

STEVE TSHWETE



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P.O. Box 14, Middelburg,
Mpumalanga, 1050

Civic Centre, Wanderers
Avenue, Middelburg,
Mpumalanga

LOCAL MUNICIPALITY

REQUEST FOR FORMAL WRITTEN PRICE QUOTATIONS

SUPPLY, DELIVERY AND OFF-LOADING OF CLEANSING AND MAINTENANCE TOOLS/EQUIPMENTS FOR MUNICIPAL BUILDINGS SERVICES

Kindly furnish me with a written quote for the supply of the goods as detailed in the enclosed schedule.

The following conditions will apply:

- Price(s) quoted must be valid for at least ninety (90) days from date of your offer.
- Price(s) quoted must be firm.
- A firm delivery period must be indicated.
- This quotation will be evaluated in terms of the 80/20 preference point system as prescribed in the Preferential Procurement Policy Framework Act (No 5 of 2017) and for this purpose the enclosed forms MBD 1, MBD 2, MBD 3.1, MBD 4, MBD 6.1, MBD 6.11, MBD 8 and MBD 9 must be scrutinized, completed and submitted together with your quotation.
- The successful provider will be the one scoring the highest points.
- The Council is not bound to accept the lowest or any quote.

A non-compulsory clarification meeting with representatives of the employer will take place at the Infrastructure Services boardroom, Number 14 SADC street, Middelburg, Mpumalanga, 1050, on Wednesday 19/09/2017 starting at 14:00hrs, tenderers who are late will not be considered for the attendance register. Contract documentation will not be available on site, and the engineer will not be available for inspection purposes on any other occasion.

The following documents have to be attached:

Original certified copy of valid BBBEE certificate(non-compulsory, failure to submit no points will be awarded)
Original copy of valid Tax Clearance certificate and SARS Pin and reference number
Certified copy of current municipal account(not older than 3 months)
Copy of Accreditation letter for motor dealer
Copy of CSD registration document and tax status must be tax compliant for period of validity of quotation and on closing of the bids

NB: Documents will be available on the website under quotations.

The closing time for receipt of Quotations is **12:00 on MONDAY, 25 September 2017**. Sealed quotations marked "**Quotation MBS 01/09/2017**" must be placed in the **quotation box at office number 35, Building and Fleet management office, Infrastructure building.**

Failure to comply with these conditions may invalidate your offer

Yours faithfully

S.M MNGUNI
ACTING MUNICIPAL MANAGER
Municipal Building
Wanderers Avenue
MIDDELBURG, 1050

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MBD 1: REQUEST FOR A FORMAL WRITTEN PRICE QUOTATION – FIRM FIXED PRICE

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE STEVE TSHWETE LOCAL MUNICIPALITY

BID NUMBER: Q13.09.17 CLOSING DATE: 25/09/2017 CLOSING TIME: 12H00.

SUPPLY, DELIVERY AND OFF-LOADING OF CLEANSING AND MAINTENANCE TOOLS/EQUIPMENTS FOR MUNICIPAL BUILDINGS SERVICES

The successful bidder will be required to fill in and sign a written Contract Form (MBD 7.1)

Bid documents may be posted to:

The Senior Manager: Legal & Administration
Steve Tshwete Local Municipality
P.O. Box 14
Middelburg
1050

or deposited in the bid box situated at:

Assistant Director: Municipal Building Services
Office 35, 1st Floor, Infrastructure Services Building
14 SADC Street
Middelburg
Mpumalanga

NB: Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

The bid box is generally open 7H30 TO 16H30 hours Monday to Thursday and from 7H30 TO 12H00

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

THIS BID WILL BE EVALUATED AND ADJUDICATED ACCORDING TO THE FOLLOWING CRITERIA:

1. Relevant specifications
2. Value for money
3. Capability to execute the contract
4. PPPFA and associated criteria

NB: NO QUOTATIONS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE

**THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)**

Name of Bidder:

Postal Address:

Street Address:

Telephone Number:

Code.....Number.....

Cell phone Number:

.....

Facsimile Number:

Code Number.....

Vat Registration Number:

Has an original tax clearance certificate been attached (MBD 2)? Yes / No

Are you the accredited representative in South Africa for the services offered by you? Yes / No

SIGNATURE OF BIDDER:

DATE:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

TOTAL BID PRICE CARRIED OVER FROM MBD 3.1: R

.....

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Municipality: Steve Tshwete Local Municipality.

Department: Finance – Supply Chain Management

Contact Person: Mr. P. Van der Merwe

Tel: (013) 249 7000 /7281

Fax: (013) 243 2550

ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact Person: Mr. T.I Mofokeng

Department: Municipal Building Services

Tel: 013-249 7095

Fax: (013) 243 2550

SPECIFICATIONS

SUPPLY, DELIVERY AND OFF-LOADING OF CLEANSING AND MAINTENANCE TOOLS/EQUIPMENTS FOR MUNICIPAL BUILDINGS SERVICES

Municipal Building service's essential function within the Municipality is to oversee the holistic Maintenance of Municipal facilities from the Cleansing section and Maintenance section. For these units to execute their functions diligently they will need necessary tools and equipment's as well as skill to do such duties. The acquisition of these equipment's should assist immensely in maintaining good hygiene facilities and property maintained building which comply with respectable regulation and legislation.

TERMS OF REFERENCE

Description of the goods required

SUPPLY AND DELIVERY OF WORKING TOOLS AND EQUIPMENT FOR MAINTENANCE AND CLEANSING OF MUNICIPAL BUILDINGS

1. Detail Specifications

Petrol backpack blower

Detailed spec– Displacement 64.80 cm³
Weight 9.90 kg
Sound pressure level 94.00 (dB(A))
Vibration level 105.00 (m/s²)
Max air speed 89 (m/s)
Hip and chest belt
Anti-vibration system
One hand operation and automatic decompression
Length adjustable blower tube and bicycle handle

Petrol domestic vacuum shredder (Shredder and blower mode functions)

Detailed spec – Displacement 27.20 cm³
.....Weight 5.30 kg
.... Sound pressure level 93 (dB(A))
Vibration level 7.5/6.3 (m/s²)
Air throughput in vacuum mode 710 (m³/h)
Round nozzle and Equipment should include blower
Anti-vibration system and catalytic converter (D)
Complete with two (2) vacuum adaptor kit.
Should convert blower into vacuum shredder.

Circular saw

Detailed Spec – Blade diameter 235mm 355mm
Maximum cutting capacity, At 90° 85mm 130mm and At 45° 64mm 90mm
No load speed 4 500 r/min 2 700 r/min
Continuous rating input 2 000W 2 200W
Overall length 400mm 607mm
Net weight 7.2kg 14.0kg
Power supply cord 2.5m Carbon brush AC203

Features - Double insulation, Double insulation, Dust collection, Dust collection,
Electric brake, Electric brake & Soft start and Carry case Soft start

Angle big grinder

Detailed Spec - Maximum Capacities:
Depressed centre wheel 230mm
Continuous rating input 2 600W
No load speed 6 600 r/min
Overall length 503mm
Net weight 6.7kg
Power supply cord 2.5m

Aluminium extension ladder

Detailed Spec – Ref DHA 1410
Rungs when closed 25
Rungs when extended 47
Closed length 7.5m
Extended length 14.1m
Weight 64kg
Gravity rope and pulley system for easy extension
2 year warranty
Safe working load 125kg
Maximum Static Vertical Load rating – MSVL – 175kg

SUPERLITE FIBREGLASS STEP LADDERS WITH ALUMINIUM TREADS

Detailed Spec – Ref 700-06
Heavy duty non-conductive step-ladder is recommended for industrial applications which entail working with
Non-conductive of electricity
Second last step from the top will be red
Pinch-resistant spreader bars
Triangular solid PVC gusset
No scrap value on fibreglass components, reduces the risk of theft
Superlite step ladders are fitted with a structural moulded-top
75mm wide aluminium tread
2 year warranty
115kg safe working load
Maximum Static Vertical Load rating – MSVL – 150kg



Aluminium four step ladder

Detailed Spec – Industrial aluminium step ladder SPP4

- Non-slip aluminium treads
- Non-slip, non-scuff PVC feet
- PVC tread seal
- Lightweight, durable aluminium construction
- Strong handrail for extra safety
- Compact, folds away for easy storage
- No sharp edges to damage furniture or clothing
- Rust, rot and splinter proof
- Strong safe design ensures lifelong safety
- 2 year warranty
- Safe working load 115kg
- Maximum Static Vertical Load rating – MSVL – 150kg

Two ton pallet jack

Detailed Spec - Robust and reliable hydraulic pump

- 2500Kg capacity
- Hand controls- lift, lower, and neutral
- Polyurethane wheels all round
- Robust handle
- Stainless steel option
- Fork length 1220 and Width 520 or 685

Staple gun

Detailed spec – Capacity, Length 15 - 50mm and Gauge 18Ga
Magazine capacity 100pcs
Operating air pressure 60 - 115 PSIG (4 - 8 kgf / cm³ G)
Overall dimensions 292 x 63 x 237mm
Net weight 1.4kg

Measuring wheel

Detailed spec – Wheel diameter 32 cm
Counter limit 9999,9
Material-Handle durable plastic and aluminium body
Weight 1.4 kg
Protective bag

Digital laser measuring tape

Detailed spec – GLM 80
Laser single beam
Range 0.05 – 80m
Accuracy +/- 1mm -3.0mm
Protective bag

Hand planners

Detailed spec –Continuous rating input 620 W
Planning depth 2.5mm
Planning width 82mm
Non load speed 17000 rmp
Dimension 285 x 158 158
Electrical cord plug
12 month warranty

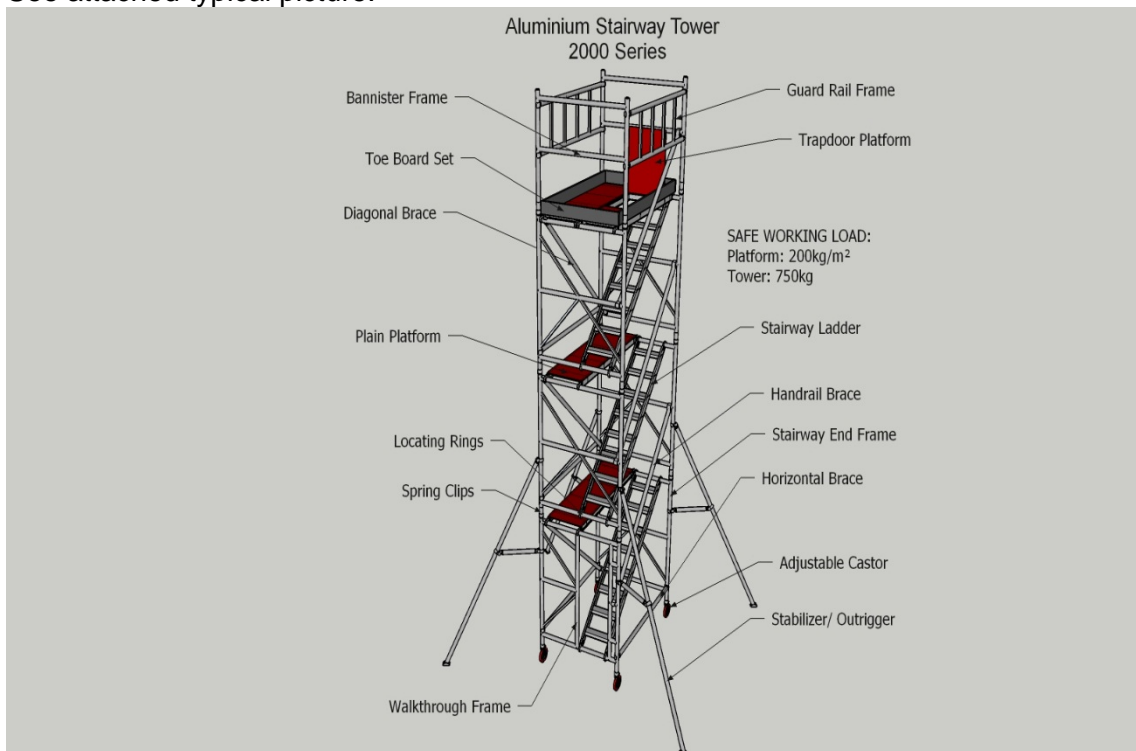
Compressed Air paint spray gun

Detailed spec – Operating pressure 2 bar /29 psi
Air-requirement 170l/min /6cfm
Weight 0.7 kg /1.5 lbs
FSP 600 HVLP (601577000)
Air supply pipe meeting minimum SABS standards.

Aluminium Stairwell tower scaffolding set (1850mmX1500mmX8500mm High)

Detailed spec – Bannister/Rug frame	Toe board set X 1
Guard rail frame	Stairway ladder X 4
Trapdoor platform	Plain Platform X 4
Diagonal brace	Walkthrough frame
Handrail	Stabilizer/outrigger
Stairway end frame	Adjustable brake castor
Horizontal brace	Assembly manuals to be iprovide by the supplier

See attached typical picture:



2. Warrantees required

No remuneration for delivering goods at incorrect locations and incorrect goods will be granted. The supplier must provide equipment guarantee as per the manufactures specifications and all these products must have warranties as per the manufacture.

3. Delivery of goods

Goods must be delivered at Municipal Building Services workshop, Corner Walter Sisulu and Protea Street, Middelburg within 4 weeks after receipt of an order. Failure to deliver within the prescribed period will result in cancellation of an order.

4. Information to be provided with the bid

As per the document, with the operating brochures of the machines.

5. Information that will be provided by the Municipality

As per the document.

6. Pricing Guidelines

As per MBD 3.1: Pricing Schedule

MBD 2: TAX CLEARANCE CERTIFICATE REQUIREMENTS

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.

1. In order to meet this requirement bidders are required to complete in full form TCC001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids. Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za.
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
4. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.

5. Applications for the Tax Clearance Certificates may also 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.
6. Exemption to the provision of a Tax Clearance Certificate will be granted provided that:
 - a) The bidder is registered on the vendor database of the municipality and a valid tax clearance certificate was submitted together with the application for registration
 - b) If the closing date of the price quotation or bid falls within the expiry date of the tax clearance certificate that is in the municipality's possession.

MBD 3.1: PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE:

ONLY FIRM RATES WILL BE ACCEPTED. NON-FIRM RATES (INCLUDING PRICES SUBJECT TO EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of Bidder:.....	Bid Number: Q13.09.17
Closing Time: 12:00	Closing Date: 25/09/2017

OFFER TO BE VALID FOR **90 DAYS** FROM THE CLOSING DATE OF BID

ITEM	DESCRIPTION	UNIT	QUANTITY	RATE	AMOUNT
1	Petrol backpack blower	no	5		
2	Petrol domestic vacuum shredder	no	1		
3	Circular saw	no	3		
4	Grinder	no	3		
5	Aluminium long extension ladder	no	2		
6	Fibreglass step ladders with aluminium treads	no	3		
7	Four step aluminium window step ladders	no	5		
8	2 ton Pallet jack	no	1		
9	100m Electrical Extension cord	no	3		
10	Riveter Hand Heavy Duty 250mm (TOOR1486)	no	3		
11	Hand screw driver sets (Flat and star)	no	6		
12	Air compressed Staple gun	no	1		

13	Medium metal tool boxes (Trunk) RIC7973 810 x 510 x 415mm	no	3		
14	Measuring wheel tape measure	no	4		
15	Aluminium scaffolding set	no	1		
16	Compressed Air paint spray gun	no	1		
17	Spirit levels 1meter long	no	4		
18	Measuring tape 10meters long	no	3		
19	Hand planners	no	3		
20	Wheel borrow	no	1		
21	Garden hose pipe 50m	no	3		
22	Wooden Chesil set	no	3		
23	Socket sets (size 6-29mm)	no	3		
24	Digital laser measuring tape	no	4		
25	Plastic wet floor stand (caution sign)	no	50		
26	Plastic wringer Jams-1063 YEL (Used with 30lt cleaning bucket)	no	20		
	Sub-total				
	VAT at 14%				
	NETT TOTAL CATTIED OVER TO MBD 1				

NB: Bills of Quantities is to be filled by looking at Specification, page 6-7.

Delivery period from date of Order = Days

ITEM	COUNTRY OF ORIGIN	DOES OFFER COMPLY WITH SPECIFICATIONS? (YES/NO)	IF NOT TO SPECIFICATION, INDICATE DEVIATIONS	PERIOD REQUIRED FOR DELIVERY (WEEKS)
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination and also this section must be fully completed. Failure to do so will result in disqualification.

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

MBD 4

DECLARATION OF INTEREST

- 1. No bid will be accepted from persons in the service of the state¹.
- 1. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

- 3.1 Full Name of bidder or his or her representative:.....
- 3.2 Identity Number:
- 3.3 Position occupied in the Company (director, trustee, 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? **YES / NO**
 - 3.8.1 If yes, furnish particulars.

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

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

² Shareholder” means a person who owns shares in the company and is actively involved in the

management of the company or business and exercises control over the company.

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

3.9.1 If yes, furnish particulars.....
.....

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

3.10.1 If yes, furnish particulars.
.....
.....

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

3.11.1 If yes, furnish particulars
.....
.....

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

3.12.1 If yes, furnish particulars.
.....
.....

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

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

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract.

YES / NO

3.14.1 If yes, furnish particulars:

.....
.....

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

Full Name	Identity Number	State Employee Number

.....
Date

.....
Signature

.....
Capacity

.....
Name of Bidder

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

MBD 6.1: PREFERENCE CERTIFICATE

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

Note: 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.

1. GENERAL CONDITIONS:

The following preference point system are applicable to all bids:

the 80/20 system for requirements with a Rand value of up to R 500 000; and

the 90/10 system for requirements with a Rand value above R 500 000.

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

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. 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. 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. **“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:

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;

- 2.11. **"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.
- 2.12. **"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.
- 2.13. **"Person"** includes reference to a juristic person.
- 2.14. **"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.
- 2.15. **"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).
- 2.16. **"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.
- 2.17. **"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.
- 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. ESTABLISHMENT OF HDI EQUITY OWNERSHIP IN AN ENTERPRISE:

- 3.1 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.
- 3.2 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.

4. ASSESSMENT USING A POINT SYSTEM:

- 4.1 The bidder obtaining the highest number of points will usually be awarded the bid.
- 4.2 Preference points shall be calculated after prices have been brought to a comparative basis.
- 4.3 Points scored will be rounded off to 2 decimal places.
- 4.4 In the event of equal points scored, the bid will be awarded to the bidder scoring the highest number of points for specified goals. If, however the bids are equal in all respects, then the award shall be decided by the drawing of lots.

5. POINTS AWARDED FOR PRICE/FUNCTIONALITY:

5.1. THE 80/20 PREFERENCE POINT SYSTEM

5.1.a. The following formula must be used to calculate the points for price in respect of bids with a Rand value equal to, or above R 30 000 and up to a Rand Value of R500 000. Organs of state may however, apply this formula for bids with a value less than R30 000, if and when appropriate:

5.1.b. Points Awarded for Price/Functionality (Ps):

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

$$Ps = 80 \left[1 - \frac{(Pt - P_{min})}{P_{min}} \right]$$

Where

Ps = Points scored for price/functionality of bid under consideration

Pt = Rand value of bid consideration

P min = shall be a bid price.

A maximum of **N/A** points may be awarded to a bidder for being an HDI and or subcontracting with an HDI and / or achieving any of the specified goals stipulated in regulation 17.

A maximum of **N/A** points may be awarded to a bidder being a woman.

A maximum of **N/A** point may be awarded to a bidder being disabled

A maximum of **N/A** point may be awarded to a bidder in respect of the locality of his office

The bidder with the highest number of points scored may be selected.

5.2. The 90/10 preference point system

5.2.a. The following formula must be used to calculate the points for the price in respect of bids with a Rand value above R 500 000

5.2.b. Points Awarded for Price/functionality (Ps)

A maximum of 90 points is allocated on the following basis:

$$Ps = 90 \left[1 - \frac{(Pt - P_{min})}{P_{min}} \right]$$

Where

Ps = Points scored for price of bids under consideration

Pt = Rand value of offer bid consideration

A maximum of **N/A** points may be awarded to a bidder for being an HDI and or subcontracting with an HDI and / or achieving any of the specified goals stipulated in regulation 17.

A maximum of **N/A** points may be awarded to a bidder being a woman.

A maximum of **N/A** point may be awarded to a bidder being disabled

A maximum of **N/A** point may be awarded to a bidder in respect of the locality of his office

5.3. In terms of Regulation 13 (2) preference points for HDI's are calculated on their percentage shareholding in a business, provided that they are actively involved in and exercise control over the enterprise. The following formula is prescribed in Regulation 13 (5) (c):

$$N_{EP} = N_{OP} \times \frac{E_P}{100}$$

Where

- N_{EP} = Points awarded for equity ownership by an HDI
- N_{OP} = The maximum number of points awarded for equity ownership by an HDI in that specific category
- E_P = the percentage of equity ownership by an HDI within the enterprise or business, determined in accordance with the definition of HDI's.

- 5.4. 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.
- 5.5. Documentation to substantiate the validity of the credentials of the trustees contemplated above must be submitted.
- 5.6. Listed companies and tertiary institutions do not qualify for HDI preference points.
- 5.7. 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.
- 5.7(a) 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.

6. BID DECLARATION

- 6.1. Bidders who claim points in respect of equity ownership must complete the Bid Declaration at the end of this form.

7. EQUITY OWNERSHIP CLAIMED IN TERMS OF PARAGRAPH 2.10 ABOVE. POINTS TO BE CALCULATED FROM INFORMATION FURNISHED IN PARAGRAPH 9

	Maximum points (A)	Percentage equity owned (B)	Points claimed (AxB)
7.1. Equity ownership by persons who had no franchise in the national elections	{insert point}	%	points
7.2. Equity ownership by women	{insert point}	%	points
7.3. Equity ownership by disabled persons	{insert point}	%	points
Total points – sum of 7.1 to 7.3			

8. DECLARATION WITH REGARD TO EQUITY

Name of firm:	
VAT registration number:	
Company registration number :	

Type of firm (Tick applicable box):		
<input type="checkbox"/> Partnership	<input type="checkbox"/> One person business/sole trader	<input type="checkbox"/> Close corporation
<input type="checkbox"/> Company	<input type="checkbox"/> (Pty) Limited	

Describe principal business activities:

COMPANY CLASSIFICATION <i>(Tick applicable box):</i>	
<input type="checkbox"/> Manufacturer	<input type="checkbox"/> Supplier
<input type="checkbox"/> Professional service provider	<input type="checkbox"/> Other service providers.

Total number of years this has been in business?	
---	--

9. List all Shareholders by Name, Position, Identity Number, Citizenship, HDI status and ownership, as relevant. Information to be used to calculate the points claimed in paragraph 7.

Name	Date/Position occupied in Enterprise	ID Number	Date RSA Citizenship obtained	HDI Status			% of business / enterprise owned
				No franchise prior to elections	Women	Disabled	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	%
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	%
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	%
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	%
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	%
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	%
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	%
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	%
				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	%

10. CONSORTIUM / JOINT VENTURE

In the event that preference points are claimed for HDI members by consortia / joint ventures, the following information must be furnished in order to be entitled to the points claimed in respect of the HDI member:

Name of HDI member (to be consistent with table 10)	Percentage (%) of the contract value managed or executed by the HDI member

11. I/we, the undersigned, who warrants that he/she is duly authorised to do so on behalf of the firm certify that points claimed, based on the equity ownership, indicated in paragraph 8 of the foregoing certificate, qualifies the firm for the preference(s) shown and I / we acknowledge that:

- a) The information furnished is true and correct.
- b) The Equity ownership claimed is in accordance with the General Conditions as indicated in paragraph 1 of this form.
- c) In the event of a contract being awarded as a result of points claimed as shown in paragraph 8, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.
- d) If the claims are found to be incorrect, the Employer may, in addition to any other remedy it may have -
 - i. recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - ii. 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;
 - iii. impose a financial penalty more severe than the theoretical financial preference associated with the claim which was made in the bid; and

Name of Bidder	Signature	Date

Witness Signature:	Witness signature:

MBD 6.11: PROMOTION OF ENTERPRISES LOCATED IN THE STEVE TSHWETE MUNICIPAL AREA

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

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

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

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

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

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

3. POINTS AWARDED FOR PRICE

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

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

80/20 **or** **90/10**

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

Where

- P_s = Points scored for price of bid under consideration
- P_t = Price of bid under consideration
- P_{min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. **BID DECLARATION**

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

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

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

7. **SUB-CONTRACTING**

7.1 Will any portion of the contract be sub-contracted?
 (*Tick applicable box*)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
S			

7.1.1 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 or QSE

(*Tick applicable box*)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
S			

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

Designated Group: An EME or QSE which is at last 51% owned by:	EME	QSE
	√	√
Black people		

Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

8.7 MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account Number:

Stand Number:.....

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

8.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>
--

<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p>
<p>DATE:</p> <p>ADDRESS</p> <p>.....</p> <p>.....</p>

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

MBD 9: 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 the **Steve Tshwete Local Municipality**

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.

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

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.

GENERAL CONDITIONS OF CONTRACT

The General Conditions of Contract is not included in this document and may be downloaded from the following website:

<http://www.treasury.gov.za/legislation/pfma/public%20entities/PFMA%20GCC%20July%202020%2010.pdf>