



STEVE TSHWETE LOCAL MUNICIPALITY

QUOTATION NO. Q10.06.19

CALLING FOR QUOTATIONS FOR GOODS
(R 30 000 TO R 200 000.00)

**SUPPLY AND FIT A NEW GEARBOX ON A NISSAN PATROL 4.2D 4X4 TDI FOR
EMERGENCY SERVICES**

| | | | |
|----------------------|---------------------|-------------|--------------|
| CLOSING DATE: | 18 June 2019 | TIME | 12H00 |
|----------------------|---------------------|-------------|--------------|

| | |
|----------------------------------|------|
| NAME OF COMPANY | |
| TOTAL AMOUNT (MBD 3.1) | |
| CENTRAL SUPPLIER DATABASE NUMBER | MAAA |
| TAX COMPLIANCE STATUS PIN | |
| CONTACT PERSON | |
| TELEPHONE NUMBER | |
| FAX NUMBER | |

| | | | |
|--|---------------------|---|---------------------|
| ENQUIRIES REGARDING QUOTATION PROCEDURES | | TECHNICAL ENQUIRIES | |
| DIRECTORATE FINANCIAL SERVICES SUPPLY CHAIN MANAGEMENT UNIT | | DIRECTORATE: COMMUNITY SERVICES EMERGENCY SERVICES | |
| NKOSANA MLANGENI | | GERT KLEINHANS | |
| ASSISTANT DIRECTOR: SUPPLY CHAIN MANAGEMENT | | STATION OFFICER | |
| TEL. NUMBER | 013-249 7744 | TEL. NUMBER | 013-2497769 |
| QUOTATION ISSUED BY | | | |
| BONGANI TSHABALALA | | LEGAL & ADMINISTRATION DEPARTMENT | |
| BUYER | | TEL. NUMBER | 013 249 7733 |

QUOTATION DETAILS

| | | | | | | |
|---------------------------|---|--|-------------------------|-----|------------|-----|
| QUOTATION NUMBER | Q10.06.19 | | | | | |
| TENDER TITLE | SUPPLY AND FIT A NEW GEARBOX ON A NISSAN PATROL 4.2D 4X4 TDI FOR EMERGENCY SERVICES | | | | | |
| CLOSING DATE | 18 JUNE 2019 | | CLOSING TIME | | 12H00 | |
| SITE MEETING | DATE | N/A | TIME | N/A | COMPULSORY | N/A |
| SITE MEETING ADDRESS | N/A | | | | | |
| CIDB GRADING REQUIRED | N/A | | LOCAL CONTENT | | YES | |
| QUOTATION DOCUMENT FEE | FREE OF CHARGE | | PREFERENCE POINT SYSTEM | | 80/20 | |
| QUOTATION BOX SITUATED AT | SCM C/O WALTER SISULU AND PROTEA STR, Middelburg 1050 | | | | | |
| OPERATING HOURS | The bid box is open during office hours, Monday to Thursdays from 8h00 to 16h00 and Fridays from 8h00 to 13h00. | | | | | |
| OFFER TO BE VALID FOR | 90 | DAYS FROM THE CLOSING DATE OF QUOTATION. | | | | |

PLEASE NOTE:

1. Prospective suppliers must be registered on CSD prior to submitting quotation and copy of said document must be attached to quotation.
2. Quotations that are deposited in the incorrect box will not be considered.
3. This quotation is subject to the Preferential Procurement Policy Framework Act and the Preferential Procurement Regulations, 2017, the General Conditions of contract (GCC) and, if applicable, any other special conditions of contract.
4. Mailed, telegraphic, telex, or faxed quotations will not be accepted.
5. No late quotations after closing date and time will be accepted.
6. Quotations not clearly marked and unamend will not be accepted.
7. Quotations may only be submitted on the quotation documentation provided by the municipality. No awards will be made to a person:
 - i. Who is in the service of the state,
 - ii. If that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state
 - iii. Who is an advisor or consultant contracted with the municipality or municipal entity

PART A

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Q10.06.19

BIDDER

WITNESS

EMPLOYER

WITNESS

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

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

2. TAX COMPLIANCE REQUIREMENTS

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

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

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

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

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

| | | | | |
|-----------|---------|----------|---------|--|
| Q10.06.19 | | | | |
| BIDDER | WITNESS | EMPLOYER | WITNESS | |

QUOTATION NOTICE & INVITATION**STEVE TSHWETE LOCAL MUNICIPALITY****QUOTATION NO.: Q10.06.19****CLOSING DATE:18 June 2019 AT 12H00****SUPPLY AND FIT A NEW GEARBOX ON A NISSAN PATROL 4.2D 4X4 TDI FOR EMERGENCY SERVICES**

In terms of Section 110 of the Municipal Finance Management Act, 2003 (No. 56 of 2003), quotations are hereby invited for Supply and fit a new gearbox for a Nissan Patrol 4.2D 4X4 TDI for Emergency Services

Quotation documents and specifications are available on the municipal website(www.stlm.gov.za)

The closing time for receipt of quotations is **12:00hrs on 18 June 2019**. Telegraphic, telephonic, telex, facsimile, e-mail, unmarked and **late quotations** will under no circumstances be considered and accepted. The quotation box will be emptied just after closing time on the closing date. Hereafter all quotations will be public.

Any technical enquiries relating to the quotation document may be directed to the Mr. G.J.Kleinbans, Station Officer Fire on 013-2497769.

Fully completed quotation documents, clearly marked "Quote No. **Q10.06.19 : Supply and fit a new gearbox for a Nissan Patrol 4.2D 4X4 TDI for Emergency Services**" with "**NAME of SUPPLIER**" must be placed in a sealed envelope and placed in the quotation box at **SCM c/o Walter Sisulu and Protea str, Middelburg 1050** by no later than 12h00 on **18 June 2019**. The envelope must be endorsed with number, title and closing date as indicated above.

A preferential point system shall apply whereby a contract will be allocated to a tenderer in accordance with the Preferential Procurement Policy Framework Act, Act No. 5 of 2000 and as defined in the Conditions of Tender in the tender document, read in conjunction with the Supply Chain Management Policy of Steve Tshwete Local Municipality where 80 points will be allocated in respective of price and 20 points in respective of BBEE.

No awards will be made to a person:

- Who is not registered on the Central Supplier Database
- Who is in the service of the state;
- If that person is not a natural person , of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; and/or
- Who is an advisor or consultant contracted with the municipality or municipal entity.

The municipality reserves the right to withdraw any invitation to quote and/or to re-advertise or to reject any quote or to accept a part of it. The municipality does not bind itself to accepting the lowest quotation or award a contract to the bidder scoring the highest number of points.

NB: Only locally produced or manufactured goods, meeting the stipulated minimum threshold for local production and content, will be considered in line with Regulation 8(2) of the Municipal Supply Chain Management Regulations and National Treasury Circular 69.

"The exchange rate to be used for the calculation of local production and content must be the exchange rate published by the South-African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid; and Only the South-African Bureau of Standards (SABS) approved technical specification number SATS 12863:2011 must be used to calculate local content.

The following documents have to be attached (Bidders that fail to submit documents indicated as compulsory will be disqualified)

- **Original certified copy of valid BBEE Certificate (non-compulsory, failure to submit no points will be awarded) only SANAS accredited or Affidavits will be accepted.**
- **Copy of company registration certificate(CK) - Compulsory**
- **Valid Tax Clearance Certificate & SARS Pin reference pin issued- Non-Compulsory**
- **Copy of current municipal account (not older than 3 months) – copy of Lease Agreement – Compulsory**
- **CSD summary report – Non-compulsory**
- **Local content is applicable as per MBD 6.2 as well as Annexure C – Compulsory**

B.KHENISA
MUNICIPAL MANAGER
STEVE TSHWETE LOCAL MUNICIPALITY
Municipal Civic Building
Wanderers Avenue
MIDDELBURG, 1050

| | | | | | |
|-----------|--------|---------|----------|---------|--|
| Q10.06.19 | | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS | |

C2 PRICING SCHEDULE

C2.1 PRICING INSTRUCTIONS

- a) These pricing instructions provide the tenderer with guidelines and requirements with regard to the completion of the pricing schedule. These pricing instructions also describe the criteria and assumptions which will be assumed in the contract to have been taken into account by the tenderer when developing his prices.
- b) The pricing schedule shall be read with all the documents which form part of this contract.
- c) The following words have the meaning hereby assigned to them:

| Words/Abbreviation | Meaning |
|--------------------|---------|
| Example: M | Meter |
| | |

- d) The rates to be inserted in the pricing schedule are to be full inclusive for the work described under the specification. Such rates shall cover all costs and expenses that may be required in and for the execution of the work described, and shall cover the cost of all general risks, liabilities, and obligations set forth or implied in the documents on which the tender is based, as well as overhead charges and profit.
- e) A rate is to be entered against each item in the Schedule of Fees and Disbursements. An item against which no rate is entered will be accepted as a rate of nil having been entered against such items and covered by the other prices or rates in the schedule.
- f) All rates and sums of money quoted in the pricing schedule shall be in Rands and whole cents. Fractions of a cent shall be discarded.
- g) All travelling costs, accommodation, meals and other incidental costs are to be included in the time based costs.
- h) Provisional amounts shall only be expended on the specific instruction of the Employer.
- i) All prices and rates entered in the pricing schedule must be **exclusive of Value Added Tax (VAT)**.
- j) If registered VAT is should be added at below the schedule. If not VAT registered indicate zero or “-“
- k) Only firm prices will be accepted. Non-firm prices (including prices subject to rates of exchange variations) will not be considered.
- l) In cases where different delivery points influence the pricing, a separate pricing schedule must be submitted for each delivery point.
- m) In cases of contract periods longer than 12 months and price adjustments is applicable, it will be based on CPI. If higher inflation is required indicate CPI + and number %.
- n) If the tender required firm (fixed prices) the amount indicated in Colum D will be the tender amount.
- o) If the tender amount is payable at end of contract on delivery of goods and services, Scratch out total per month with N/A or “-“
- p) If the tender amount is based on rates (Column B), the tender will be awarded to the rate and the total contract amount will only be used for evaluation purposes.

| | | | | | |
|-----------|--------|---------|----------|---------|--|
| Q10.06.19 | | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS | |

MBD 3.1 BID PRICE

Bid Number: **Q10.06.19**

(Note : Contract amount to be carried over to Form of Offer C1.1.1)

| ITEM | TASK / ITEM | (A) QUANTITY | (B) UNIT RATE PER ITEM (VAT EXCL) | UNIT RATE MEASUREMENT | (C) TOTAL COST PER ITEM (VAT EXCL) (A*B) |
|---|---|-----------------|---|--------------------------|---|
| 1.1 | Supply new gearbox for a Nissan Patrol 4.2D 4X4 TDI reg nr FBP 187 MP and vin number JN1UCLY612050029 9 | 1 | | | |
| 1.2 | Labour | | | | |
| SUB- TOTAL COST (section1 – 2) | | | | | |
| VAT at 15% | | | | | |
| TOTAL AMOUNT CARRIED FORWARD TO FORM OF OFFER (C1.1.1) | | | | | |
| Delivery period from date of signing agreement to transfer funds | | | | Days | |

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

| | | | | |
|-----------|---------|----------|---------|--|
| Q10.06.19 | | | | |
| BIDDER | WITNESS | EMPLOYER | WITNESS | |

FORM OF OFFER

The employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the following project:

| | |
|------------------|--|
| Quotation Number | Q10.06.19 |
| Quotation Title | Supply and fit a new gearbox for a Nissan Patrol 4.2D 4X4 TDI for Emergency Services |

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

By the representative of the tenderer, deemed to be duly authorized, signing this part of this form of offer and acceptance, the tenderer offers to perform all of the obligations and liabilities of the service provider / consultant under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.

THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS THE FOLLOWING:

| AMOUNT IN WORDS (INCL. VAT) | RAND | AMOUNT IN FIGURES (INCL VAT) |
|-----------------------------|------|-------------------------------|
| RAND | | R |

****AMOUNT MUST BE IN WORDS AS WELL AS FIGURES**

This offer may be accepted by the employer by communicating such acceptance in writing to the tenderer or by signing the acceptance part of this Form of Offer and Acceptance and returning one copy thereof to the tenderer, whereupon the tenderer becomes the party named as the provider / consultant in the conditions of contract identified in the contract data.

| Signature Block: Tenderer | | | |
|---------------------------|--|------|--|
| Signature | | Date | |
| Name | | | |
| Capacity | | | |
| Name of organization | | | |
| Address of organization | | | |
| Signature of witness | | Date | |
| Name of witness | | | |

| | | | | | |
|-----------|--|--|--|--|--|
| Q10.06.19 | | | | | |
|-----------|--|--|--|--|--|

BIDDER

WITNESS

EMPLOYER

WITNESS

FORM OF ACCEPTANCE

By signing this part of this form of offer and acceptance, the employer identified below accepts the tenderer's offer. In consideration thereof, the employer shall pay the service provider / consultant the amounts due in accordance with the conditions of contract identified in the contract data. Acceptance of the tenderer's offers shall form an agreement between the employer and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

The terms of the contract, are contained in:

- Part C1 Agreements and contract data, (which includes this agreement)
- Part C2 Pricing data
- Part C3 Scope of work.
- Service Level of Agreement attached to this document (if any) as amended (if applicable) and signed by the parties.

and documents or parts thereof, which may be incorporated by reference into Parts C1 to C3 above.

Deviations from and amendments to the Service Level Agreement and documents listed in the tender data and any addenda thereto as listed in the tender schedules, will only be valid if reduced to writing and signed by both parties.

The tenderer shall within two weeks after receiving a completed copy of this agreement, contact the employer's agent (whose details are given in the contract data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfill any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Unless otherwise specified elsewhere in this bidding document or any subsequent written agreement entered into between the parties, this agreement comes into effect on the date when the Employer communicates the acceptance and/or conditions of acceptance of the tenderer's offer in writing or signs the acceptance part of the Offer and Acceptance, whichever occurs first.

| Signature Block: Employer | | | |
|----------------------------------|----------------------------------|------|--|
| Signature | | Date | |
| Name | | | |
| Capacity | | | |
| Name of organization | Steve Tshwete Local Municipality | | |
| Address of organization | P.O. Box 14, Middelburg, 1050 | | |
| Signature of witness | | Date | |
| Name of witness | | | |

1. TAX COMPLIANCE REQUIREMENTS

1. Bidders must ensure compliance with their tax obligations.
2. Bidders are required to submit their unique personal identification number(PIN) issued by SARS to enable Organ of state to view the taxpayer's profile and tax status.
3. Application for the tax compliance status (TCS) certificate or PIN may be made via e-filing. In order to use this provision, taxpayers will need to register with SARS as e-filers through the website www.sars.gov.za
4. Foreign suppliers have must complete the pre-award questionnaire in part 2.
5. Bidders may also submit a printed TCS certificate together with the bid.
6. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate TCS certificate / pin / CSD number.
7. Where no TCS is available but the bidder is registered on the Central Supplier Database (CSD), a CSD number must be provided.

2. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- | | |
|---|----------|
| 1. Is the entity a resident of the Republic of South Africa? | YES / NO |
| 2. Does the entity have a branch in the RSA? | YES / NO |
| 3. Does the entity have a permanent establishment in the RSA? | YES / NO |
| 4. Does the entity have any source of income in RSA? | YES / NO |
| 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 SARS AND IF NOT REGISTER AS PER 1.3. ABOVE)

NB: Failure to provide any of the above particulars may render the bid invalid.

.....
Signature of BIDDER

.....
Date

.....
Capacity under which this bid is signed

| | | | | | |
|-----------|--------|---------|----------|---------|--|
| Q10.06.19 | | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS | |

MBD 4**DECLARATION OF INTEREST**

1. No bid will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their 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.

| No. | Information | Please provide detail | |
|-------|---|-----------------------|----|
| 3.1 | Full name of bidder or his or her representative | | |
| 3.2 | Identity number | | |
| 3.3 | Position occupied in the company (director, trustee, hareholder?) | | |
| 3.4 | Company registration number | | |
| 3.5 | Tax reference number | | |
| 3.6 | VAT registration number | | |
| Note | <i>(The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.)</i> | | |
| 3.7 | Are you presently in the service of the state? If yes, please furnish particulars : | Yes | No |
| 3.7.1 | Name of director | | |
| 3.7.2 | Service of state organization | | |

| | | | |
|--------|--|-----|----|
| 3.8 | Have you been in the service of the state for the past twelve months? If yes, please furnish particulars : | Yes | No |
| 3.8.1 | Name of director | | |
| 3.8.2 | Service of state organization | | |
| 3.9 | 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? If yes, please furnish particulars : | Yes | No |
| 3.9.1 | Name of person in the service of state | | |
| 3.9.2 | Relationship | | |
| 3.10 | 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? If yes, please furnish particulars : | Yes | No |
| 3.10.1 | Name of person in the service of state | | |
| 3.10.2 | Relationship | | |
| 3.11 | <i>Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?</i> If yes, please furnish particulars : | Yes | No |
| 3.11.1 | Name of director | | |
| 3.11.2 | Service of state organization | | |
| 3.12 | Is any spouse, child or parent of the company's director trustees, managers, principle shareholders or stakeholders in service of the state? If yes, please furnish particulars: | Yes | No |
| 3.12.1 | Name of director | | |
| 3.12.2 | Name of relative | | |

5. I, the undersigned 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. | |
| NAME OF REPRESENTATIVE | AUTHORIZED SIGNATURE (UNDERSIGNED) |
| | |
| DATE | CAPACITY |

MBD 6.1
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) The 80/20 preference point system will be applicable to this tender Points for this bid shall be awarded for:
 - (a) Price; and
 - (b) B-BBEE Status Level of Contributor.

1.3 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 |

1.4 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.

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

| | | | | |
|-----------|--------|---------|----------|---------|
| Q10.06.19 | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS |

| 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"/> |
|-----|--------------------------|----|--------------------------|

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"/> |
|-----|--------------------------|----|--------------------------|

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]

| | | | | | |
|-----------|--|--|--|--|--|
| Q10.06.19 | | | | | |
|-----------|--|--|--|--|--|

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

| | | | | | |
|-----------|--------|---------|----------|---------|--|
| Q10.06.19 | | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS | |

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

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| Q10.06.19 | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS |

2. **The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

| <u>Description of services, works or goods</u> | <u>Stipulated minimum threshold</u> |
|--|-------------------------------------|
| Labour/ assembling | 100% |
| _____ | _____ % |
| _____ | _____ % |

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

| | | | |
|-----|--------------------------|----|--------------------------|
| YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

| Currency | Rates of exchange |
|-----------------|--------------------------|
| US Dollar | |
| Pound Sterling | |
| Euro | |
| Yen | |
| Other | |

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

| | | | | | |
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| Q10.06.19 | | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS | |

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thdti.gov.za/industrial-development/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
 do hereby declare, in my capacity as
 of(name of bidder entity),
 the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
- (c) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
 The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

| | |
|--|---|
| Bid price, excluding VAT (y) | R |
| Imported content (x), as calculated in terms of SATS 1286:2011 | R |
| Stipulated minimum threshold for local content (paragraph 3 above) | |
| Local content %, as calculated in terms of SATS 1286:2011 | |

| | | | | |
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| Q10.06.19 | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS |

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

| | | | | | |
|-----------|--------|---------|----------|---------|--|
| Q10.06.19 | | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS | |

Local Content Declaration - Summary Schedule

(C1)

Tender No.

(C2)

Tender description:

(C3)

Designated product(s)

(C4)

Tender Authority:

(C5)

Tendering Entity name:

(C6)

Tender Exchange Rate:

Pula

EU

GBP

(C7)

Specified local content %

Note: VAT to be excluded from all calculations

Annex C

Calculation of local content

| Tender item no's | List of items | Tender price - each (excl VAT) | Exempted imported value | Tender value net of exempted imported content | Imported value | Local value | Local content % (per item) |
|------------------|---------------|--------------------------------|-------------------------|---|----------------|-------------|----------------------------|
| (C8) | (C9) | (C10) | (C11) | (C12) | (C13) | (C14) | (C15) |
| | | | | | | | |
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Tender summary

| Tender Qty | Total tender value | Total exempted imported content | Total Imported content |
|------------|--------------------|---------------------------------|------------------------|
| (C16) | (C17) | (C18) | (C19) |
| | | | |
| | | | |
| | | | |
| | | | |
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| | | | |
| | | | |
| | | | |

(C20) Total tender value

Signature of tenderer from Annex B

(C21) Total Exempt imported content

(C22) Total Tender value net of exempt imported content

(C23) Total Imported content

(C24) Total local content

(C25) Average local content % of tender

Date: _____

| | | | | | |
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| Q10.06.19 | | | | | |
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BIDDER

WITNESS

EMPLOYER

WITNESS

Annex D

Imported Content Declaration – Supporting Schedule to Annex C

| | | | | | | | | |
|-----------------------------------|--|---|------|-----|----|--|-----|--|
| (D1) Tender No. | | Note: VAT to be excluded from all calculations | | | | | | |
| (D2) Tender Description | | | | | | | | |
| (D3) Designated Products | | | | | | | | |
| (D4) Tender Authority | | | | | | | | |
| (D5) Tendering Entity Name | | | | | | | | |
| (D6) Tender Exchange Rate | | | | | | | | |
| | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Pula</td> <td style="width: 25%;"></td> <td style="width: 25%; text-align: center;">EU</td> <td style="width: 25%;"></td> <td style="width: 25%; text-align: center;">GBP</td> <td style="width: 25%;"></td> </tr> </table> | Pula | | EU | | GBP | |
| Pula | | EU | | GBP | | | | |

| A. Exempted imported content | | | | Calculation of imported content | | | | | | Summary | |
|---|---------------------------------|----------------|-------------------|--|----------------------|------------------------|--------------------------------|---|----------------------------|-----------------------------------|-------------------------|
| Tender item no's | Description of imported content | Local supplier | Overseas Supplier | Foreign currency value as per Commercial Invoice | Tender Exchange Rate | Local value of imports | Freight costs to port of entry | All locally incurred landing costs & duties | Total landed cost excl VAT | Tender Qty | Exempted imported value |
| (D7) | (D8) | (D9) | (D10) | (D11) | (D12) | (D13) | (D14) | (D15) | (D16) | (D17) | (D18) |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| <i>This total must correspond with Annex C - C 21</i> | | | | | | | | | | (D19) Total exempt imported value | |

| B. Imported directly by the Tenderer | | | | Calculation of imported content | | | | | | Summary | |
|---|---------------------------------|-----------------|-------------------|--|----------------------|------------------------|--------------------------------|---|----------------------------|------------|----------------------|
| Tender item no's | Description of imported content | Unit of measure | Overseas Supplier | Foreign currency value as per Commercial Invoice | Tender Exchange Rate | Local value of imports | Freight costs to port of entry | All locally incurred landing costs & duties | Total landed cost excl VAT | Tender Qty | Total imported value |
| (D20) | (D21) | (D22) | (D23) | (D24) | (D25) | (D26) | (D27) | (D28) | (D29) | (D30) | (D31) |
| | | | | | | | | | | | |
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| | | | | | | | | | | | |
| <i>(D32) Total imported value by tenderer</i> | | | | | | | | | | | |

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|-----------|--|---------|--|----------|--|
| Q10.06.19 | | | | | |
| BIDDER | | WITNESS | | EMPLOYER | |
| WITNESS | | WITNESS | | WITNESS | |

| C. Imported by a 3rd party and supplied to the Tenderer | | | | Calculation of imported content | | | | | | Summary | |
|---|-----------------|----------------|-------------------|--|----------------------|------------------------|--------------------------------|---|----------------------------|------------|----------------------|
| Description of imported content | Unit of measure | Local supplier | Overseas Supplier | Foreign currency value as per Commercial Invoice | Tender Exchange Rate | Local value of imports | Freight costs to port of entry | All locally incurred landing costs & duties | Total landed cost excl VAT | Tender Qty | Total imported value |
| (D33) | (D34) | (D35) | (D36) | (D37) | (D38) | (D39) | (D40) | (D41) | (D42) | (D43) | (D44) |
| | | | | | | | | | | | |
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| | | | | | | | | | | | |
| | | | | | | | | | | | |
| (D45) Total imported value by 3rd party | | | | | | | | | | | |

| B. Imported directly by the Tenderer | | | Calculation of foreign currency payments | | Summary of payments |
|--------------------------------------|-----------------------------------|----------------------|--|-------------------------|-------------------------|
| Type of payment | Local supplier making the payment | Overseas beneficiary | Foreign currency value paid | Tender Rate of Exchange | Local value of payments |
| (D46) | (D47) | (D48) | (D49) | (D50) | (D51) |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
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(D52) Total of foreign currency payments declared by tenderer and/or 3rd party

(D53) Total of imported content & foreign currency payments - (D32), (D45) & (D52) above

This total must correspond with Annex C - C 23

Signature of tenderer from Annex B

Date: _____

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| Q10.06.19 | | | | | |
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BIDDER

WITNESS

EMPLOYER

WITNESS

Annex E

SATS 1286.2011

Local Content Declaration - Supporting Schedule to Annex C

Note: VAT to be excluded from all calculations

Tender description:
 Designated products:
 Tender Authority:
 Tendering Entity name:

| |
|--|
| |
| |
| |
| |

Local Products (Goods, Services and Works)

| Description of items purchased | Local suppliers | Value |
|---|-----------------|-------------|
| <i>(E6)</i> | <i>(E7)</i> | <i>(E8)</i> |
| | | |
| | | |
| | | |
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| | | |
| | | |
| | | |
| <i>(E9)</i> Total local products (Goods, Services and Works) | | |

Manpower costs

(E10) (Tenderer's manpower cost)

Factory overheads

(E11)(Rental, depreciation & amortisation, utility costs, consumables etc.)

Administration overheads and mark-up

(E12)(Marketing, insurance, financing, interest etc.)

(E13) Total local content

**This total must correspond with Annex
C - C24**

Signature of tenderer from Annex B

Date:

The guidance document can be found at: www.dti.gov.za/industrial_development/docs/ip/guideline.pdf

| | | | | | |
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| Q10.06.19 | | | | | |
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BIDDER

WITNESS

EMPLOYER

WITNESS

MBD 8

DECLARATION OF BIDDERS 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:
 - 3.1 abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - 3.2 been convicted for fraud or corruption during the past five years;
 - 3.3 willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - 3.4 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 | No |
| 4.1.1 | If so, furnish particulars: | | |
| 4.2 | <p>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)?</p> <p>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.</p> | Yes | No |
| 4.2.1 | If so, furnish particulars: | | |

| | | | | |
|-----------|--------|---------|----------|---------|
| Q10.06.19 | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS |

| Item | Question | Yes | No |
|-------|--|-----|----|
| 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 | No |
| 4.3.1 | If so, furnish particulars: | | |
| 4.4 | Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months? | Yes | No |
| 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 | No |
| 4.5.1 | If so, furnish particulars: | | |

CERTIFICATION

I, the undersigned 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.

| | |
|-------------------------------|---|
| | |
| NAME OF REPRESENTATIVE | AUTHORIZED SIGNATURE (UNDERSIGNED) |
| | |
| DATE | CAPACITY |

| | | | | | |
|-----------|--------|---------|----------|---------|--|
| Q10.06.19 | | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS | |

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This municipal bidding document (MBD) must form part of all bids¹ invited.
- 2 Section 4(1)(b)(iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 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:
 - 3.1. take all reasonable steps to prevent such abuse;
 - 3.2. 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
 - 3.3. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

| | | | | | |
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| Q10.06.19 | | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS | |

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

TENDER: Q10.06.19 : Supply and fit a new gearbox for a Nissan Patrol 4.2D 4X4 TDI for Emergency Services

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:

| |
|-------------------------------|
| |
| NAME OF REPRESENTATIVE |

that:

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.

| | | | |
|-----------|---------|----------|---------|
| Q10.06.19 | | | |
| BIDDER | WITNESS | EMPLOYER | WITNESS |

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:
 - 7.1 Prices;
 - 7.2 Geographical area where product or service will be rendered (market allocation);
 - 7.3 Methods, factors or formulas used to calculate prices;
 - 7.4 The intention or decision to submit or not to submit a bid;
 - 7.5 The submission of a bid which does not meet the specifications and conditions of the bid; or
 - 7.6 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.

| | |
|-------------------------------|---|
| | |
| NAME OF REPRESENTATIVE | AUTHORIZED SIGNATURE (UNDERSIGNED) |
| | |
| DATE | CAPACITY |

| | | | | |
|-----------|--------|---------|----------|---------|
| Q10.06.19 | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS |

COMPULSORY ENTERPRISE QUESTIONNAIRE

The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted.

Section 1: Name of enterprise

Section 2: VAT registration number, if any

Section 3: Particulars of sole proprietors and partners in partnerships

| No | Name* | Identity Number* | Personal Income Tax Number* |
|-----|-------|------------------|-----------------------------|
| 3.1 | | | |
| 3.2 | | | |
| 3.3 | | | |

* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

Section 4: Particulars of companies and close corporations

| | | |
|-----|-----------------------------|--|
| 4.1 | Company Registration number | |
| 4.2 | Close corporation number | |
| 4.3 | Tax reference number | |

Section 5: Record in the service of the state

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

| | | | |
|---|--------------------------|--|--------------------------|
| A member of any municipal council | <input type="checkbox"/> | An employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) | <input type="checkbox"/> |
| A member of any provincial legislation | <input type="checkbox"/> | A member of an accounting authority of any national or provincial public entity | <input type="checkbox"/> |
| A member of the National Assembly or the National Council of Province | <input type="checkbox"/> | An employee of Parliament or a provincial legislature | <input type="checkbox"/> |
| A member of the board of directors of any municipal entity | <input type="checkbox"/> | An official of any municipality or municipal entity | <input type="checkbox"/> |

| | | | | |
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| Name of sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder | Name of institution, public office, board or organ of state and position held | Status of service (tick appropriate column) | |
|--|---|---|-----------------------|
| | | Current | Within last 12 months |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Section 6: Records of spouses, children and parents in the service of the state

Indicate by making the relevant boxes with a cross, if any spouses, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:

| | | | |
|--|--------------------------|--|--------------------------|
| A member of any municipal council | <input type="checkbox"/> | An employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management act, 1999 (act 1 of 1999) | <input type="checkbox"/> |
| A member of any provincial legislature | <input type="checkbox"/> | A member of an accounting authority of any national or provincial public entity | <input type="checkbox"/> |
| A member of the National Assembly or the National Council of Province. | <input type="checkbox"/> | An employee of Parliament or a provincial legislature | <input type="checkbox"/> |
| A member of the board of directors of any municipal entity | <input type="checkbox"/> | An official of any municipality or municipal entity | <input type="checkbox"/> |

| Name of spouse, child or parent | Name of institution, public office, board or organ of state and position held | Status of service (tick appropriate column) | |
|---------------------------------|---|---|-----------------------|
| | | Current | Within last 12 months |
| | | | |
| | | | |
| | | | |
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The undersigned, who warrants that he/she is duly authorized to do so on behalf of the enterprise:

- i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- ii) confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004.
- iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of frauds or corruption;
- iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- v) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

Note: insert separate page if necessary

| | |
|-------------------------------|---|
| | |
| NAME OF REPRESENTATIVE | AUTHORIZED SIGNATURE (UNDERSIGNED) |
| | |
| CAPACITY | DATE |

| | | | | | |
|-----------|--------|---------|----------|---------|--|
| Q10.06.19 | | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS | |

CLEARANCE CERTIFICATE FOR WATER & LIGHTS

Section 45(1)(d) of Municipal Supply Chain Regulations requires that the municipality must reject a bidder whose municipal rates and taxes are in arrears for more than three months.

The purpose of this schedule is to obtain proof that municipal services, rates and taxes of the service provider are not in arrears for more than three months, with the relevant municipality / landlord in the municipal area where the service provider conduct his / her business.

Each bidder must complete the below checklist. Important: if you fail to complete this form, the bid will be non-responsive. (Please tick with **X** where appropriate):

| QUESTIONS | | YES | NO |
|---|--|-----|----|
| 1. | Do you own a property? | | |
| 2. | Do you receive a municipal rates account? | | |
| 3. | Is your municipal rates and taxes account up to date / current (not in arrears for more than three months)? | | |
| 4. | If yes, provide the following details: | | |
| 4.1 | ▪ Municipality name | | |
| 4.2 | ▪ Municipal account number | | |
| 5. | If yes, please attach proof in the form of the original or certified copy of the bidder's municipal rates and taxes account not older than 3 months | | |
| 6. | Does the bidder lease / rent the property where the business is situated? | | |
| 7. | If yes, provide the following details: | | |
| 7.1 | ▪ Landlord name | | |
| 7.2 | ▪ Address property is situated | | |
| 7.3 | ▪ Contact number of landlord | | |
| 8. | Please attach the copy of the lease agreement signed by the landlord / lessor and the tenant / lessee as proof | | |
| I, (Insert full name) | | | |
| of (insert physical address) | | | |
| being a Director, Principal Shareholder, owner of company (Insert company name) | | | |
| | | | |
| Hereby confirms that, the information submitted in this form is accurate, to the best of my knowledge | | | |
| SIGNATURE | | | |

NOTICE OF SUPPLY CHAIN MANAGEMENT

APPLICATION FOR REGISTRATION ON CENTRAL SUPPLIER DATABASE

Section 14(1)(a) of the municipal supply chain management policy states that the municipality may only transact with vendors registered on the National Treasure Central Supplier Database.”

The purpose of this notice is to obtain proof that the service provider is registered on the Central Supplier Database. **Registration is COMPULSORY in order to conduct business with Steve Tshwete Local Municipality.** The database will be used to verify the accreditation of a supplier before an award can be made.

Each bidder must complete the below checklist (please tick with an X where appropriate)

| | QUESTIONS | YES | NO |
|---|--|------|----|
| 1. | Is your company registered on the Central Supplier Database? | | |
| 2. | If yes, provide the following details: | | |
| 2.1 | ▪ CSD registration number | MAAA | |
| 2.2 | ▪ Unique CSD number | | |
| 3. | Enquiries related to par. 2.1 and 2.2 can be made to Ms. Thembi Jiyane at (013) 2497309 / 2497164 | | |
| 4. | If no, please register on Central Supplier Database ,website, www.csd.gov.za , before submitting tender document | | |
| I, (insert full name) | | | |
| of (insert physical address) | | | |
| being a Director, Principal Shareholder, owner of company (insert company name) | | | |
| | | | |
| hereby confirms that, the information submitted in this form is accurate, to the best of my knowledge | | | |
| SIGNATURE | | | |

MBD 7.1

CONTRACT FORM – PURCHASE OF GOODS / WORKS

THIS FORM MUST BE FILLED BY BOTH THE SERVICE PROVIDER (PART 1) AND THE EMPLOYER / MUNICIPALITY (PART 2) AND SIGNED IN THE ORIGINAL.

PART 1 (TO BE FILLED IN BY THE BIDDER)

4 I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to Steve Tshwete Local Municipality in accordance with the requirements and task directives / proposals specifications stipulated in bid number **Q10.06.19** at the price/s quoted. My offer/s remains binding upon me and open for acceptance by the Employer / Municipality during the validity period indicated and calculated from the closing date of the bid.

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

2.1 Bidding documents, viz

- Invitation to bid;
- Tax clearance certificate;
- Pricing schedule(s);
- Technical specification(s)
- Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2017;
- Declaration of interest;
- Declaration of Bidder's past SCM practices;
- Certificate of Independent Bid Determination;
- Special Conditions of Contract;

1.2 General Conditions of Contract;

1.3 Other (specify)

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

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

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

5. I confirm that I am duly authorized to sign this contract.

| | |
|-------------------------------|---|
| | |
| SIGNED AT | AUTHORIZED SIGNATURE (UNDERSIGNED) |
| | |
| DATE | NAME AND CAPACITY |
| WITNESSES: (SIGNATURE) | DATE |
| 1. | |
| 2. | |

| | | | | | |
|-----------|--------|---------|----------|---------|--|
| Q10.06.19 | | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS | |

MBD 7.1

CONTRACT FORM – PURCHASE OF GOODS / WORKS

PART 2 (TO BE FILLED IN BY THE EMPLOYER / MUNICIPALITY)

- I _____ in my capacity
 as _____ accept your bid under
 reference number _____ dated _____
 for the rendering of services hereunder and/or further specified in the annexures.
- An official order indicating service delivery instructions is forthcoming.
- I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice, subject to the National Treasury's Central Supplier Database reflecting your tax status as compliant.

| ITEM NO. | PRICE (ALL APPLICABLE TAXES INCLUDED) | BRAND | DELIVERY PERIOD | B-BBEE STATUS LEVEL OF CONTRIBUTION | MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (IF APPLICABLE) |
|----------|---|-------|--------------------|---|---|
| | | | | | |

- I confirm that I am duly authorized to sign this contract.

| | | | |
|-------------------------------|--|---|--|
| | | | |
| SIGNED AT | | AUTHORIZED SIGNATURE (UNDERSIGNED) | |
| | | | |
| DATE | | NAME AND CAPACITY | |
| WITNESSES: (SIGNATURE) | | OFFICIAL STAMP | |
| 1. | | | |
| 2. | | | |

C1.2 CONTRACT DATA

PART 1 - DATA PROVIDED BY THE EMPLOYER

| | |
|---|--|
| The employer is the Steve Tshwete Local Municipality. | |
| The authorized and designated representative of the employer is: | |
| Name: | Mr.G.J.Kleinhans, Station Officer Fire and Rescue |
| The address for receipt of communications is: | Steve Tshwete Local Municipality SCM C/O Walter Sisulu and Protea street Middelburg 1050 |
| Telephone: | Error! Reference source not found. 249 7769 |
| Facsimile: | N/A |
| Email: | kobusk@stlm.gov.za |
| The project is: | Supply and fit a new gearbox for a Nissan Patrol 4.2D 4X4 TDI for Emergency Services |
| | |

NOTE:

The location for the performance of the Project is **the municipal area of Steve Tshwete.**

The service provider is required to provide the Service with all reasonable care, diligence and skill in accordance with generally accepted professional techniques and standards.

The service provider is required to obtain the employer's prior approval in writing before taking any of the following actions:

Appointing subcontractors for the performance of any part of the services,

Appointing key persons or personnel not listed by name in the contract data.

Copyright of documents prepared for the project shall be vested with the employer.

| | | | | | |
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| Q10.06.19 | | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS | |

C3 SCOPE OF WORKS / SPECIFICATIONS

1. INTRODUCTION AND BACKGROUND

Due to the amount of grassfires in the winter in the Steve Tshwete Local Municipality area the Nissan is using a lot of wear and tear on its gearbox.

2. PURPOSE AND RECIPIENTS

Supply and fit a new gearbox for a Nissan Patrol 4.2D 4X4 TDI for Emergency Services

3. TERMS OF REFERENCE

3.1 Supply and fit a new gearbox for a Nissan Patrol 4.2D 4X4 TDI reg nr FBP 187 MP and vin number JN1UCLY6120500299

3.2 Provide at least twelve months warranty on gearbox and workmanship.

4. LOCATION OF WORKS

Work will be done at the suppliers premises.

5. INFORMATION THAT WILL BE PROVIDED BY THE MUNICIPALITY

Vehicle will be available at Fire Station in Lilian Ngoyi Street, Middelburg for inspection to provide detailed quotation to ensure vehicle is fully operational once fitment is completed.

6. KEY PERFORMANCE INDICATORS

The following Key Performance Indicators will be used to assess the performance of the service provider:

6.1 Progress reports and timeframe for completion of project.

6.2 Warranty provided.

7. PAYMENTS

Payment will be in accordance with the tendered pricing schedule and the Key Performance Indicators indicated in the Terms of Reference. All prices should be inclusive of VAT. A valid tax invoice must be submitted by the 25 of each month with all mandatory information and reporting as indicated in the scope of work.

Payment will be made within 10 working days from receipt of invoice by the finance department.

8. ELIGIBILITY CRITERIA

Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders:

8.1 The tenderer has in his or her possession an original valid tax clearance certificate issued by the South African Revenue Services.

8.2 The tenderer is not in arrears for more than 3 months with municipal rates and taxes and municipal service charges;

8.3 The tenderer or any of its directors is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; and

8.4 The tenderer has not

- Abused the Employer's Supply Chain Management System; or
- Failed to perform on any previous contract and has been given written notice to this

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effect.

- It is considered that the performance of the services will not be compromised through any conflict of interest.)

9. MANDATORY INFORMATION TO BE SUBMITTED

The following information must be submitted:

- 9.1 Original certified copy of Tax clearance certificate. Original certified copy of B-BBEE Certificate in order to qualify for preferential procurement points.
- 9.2 Warranties on workmanship.
- 9.3 Certification and specifications on all items offered.

10. JOINT VENTURES AND CONSORTIUMS

Joint ventures or consortia's or any sub-contracting will be accepted on this tender or will be accepted. Indicate if acceptable. Following documents have to be attached:

- Signed Joint Venture Agreement
- Combined Joint Venture BBEE certificate
- Summary report of Central Supplier Database of JV

11. PERIOD OF TENDER

Once off for this vehicle.

12. SERVICE LEVEL AGREEMENT

A service level agreement will be entered into on appointment of the contract.

13. ACCEPTANCE OF OFFER

The municipality reserves the right not to award the tender or any part of the tender subject to the availability of budgetary funds.

14. EVALUATION

The highest score bidder will be recommended.

15. VALIDITY PERIOD

The quotation shall be valid for 90 days from date of opening the quote.

GENERAL CONDITIONS OF CONTRACT

The General Conditions of Contract are not included in this document and may be downloaded from the following website – www.treasury.gov.za/legislation.

| | | | | | |
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| Q10.06.19 | | | | | |
| | BIDDER | WITNESS | EMPLOYER | WITNESS | |