

**STEVE TSHWETE**



Tel. (013) 282 5303  
Fax. (013) 282 5594

Email: [council@stevetshwete.gov.za](mailto:council@stevetshwete.gov.za)  
Website: [www.stevetshwetelm.gov.za](http://www.stevetshwetelm.gov.za)

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

Civic Centre, Wanderers  
Avenue, Middelburg,  
Mpumalanga

# LOCAL MUNICIPALITY

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## **REQUEST FOR FORMAL WRITTEN PRICE QUOTATIONS**

### **GOODS**

**(R 30,000 to R 200,000)**

## **PROVISION OF WATER AND WASTEWATER QUALITY ANALYSIS SERVICES BY A SANAS ACCREDITED LABORATORY OR LABORATORY PARTICIPATING IN PROFICIENCY TESTING SCHEME**

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 2000) and for this purpose the enclosed forms MBD 1, MBD 2, MBD 3.1, MBD 4, MBD 6.1, 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.

Failure to comply with these conditions may invalidate your offer.

Yours faithfully

**M Mnguni**  
**ACTING MUNICIPAL MANAGER**

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

(Over R10 000.00 up to a transaction value of R200 000.00 VAT included)

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

BID NUMBER: **Q15.07.17** CLOSING DATE: **21/07/2017** CLOSING TIME: 12H00.

DESCRIPTION **PROVISION OF WATER AND WASTEWATER QUALITY ANALYSIS SERVICES BY A SANAS ACCREDITED LABORATORY OR LABORATORY PARTICIPATING IN PROFICIENCY TESTING SCHEME**

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

Bid documents may be deposited into a box marked QUOTATIONS

New Infrastructure building (Old Nashua building)  
14 SADC str. 1<sup>st</sup> floor  
Middelburg  
Mpumalanga

**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 16H00 hours Monday to Thursday and 07h30 to 13h30 Fridays

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 B-BBEE Status

**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: .....

Cellphone 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

**Fax:** (013) 243 2550

**ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:**

**Contact Person:** Davidson Machaka

**Department:** Civil Engineering Services

**Tel:** 013 249 7163 **Mobile:** 073 114 6088

**Fax:** 013 243 2550

## **BID SPECIFICATIONS**

### **1. DESCRIPTION OF THE SERVICES REQUIRED**

The Municipality requires services of a reputable laboratory for the analyses of water and wastewater samples by a SANAS accredited laboratory or a laboratory participating in a recognised Proficiency Testing Scheme (PTS). Recognised PTS shall constitute the testing schemes conducted under the National Laboratory Association SA or SA Bureau of Standards.

### **2. LOCATION**

The water sample will be collected from various sampling points in and around Middelburg as per water quality monitoring programme and delivered to the Laboratory within 18 hours. Standard sample preservation techniques will be employed.

### **3. TRANSPORTATION OF WATER SAMPLES**

The Municipality shall be responsible to collect and transport samples under preservation to the laboratory. The Municipality shall bear the cost of transportation of the samples up to a maximum of the 50 km radius. The bidder shall bear cost associated with further transportation of the water samples to the location of the laboratory beyond the 50km radius measured from Middelburg CBD.

### **4. SCOPE OF WORK**

- An accredited Laboratory will enter into a Service Level Agreement (SLA) with the Municipality with the aims:  
To analyze potable water and wastewater samples on monthly basis or when requested to do so when the need arises;
- Provide written analytical analysis monthly reports with technical comments with regards to compliance in relation to South African National Standards 241 (SANS 241) and General Effluent Standards/ license conditions;
- To provide report in a format compatible with the Blue Drop System;

### **5. PROJECT DELIVERABLES**

- Tenderer must ensure that all methods to be used during analysis are registered and approved analytical method and quality control procedures in place.
- The analytical work must be done under the supervision of a trained analyst, i.e., one with an applicable University Degree or Technikon Diploma. The Curriculum Vitae (CV) of the laboratory staff, must be submitted with the tender.
- Tenderer must attach proof to indicate that the laboratory participate in a recognized external Inter-Laboratory Performance Studies or Proficiency Testing Program.
- Tenderers must have reporting format and turnaround time as described on item 4.6 below.
- The results of all analytical work done must be available within 2 weeks in case of chemical analysis and 3 days in the case of microbiological samples or earlier in the case of emergencies.
- Each batch of analysis results must be provided together with the control samples results or standards results that will indicate accuracy of the method used.
- Narrative interpretation reports and written client advice shall accompany each set of results.
- The Tenderer must be prepared to analyse emergency samples at any time on request;
- Special reports for ad-hoc events shall be delivered within a week of analysing the

results.

- The samples will be stored for a period of 8 weeks after the initial tests were carried out; this will allow Steve Tshwete Municipality a period of time to evaluate the results of these tests and request re-analysis where necessary.
- Full records of raw analytical data should be archived for all samples analyzed for at least twelve (12) months from the date of submission of the written analytical report.

**6. REMUNERATION**

Remuneration shall be based on the number of samples submitted and rates quoted in the pricing schedule.

**7. PAYMENTS**

Payment will be made within 30 days after receipt of a tax invoice.

**8. COMPLIANCE TO BID SPECIFICATION**

In a case where the bidder intend to supply an Equivalent of the units described in paragraph 1 above; the bidder is required to supply the equivalent specifications of the units. Failure to do so will result in disqualification due to non-responsiveness to bid specifications.

**9. DELIVERY OF GOODS**

Delivery of the units is Krugerdam Water Treatment Works. The supplier should ensure that the unit is delivered at the right place and that it is received in good condition.

**10. INFORMATION TO BE PROVIDED WITH THE BID**

The total costs of the required services. The price of the unit should be firm until completion date.

**11. INFORMATION THAT WILL BE PROVIDED BY THE MUNICIPALITY**

An official order would be sent to the supplier soon after evaluation of received bids.

**12. EVALUATION OF BIDS**

The bids will be evaluated in accordance to the Schedules 1 and 2 below. A total of 60 points must be attained before the bid can be considered for price and preference evaluation. Bids that do not meet the minimum 60 points will be disqualified.

## SCHEDULE 1

### EVALUATION SCHEDULE : SANAS ACCREDITATION OR LABORATORY PARTICIPATING IN PROFICIENCY TESTING SCHEME FOR WATER ANALYSIS

The Tenderer's possession of a **valid SANAS Accreditation certificate or participation in proficiency testing scheme (PTS)** for analysis of water & wastewater samples for microbiological, physical and chemical water quality will be evaluated. Only PTS certificates with acceptable z-score of  $\geq -2.00$  -  $\leq 2.00$  will be considered.

In the case of an association / joint venture / consortium, it should, indicate how the duties and responsibilities are to be shared. The SANAS accreditation or proof of participation in proficiency testing of all bidding entities must be attached. The score will be awarded for each of the following:

Points 20	SANAS Accreditation Certificate (Physical/Chemical and Microbiological Parameters) or participation in a recognized proficiency testing scheme for water & wastewater analysis with z-score $\geq -2.00$ - $\leq 2.00$ . The recognized PTS shall be registered by SABS and/or National Laboratory Association South Africa.
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**NB: Please attach proof of certified copies of SANAS or participation in PTS with z-scores.**

The undersigned, who warrants that he / she is duly authorized to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.	
<b>SIGNED AT</b>	<b>AUTHORIZED SIGNATURE (UNDERSIGNED)</b>
<b>DATE</b>	<b>NAME AND CAPACITY</b>



## SCHEDULE 2

### EVALUATION SCHEDULE SCHEDULE OF SANAS ACCREDITED OR PROFICIENCY TESTED PARAMETERS

The number of parameters for which the Tenderer is accredited to perform will be evaluated under this schedule.

In the case of an association / joint venture / consortium, it should, indicate the parameter accredited by either of the joint venture parties provided that valid SANAS accreditation certificate or proof of participation in proficiency testing is submitted under Schedule 11 above.

The Laboratory is required to provide the Municipality with the schedule of their SANAS accredited analytical methods as per Table below, and also indicate the parameters accredited for or similar information in the case of proficiency testing scheme participation.

Note: Please tick the **YES/NO** in the Box for SANAS ACCREDITATION or laboratory z-score.

PARAMETER/ANALYTE	UNIT	SANAS ACCREDITED OR LABORATORY-Z SCORE (YES/NO)	ANALYTICAL METHOD CODE	POINTS
Total Coliforms	Counts / 100 ml or MPN/ 100 ml			2
<i>E.Coli</i>	Counts/ 100 ml or MPN/ 100 ml			3
Faecal Coliform	Counts/ 100 ml or MPN/ 100 ml			3
pH	pH Units			2
Electrical Conductivity (EC)	mS/m at 25 C			2
Total Dissolved Solids (TDS)	mg/l			1
Turbidity	NTU			2
Colour	mg/l Pt			2
Ammonia as N	mg/l			2
Total Alkalinity as CaCO <sub>3</sub>	mg/l			0.5
Total Hardness as CaCO <sub>3</sub>	mg/l			0.5

PARAMETER/ANALYTE	UNIT	SANAS ACCREDITED OR LABORATORY-Z SCORE (YES/NO)	ANALYTICAL METHOD CODE	POINTS
. Calcium as Ca	mg/l			0.5
. Chloride as Cl <sup>-</sup>	mg/l			2
. Fluoride as F <sup>-</sup>	mg/l			2
. Magnesium as g	mg/l			2
. Nitrate as NO <sub>3</sub> <sup>-</sup>	mg/l			2
. Nitrite as NO <sub>2</sub> <sup>-</sup>	mg/l			2
. Potassium as K	mg/l			1
. Sodium as Na	mg/l			2
. Sulphate as SO <sub>4</sub> <sup>2-</sup>	mg/l			2
. Aluminium as Al	mg/l			2
. Iron as Fe	mg/l			0.5
. COD (Chemical Oxygen Demand)	mg/l			3
. Suspended Solids as SS	mg/l			3
. Volatile Suspended Solids as VSS	mg/l			1
. Orthophosphate as PO <sub>4</sub> <sup>3-</sup>	mg/l			3
. Arsenic as As	µg/l			1
. Cadmium as Cd	µg/l			1
. Nickel as Ni	µg/l			1
. Cobalt as Co	µg/l			1
. Copper as Cu	µg/l			1
. Total Chromium as Cr	µg/l			1
. Vanadium as V	µg/l			0.5

PARAMETER/ANALYTE	UNIT	SANAS ACCREDITED OR LABORATORY-Z SCORE	ANALYTICAL METHOD CODE	POINTS
. Selenium as Se	$\mu\text{g}/\ell$			0.5
. Lead as Pb	$\mu\text{g}/\ell$			1
. Manganese as Mn	$\mu\text{g}/\ell$			1
. Mercury as Hg	$\mu\text{g}/\ell$			0.5
. Cyanide as CN	$\mu\text{g}/\ell$			0.5
. Uranium as U	$\mu\text{g}/\ell$			0.5
. Phenols	$\mu\text{g}/\ell$			1
. Dissolved Organic Carbon as C	$\text{mg}/\ell$			1
. Total Trihalomethanes	$\text{mg}/\ell$			1
. Cryptosporidium Species	Count/ 10 ml			0.5
. Giardia Species	Count/ 10 ml			0.5
. Somatic Coliphages	Count/ 10 ml			0.5

## **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](http://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. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
4. Applications for the Tax Clearance Certificates 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](http://www.sars.gov.za).
5. 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 PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF 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: <b>Q15.07.17</b>
Closing Time: <b>12:00</b>	Closing Date: <b>21/07/2017</b>

**C2.2.1 DRINKING WATER & WASTE WATER MICROBIOLOGICAL DETERMINANDS**

DETERMINANDS	UNITS	RATES ( R )
Total Coliforms	Counts / 100 ml or MPN/ 100 ml	
<i>E.Coli</i>	Counts/ 100 ml or MPN/ 100 ml	
<b>SUB-TOTAL</b>		<b>R</b>

**C2.2.2 DRINKING WATER PHYSICAL DETERMINANDS**

DETERMINANDS	UNIT	RATES (R)
<b>Physical Determinands</b>		
pH	pH Units	
Electrical Conductivity (EC)	mS/m at 25 C	
Total Dissolve Solids (TDS)	mg/l	
Turbidity	NTU	
Colour	mg/l Pt	
<b>SUB-TOTAL</b>		<b>R</b>

**C2.2.3 DRINKING WATER CHEMICAL DETERMINANDS**

DETERMINANDS	UNIT	RATES (R)
<b>Macro Determinands Analysis</b>		
Ammonia as N	mg/l	
Total Alkalinity as CaCO <sub>3</sub>	mg/l	

Total Hardness as CaCO <sub>3</sub>	mg/l	
Calcium as Ca	mg/l	
Chloride as Cl <sup>-</sup>	mg/l	
Fluoride as F <sup>-</sup>	mg/l	
Magnesium as Mg	mg/l	
Nitrate as NO <sub>3</sub> <sup>-</sup>	mg/l	
Nitrite as NO <sub>2</sub> <sup>-</sup>	mg/l	
Potassium as K	mg/l	
Sodium as Na	mg/l	
Sulphate as SO <sub>4</sub> <sup>2-</sup>	mg/l	
<b>Trace Metals Analysis</b>		
Aluminium as Al	mg/l	
Iron as Fe	mg/l	
<b>SUB-TOTAL</b>		<b>R</b>

#### C2.2.4 WASTEWATER CHEMICAL ANALYSIS

DETERMINANDS	UNIT	RATES ( R )
pH	pH Units	
Conductivity	mS/m@25°C	
Ammonia as NH <sub>3</sub>	mg/l	
Filtered Ammonia as NH <sub>3</sub>	mg/l	
COD (Chemical Oxygen Demand)	mg/l	
Filtered COD (Chemical Oxygen Demand)	mg/l	
Suspended Solids as SS	mg/l	
Volatile Suspended Solids as VSS	mg/l	
Nitrate as NO <sub>3</sub> <sup>-</sup>	mg/l	
Orthophosphate as PO <sub>4</sub> <sup>3-</sup>	mg/l	
<b>SUB-TOTAL</b>		<b>R</b>

## C2.2.5 FULL SANS 241 ANALYSIS

DETERMINANDS	UNIT	RATES ( R )
<b>Physical and Organoleptic Determinands</b>		
pH	pH Units	
Electrical Conductivity (EC)	mS/m at 25 °C	
Total Dissolve Solids (TDS)	mg/l	
Turbidity	NTU	
Taste	FNT	
Colour	mg/l Pt	
<b>Macro Determinands</b>		
Ammonia as N	mg/l	
Total Alkalinity as CaCO <sub>3</sub>	mg/l	
Calcium as Ca	mg/l	
Chloride as Cl <sup>-</sup>	mg/l	
Fluoride as F <sup>-</sup>	mg/l	
Magnesium as Mg	mg/l	
Nitrate as NO <sub>3</sub> <sup>-</sup>	mg/l	
Nitrite as NO <sub>2</sub> <sup>-</sup>	mg/l	
Potassium as K	mg/l	
Sodium as Na	mg/l	
Sulphate as SO <sub>4</sub> <sup>2-</sup>	mg/l	
Zinc as Zn	mg/l	
<b>Micro Determinands</b>		
Aluminium as Al	µg/l	
Arsenic as As	µg/l	
Cadmium as Cd	µg/l	
Nickel as Ni	µg/l	
Cobalt as Co	µg/l	
Copper as Cu	µg/l	
Total Chromium as Cr	µg/l	
Vanadium as V	µg/l	
Selenium as Se	µg/l	
Iron as Fe	µg/l	
Lead as Pb	µg/l	
Manganese as Mn	µg/l	
Mercury as Hg	µg/l	
Cyanide as CN	µg/l	
Uranium as U	µg/l	
<b>Organic Determinands</b>		
Phenols	µg/l	
Dissolved Organic Carbon as C	mg/l	
Total Trihalomethanes	mg/l	
<b>Microbiological Determinands</b>		
Heterotrophic Plate count	Count/ ml	
<b>Parasites and Viruses Determinands</b>		
Cryptosporidium Species	Count/ 10 ml	
Giardia Species	Count/ 10 ml	
Somatic Coliphages	Count/ 10 ml	
<b>SUB-TOTAL</b>		<b>R</b>

**C2..4.6 TOTAL COST FOR BOTH WATER & WASTEWATER ANALYSIS**

	<b>Rate per sample</b>	<b><u>Anticipated</u> Number of samples</b>	<b>Total Amount (R)</b>
Drinking Water & Wastewater: Microbiological Analysis (From Table C.2.2.1)	<b>R</b>	<b>384</b>	<b>R</b>
Drinking Water: Physical Analysis (From Table C.2.2.2)	<b>R</b>	<b>240</b>	<b>R</b>
Drinking Water: Chemical Analysis (From Table C.2.2.3)	<b>R</b>	<b>240</b>	<b>R</b>
Wastewater Samples: Chemical Analysis(From Table C.2.2.4)	<b>R</b>	<b>12</b>	<b>R</b>
Full SANS 241 Analysis(From Table C.2.2.5)	<b>R</b>	<b>9</b>	<b>R</b>
<b>SUB-TOTAL</b>			<b>R</b>
<b>VAT @14%</b>			<b>R</b>
<b>GRAND TOTAL PROJECT COST (Tender Amount)</b>			<b>R</b>

**Note 1: THE ANTICIPATED NUMBER OF SAMPLES USE IN THE TABLE ABOVE ARE FOR EVALUATION PURPOSES ONLY.**

**Note 2: OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID**



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				

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination

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

## DECLARATION OF INTEREST

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

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

3.1 Full Name: .....

3.2 Identity Number: .....

3.3 Company Registration Number: .....

3.4 Tax Reference Number: .....

3.5 VAT Registration Number: .....

3.6 Are you presently in the service of the state\* YES / NO

3.6.1 If so, furnish particulars.  
.....  
.....

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

3.7.1 If so, furnish particulars.  
.....  
.....  
.....

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\* MSCM Regulations: "in the service of the state" means to be –

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

3.8 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

3.8.1 If so, furnish particulars.  
.....  
.....

3.10 Are any of the company's directors, managers, principal shareholders or stakeholders in service of the state? YES / NO

3.10.1 If so, furnish particulars.  
.....  
.....

3.11 Are any spouse, child or parent of the company's directors, managers, principal shareholders or stakeholders in service of the state? YES / NO

3.11.1 If so, furnish particulars.  
.....  
.....

**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

BROAD-BASED BLACK ECONOMIC EMPOWERMENT (B-BBEE) STATUS LEVEL CERTIFICATES

Bidders are required to submit original and valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their bids, to substantiate their B-BBEE rating claims.

Bidders who do not submit B-BBEE Status T Level Verification Certificates or are non-compliant contributors to B-BBEE do not qualify for preference points for B-BBEE but should not be disqualified from the bidding process. They will score points for out of 90 or 80 for price only and zero points out of 10 or 20 for B-BBEE.

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

### 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
<b>PRICE</b>	80
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

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.



**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>B-BBEE Status Level of Contributor</b>	<b>Number of points (90/10 system)</b>	<b>Number of points (80/20 system)</b>
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:

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME</b>	<b>QSE</b>
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		
<b>OR</b>		
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.

WITNESSES
1. ....
2. ....

.....
SIGNATURE(S) OF BIDDERS(S)
DATE: .....
ADDRESS .....
.....
.....

**CONTRACT FORM - PURCHASE OF GOODS/WORKS**

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

**PART 1 (TO BE FILLED IN BY THE BIDDER)**

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution) ..... in accordance with the requirements and specifications stipulated in bid number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Tax clearance certificate;
    - 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 2011;
    - Declaration of interest;
    - Declaration of bidder's past SCM practices;
    - Certificate of Independent Bid Determination;
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

<b>WITNESSES</b>	
1	.....
2	.....
DATE: .....	

**CONTRACT FORM - PURCHASE OF GOODS/WORKS**

**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I, ..... in my capacity as ..... accept your bid under reference number ..... dated ..... for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

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)

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

SIGNED AT ..... ON .....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

WITNESSES

1. ....

2. ....

DATE .....

**DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

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

Item	Question	Yes	No
4.1	<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><b>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

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

**CERTIFICATION**

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

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM TRUE AND CORRECT.

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - a. take all reasonable steps to prevent such abuse;
  - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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.

**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:

---

(Name of Municipality / Municipal Entity)

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

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

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

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> 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.

<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.



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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

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**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%202010.pdf>