Tick where applicable	
CHECKED BY:	Continue	
DESIGNATION:	Discontinue	

**PREFERENTIAL, HDI AND SPECIFIC GOALS BALANCED SCORECARD 1:
(80/20 AND 90/10 PREFERENCE POINT SYSTEM)**

IMPORTANT: -

Failure on the part of the bidder to complete this scorecard means that the quote will not be evaluated and will be set aside.

Penalty: -

Upon detecting any false claim or statement hereunder will result in the bidders de-registration and the bidder will be prevented from participation in future contracts for a period of three (3) years

		<i>Bidders to complete this section</i>	<i>OFFICE USE</i>		<i>Points</i>	
Core Component Of Goal/Target	Indicators	%Raw score indicate	% Weighting	% Score	80/20	90/10
Direct Empowerment (Ownership and Control by black persons) (30 + 15 = 45)**						
Equity Ownership	% owned by black persons	↓	30 **		6	3
	% owned by black disabled persons		5 *			
	% owned by black women		15 *			
	% owned by black youth		10 *			
Management (Control)	% black persons in executive management and/or executive board and board committees with unrestricted Voting Rights		15 **		3	1.5
Human Resource Development (10) *						
Employment Equity	Weighted employment equity analysis (% of black people as a proportion of total workforce)		5 *		1	.5
Skills Development	Skills development expenditure as a proportion (%) of total payroll		5 *		1	.5
Indirect Empowerment (35) *						
Preferential procurement	Procurement from black owned and empowered enterprises as a proportion (%) of total procurement		15 *		3	1.5
Enterprise Development	Investment in enterprises, owned 100% by black persons, as a proportion (%) of total assets.		5 *		1	.5
	% of profit shared by a Black-owned enterprise as a consortium or joint venture for this contract or % of this contract that will be sub-contracted to a black owned enterprise		15 *		3	1.5
Residual (10) *						
Local content. The promotion of enterprises located in a specific municipal area for work to be done or services to be rendered in that municipal area	% local content in relation to the bid price		10 *		2	1
Total Score out of 100%			100		20	10
N.B.:						
The total out of 100% will be converted to a point out of maximum of 10 or 20 points for HDI/Specific Goals.						
Points awarded will be added to the total score from price and functionality.						
Joint Venture Conditions:						
The HDI involvement Limit of subcontracted portion of Bid to a minimum of 25%						

METHOD OF POINTS CALCULATION (Continued)

ESTABLISHMENT OF HDI EQUITY OWNERSHIP IN AN ENTERPRISE

Equity ownership shall be equated to the percentage of an enterprise which is owned by individuals classified as HDI's, or in the case of a company, the percentage shares that are owned by individuals classified as HDI's, who are actively involved in the management and daily business operations of the enterprise and exercise control over the enterprise, commensurate with their degree of ownership.

Where individuals are not actively involved in the management and daily business operations and do not exercise control over the enterprise commensurate with their degree of ownership, equity ownership may not be claimed.

ADJUDICATION USING A POINT SYSTEM

The bidder obtaining the highest number of points **may** be awarded the contract.

Any bidder scoring less than 60% on functionality will be disqualified from further adjudication.

Preference points shall be calculated after prices have been brought to a comparative basis.

Points scored will be rounded off to 2 decimal places.

In the event of equal points scored, the bid **will** be awarded to the bidder scoring the highest number of points for specified goals.

POINTS AWARDED FOR HISTORICALLY DISADVANTAGED INDIVIDUALS

Equity claims for a trust will only be allowed in respect of those persons who are both trustees and beneficiaries and who are actively involved in the management of the trust.

Documentation to substantiate the validity of the credentials of the trustees contemplated above must be submitted.

Listed companies and tertiary institutions do not qualify for HDI preference points.

A consortium or joint venture may, based on the percentage of the contract value managed or executed by their HDI-members, be entitled to preference points in respect of an HDI.

A person awarded a contract as a result of preference for contracting with, or providing equity ownership to an HDI, may not subcontract more than 25% of the value of the contract to a person who is not an HDI or does not qualify for the same number or more preference for equity ownership.

BID DECLARATION

Bidders must complete the "Declaration of Interest" form at the end of this form.

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the State*.
2. Any person, having a kinship with persons in the service of the State, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in the service of the State, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest bid.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid: -
 - 3.1 Full name
 - 3.2 Identity number
 - 3.3 Company registration number
 - 3.4 Tax reference number.....
 - 3.5 VAT registration number
 - 3.6 Are you presently in the service of the State* YES / NO
 - 3.6.1 If so, furnish particulars
 - 3.7 Have you been in the service of the State for the past 12 months YES / NO
 - 3.7.1 If so, furnish particulars
 - 3.8 Do you have any relationship (family, friend, other) with persons YES / NO
in the service of the State and who may be involved with the evaluation
and/or adjudication of this bid?
 - 3.8.1 If so, furnish particulars
 - 3.9 Are you aware of any relationship (family, friend, other) between YES / NO
a bidder and any persons in the service of the State and who may be
involved with the evaluation and/or adjudication of this bid?
 - 3.9.1 If so, furnish particulars

3.10 Are any of the company's directors, managers, principle shareholders or stakeholders in service of the State?

YES / NO

3.10.1 If so, furnish particulars

.....

3.11 Are any spouse, child or parent of the company's directors, managers, principle shareholders or stakeholders in service of the State?

YES / NO

3.11.1 If so, furnish particulars

.....

* MSCM Regulations "in the service of the State" means to be -

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

CERTIFICATION

I, THE UNDERSIGNED (NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

Signature

Date

Position

Name of bidder

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Quotation Document must form part of all quotes 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 Any quote may be rejected if the supplier, or any of it's 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 Bid 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 quote: -

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as a company or person 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 National Treasury after the <i>audi alteram partem</i> rule was applied).	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)? access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	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
IS 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