



STEVE TSHWETE LOCAL MUNICIPALITY

QUOTATION NO. Q18.09.20

MAINTENANCE OF 110V DIRECT CURRENT SUPPLY BATTERIES AND CHARGERS FOR RELAY PROTECTION AND SCADA CONTROL.

CLOSING DATE:	17/09/2020	TIME	12H00
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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: INFRASTRUCTURE SERVICES	
KENNETH MAHLANGU		PAUL TSWAKI	
DEMAND & ACQUISITIONING MANAGER		ENGINEERING TECHNICIAN	
TEL. NUMBER	013 249/7702	TEL. NUMBER	0132497745
QUOTATION ISSUED BY			
KATLEGO HLONGWA		SUPPLY CHAIN MANAGEMENT UNIT	
BUYER		TEL. NUMBER	013 249 7703
STEVE TSHWETE LOCAL MUNICIPALITY		P.O. BOX 14, MIDDELBURG, 1050	

QUOTATION DETAILS

QUOTATION NUMBER	Q18.09.20					
TENDER TITLE	MAINTENANCE OF 110V DIRECT CURRENT SUPPLY BATTERIES AND CHARGERS FOR RELAY PROTECTION AND SCADA CONTROL.					
CLOSING DATE	17/09/2020		CLOSING TIME		12H00	
SITE MEETING	DATE	N/A	TIME	10H00	COMPULSORY	NO
SITE MEETING ADDRESS	Electrical Workshop, C/O Walter Sisulu and Protea Avenue, MIDDELBURG, (Mpumalanga)					
CIDB GRADING REQUIRED	YES		LEVEL AND CATEGORY		1EP-PE OR HIGHER	
QUOTATION DOCUMENT FEE	FREE OF CHARGE		PREFERENCE POINT SYSTEM		80/20	
QUOTATION BOX SITUATED AT	Demand and Acquisition Management, SCM Office, Corner of Walter Sisulu and Protea Street, Middelburg					
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.			LOCAL CONTENT	NO	

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

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BIDDER

WITNESS

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QUOTATION NOTICE & INVITATION



STEVE TSHWETE LOCAL MUNICIPALITY QUOTATION NO.: Q18.09.20 CLOSING DATE 17SEPTEMBER 2020 AT 12H00

In terms of Section 110 of the Municipal Finance Management Act, 2003 (No. 56 of 2003), quotations are hereby invited for MAINTENANCE OF 110V DIRECT CURRENT SUPPLY BATTERIES AND CHARGERS FOR RELAY PROTECTION AND SCADA CONTROL. 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 17 September 2020**. 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 P S TSWAKI on 013 249 7745

Fully completed quotation documents, clearly marked "**Quote No. Q18.09.20: MAINTENANCE OF 110V DIRECT CURRENT SUPPLY BATTERIES AND CHARGERS FOR RELAY PROTECTION AND SCADA CONTROL**" with the "**NAME of SUPPLIER**" must be placed in a sealed envelope and placed in the **quotation box at DEMAND AND ACQUISITIONING MANAGEMENT,SCM OFFICE,CORNER OF WALTER SISULU AND PROTEA STREET, MIDDELBURG BY NO LATER THAN 12H00 ON** Error! Reference source not found.The envelope must be endorsed with number, title and closing date as indicated above.

Bidders will be evaluated on functionality whereby 60 points has to be attained before financial proposals can be looked at. 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 repective of BBBEE. Bidders will be evaluated on functionality whereby a minimum score of 60 out of a possible 100 has to be obtained before financial proposals and BBBEE can be looked at.

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.

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

- **Original certified copy of valid BBBEE Certificate (non-compulsory, failure to submit no points will be awarded)**
- **Copy of company registration certificate(CK) - Compulsory**
- **Copy/ printed Tax compliance status Pin to enable the municipality to verify the bidder's tax compliance status - Non-Compulsory**
- **Copy of current municipal account (not older than 3 months) – copy of Lease Agreement (and landlord's municipal rates account) – Compulsory**
- **CSD summary report – Non-Compulsory**
- **Copy of Valid CIDB 1EPPE or higher - Compulsory**

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

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BIDDER

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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.

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MBD 3.1 BID PRICE
(Note : Contract amount to be carried over to Form of Offer C1.1.1)
BILL OF QUANTITIES

ITEM	DESCRIPTION	QTY	RATE (MATERIAL)	RATE (LABOUR)	TOTAL MATERIAL	TOTAL LABOUR	PRICE VAT EXCLUDED
1	Maintenance of Batteries and chargers (per substation)	400	R	R	R	R	R
2	Load Test (per battery bank per substation)	400	R	R	R	R	R
5	Discharge (per hour)	4320		R		R	R
6.1	FS307110V3A						
6.1.1	Set of batteries	400	R	R	R	R	R
6.1.2	Single phase control card	400	R	R	R	R	R
6.1.3	Multi Alarm card + Relay Card + Ribbon cable	100	R	R	R	R	R
6.1.4	Earth Fault Alarm Card	5000	R	R	R	R	R
6.1.5	Universal Timer Mains Fail timer card	4320	R	R	R	R	R
6.1.6	Single phase Mother board	30	R	R	R	R	R
6.2	FS307110V5A						
6.2.1	Set of batteries	200	R	R	R	R	R
6.2.2	Single phase control card	50	R	R	R	R	R
6.2.3	Multi Alarm card + Relay Card + Ribbon cable	50	R	R	R	R	R
6.2.4	Earth Fault Alarm Card	50	R	R	R	R	R
6.2.5	Universal Timer Mains Fail timer card	15	R	R	R	R	R
6.2.6	Single phase Mother board	15	R	R	R	R	R
6.3	FS307110V10A						
6.3.1	Set of batteries	100	R	R	R	R	R
6.3.2	Single phase control card	50	R	R	R	R	R
6.3.3	Multi Alarm card + Relay Card + Ribbon cable	20	R	R	R	R	R
6.3.4	Earth Fault Alarm Card	20	R	R	R	R	R
6.3.5	Universal Timer Mains Fail timer card	10	R	R	R	R	R
6.3.6	Single phase Mother board	10	R	R	R	R	R
7	COC per battery charger	400	R	R	R	R	R

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8	(Replaced / Repositioned)	10	R	R	R	R	R
Subtotal							R
VAT = 15%							R
Total including VAT							R

- **QUANTITIES INDICATED ABOVE ARE FOR EVALUATION PURPOSES ONLY**
- **ALLOCATION OF WORK WILL BE LIMITED TO THE AVAILABLE BUDGET**

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

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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			

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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 ²)		
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

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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.

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2. DEFINITIONS

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

3. POINTS AWARDED FOR PRICE

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

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \end{array}$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

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

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

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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>
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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:		

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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MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

TENDER: Q18.09.20 : MAINTENANCE OF 110V DIRECT CURRENT SUPPLY BATTERIES AND CHARGERS FOR RELAY PROTECTION AND SCADA CONTROL.

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.

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	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

SCHEDULE 2: 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		An employee of any provincial department, national or provincial public entry or constitutional institution within the meaning of the Public finance Management Act, 1999 (Act 1 of 1999)	
A member of any provincial legislation		A member of an accounting authority of any national or provincial public entity	
A member of the National Assembly or the National Council of Province		An employee of Parliament or a provincial legislature	
A member of the board of directors of any municipal entity		An official of any municipality or municipal entity	

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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

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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			

*** IMPORTANT: IF YOU FAIL TO COMPLETE THIS FORM, PLEASE REGARD YOUR QUOTE AS NON RESPONSIVE**

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BIDDER

WITNESS

EMPLOYER

WITNESS

EVALUATION SCHEDULE : TENDERER'S EXPERIENCE

Evaluation Criteria

Description of quality criteria	Maximum number of tender evaluation points
Tenderer's experience	40
Experience for key staff	40
Construction resources	20
Maximum total evaluation points for quality (M_s)	100

The following evaluation criteria will be used as such it is required that the contractor/service provider should provide sufficient information in this regard.

NB: Evaluation criteria are only used once all requirements have been met.

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PROPOSED ORGANIZATION, STAFFING & KEY STAFF EXPERIENCE

Staffing:

The tenderer should propose the structure and composition of their construction team.

The roles and responsibilities of each **key staff member** should be set out as job descriptions. In the case of an association / joint venture / consortium, it should, indicate how the duties and responsibilities are to be shared including their curriculum vitae (cv)

Knowledge of issues pertinent to the project	
Non-responsive (score 0)	No information has been provided
(15 points)	Trade test certificate
(5 points)	Valid Certificate ORHVS certificate for responsible person
(10 points)	A valid ECB or department of labour registration as Installation electrician (in the name of company)
(5 points)	Valid Certificate of First aid level 1
(5 points)	Valid Certificate of Fire fighting level level 1

I 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.

SIGNED AT	AUTHORIZED SIGNATURE (UNDERSIGNED)
DATE	NAME AND CAPACITY

The tenderer must attach their organization and staffing proposals to this page.

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CAPACITY TO EXECUTE & IMPLEMENT THE TENDER (PHYSICAL RESOURCES) EVALUATION

The tenderer needs to indicate the lists of equipment that they presently own or lease or will acquire or hire to successfully implement this contract if the tender. The physical resources should include a list of the main requirements as well as the back-up equipment.

Proof of ownership or lease, or quotation to acquire physical resources for main and back-up equipment must be attached to the document. Failure to attach may result in no points allocation. All physical resources indicated in the below schedule or attached must be roadworthy.

A minimum of a 1tonne bakkie will be required to render the service. The bakkie must be modified that tools are safely secured during transportation. The tenderer must ensure access to a back-up bakkie with similar features in case of breakdown or when one goes for service.

Evaluation points will be awarded in accordance with physical resources capacity, and ownership status.

List of main physical resources and equipment to be used on project:

List of main physical resources and equipment to be used on project:	
02 points	Multimeter
03 points	Electrical tools
05 points	Bakkie
02 points	Hand tools
02 points	Battery Load Tester
06 points	Acid resistant personnel protective equipment
20	Total

- (a) Construction equipment that will be hired for this Contract (**Leased of agreement must be attached**)

The information required for each category should be put in tabular form with the indicated headings.

Quantity	Description, size, capacity, manufacturing, etc.	Year / Age of equipment	Registration Number	Owned/ Hired/ Acquired/ Company	Roadworthy/ Condition
Example:					
1	4 ton truck,	2005, 5 years	Xxx123mp	Owned	Yes, good with service record
2	3m trailer	2000, 10 years	Xxx123mp	Leased from JFL equipment for period of tender.	Yes, Fair

NB: Proof of ownership or lease, or quotation to acquire physical resources for main physical resources, (vehicle & equipment) must be attached to the document.

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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.

SIGNED AT	AUTHORIZED SIGNATURE (UNDERSIGNED)
DATE	NAME AND CAPACITY

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 **Q18.09.20** 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.

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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: PAUL TSWAKI ENGINEERING TECHNICIAN

The address for receipt of communications is:
Steve Tshwete Local Municipality
Civic Centre
P.O. Box 14
Middelburg
1050

Telephone: **Error! Reference source not found.**

Facsimile: N/A

Email: pault@stlm.gov.za

The project is: **MAINTENANCE OF 110V DIRECT CURRENT SUPPLY BATTERIES AND CHARGERS FOR RELAY PROTECTION AND SCADA CONTROL.**

The service provider is

Name

Address

Telephone:

Facsimile:

The authorized and designated representative of the service provider is

Name

The address for receipt of communications is

Telephone

Facsimile

Email

Address

C3 SCOPE OF WORKS / SPECIFICATIONS

1. INTRODUCTION AND BACKGROUND

MAINTENANCE OF 110V DIRECT CURRENT SUPPLY BATTERIES AND CHARGERS FOR RELAY PROTECTION AND SCADA CONTROL.

2. PURPOSE AND RECIPIENTS

2.1 The project consists of MAINTENANCE OF 110V DIRECT CURRENT SUPPLY BATTERIES AND CHARGERS FOR RELAY PROTECTION AND SCADA CONTROL.). All work must be completed as specified in this document.

2.2 The contractor will only work on site with workers that understand, accepted and have signed for the following procedures:

- First Aid;
- Safety Induction Course;
- Pre Task Planning, Risk Assessment, Workers register;
- Refusal to work;
- Safe working Procedure.
- Work permit

The contractor must have a LDV that is licensed.

2.3 The contractor is responsible to supply the worker with an overall, safety hat, gloves and safety boots or other personal protective equipment that may be required.

2.4 No contractor or his workers are allowed to work in close proximity or on the following equipment of Council:

- Crane truck
- Cable jack
- Cable car
- Cherry picker
- Hydraulic equipment.
- Live apparatus or equipment

3. TERMS OF REFERENCE

Contractor must comply with the following specifications:

- 3.1. The contractor must provide his/her own transport.
- 3.2. The contractor must have his or her own tools.
- 3.3. Submit programme/business plan for the project within two days upon appointed;
- 3.4. The contractor must have the qualified Artisan in the electrical field with wireman's licence (three phase) or must employ someone on full time basis of the project with same qualification, supporting proof of such qualification must be attached to contract
- 3.5. A first aid box must be in the vehicle when work is being carried out.
- 3.6. All work must be done in accordance with the Occupational Health and Safety Act;
- 3.7. The contractor is required to submit the safety file before the commencement of the project
- 3.8. Should the contractor not comply with the general conditions of the contract, the Director Electrical Engineering will give a written warning. All work will be stopped until the contractor has given a

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written response on how he will rectify the situation to the acceptance of the Director Electrical Engineering. If there is a reoccurrence, the order will be cancelled.

- 3.9. The Company must be registered on the central supplier database with relevant commodities (failure to comply will be disqualified)
- 3.10. Measuring instruments used to do testing must be calibrated not longer than eleven months from date of commencement and prove of calibration certificate must accompany this document.
- 3.11. All equipment being removed from the network must be returned to the Municipal stores
- 3.12. The entire armouring of cable must be used for earthing purposes and under no circumstances shall the armouring be cut short
- 3.13. The contractor is required to provide sufficient lighting around the area of work until completion of work, especially at night.
- 3.14. The contractor must ensure continuity of earthing conductor/armouring from one end to the other
- 3.15. Contractor is expected to fill employee attendance register daily and that must be accompanied by risk assessment and pre-task planning.
- 3.16. It is required that the contractor must have a first aid kit in full time bases on site and toilet on site
- 3.17. Work must only be done on equipment that is totally isolated from electrical network. No live work is allowed except for testing purposes.
- 3.18. Risk assessment and Pre-task planning must be done with each task
- 3.19. All Testing instruments must be calibrated
- 3.20. Only SABS approved Instruments must be used.
- 3.21. Contractor must provide following services:

Maintenance

i. Access to substation

- a) **No contractor should be in possession of municipal substation keys.**
- b) **No contractor should enter the substation without municipal authorized personnel.**
- c) **A contractor should report any abnormalities he/she encounter in a substation or on a charger.**
- d) **A contractor must work according to work's order issued, any additional work that a contractor perform without notifying municipal official in charge will not be compensated.**
- e) **Any addition work encounter during maintenance should be reported immediately before it can be corrected.**

ii. Expected activities

The following are the compulsory expected activities to be performed by the contractor and report to be submitted

- f) Measure individual cell voltage and total bank voltage and in case of Lead Acid Batteries, specific gravity (SG) level should be measured
- g) Clean corrosion on connectors and dust on batteries and terminals and connectors should be smeared with petroleum jelly
- h) Maintaining the electrolyte level of individual cells by topping up with pure distilled water

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i) Load test

WORK PROGRAM

1. Work may only be conducted on receipt of a work instruction.
2. Evaluation on work conducted to be carried out by a council official.
3. The person who issued the works instruction must be informed telephonically if work is stopped due to weather conditions, vehicle breakdown or materials not available.
4. Council may appoint more than one contractor.
5. All equipment, materials and labour is the responsibility of the contractor.
6. Contractor is required to comply with Council code of conduct and failure of such could lead to cancellation of order/contract.
7. For all work performed, pre-task planning and risk assessment must be performed prior to commencement of work

SAFETY

1. No work will be carried out on live conductors except for testing purposes.
2. Only competent people must be used to do the work.

Access to site

Access routes to the site shall at all times be kept serviceable, or alternatives shall be provided. These include road entrances that may have to be kept closed overnight.

4. LOCATION OF WORKS

All over MP313 Licenced area

5. INFORMATION THAT WILL BE PROVIDED BY THE MUNICIPALITY

Drawing of cables

6. 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 prior for verification purposes. Work instructions must be attached to invoice.

Payment will be made within 30 working days from receipt of invoice by the finance department EPWP documentation must be submitted during the submission of the invoice

7. ELIGIBILITY CRITERIA

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

- 7.1 Tenderer receives the minimum required points for functionality.
- 7.2 Tenderer has the managerial capacity, reliability and experience regarding the nature of the tender.
- 7.3 The tenderer has provided a copy / printed tax compliance status reference pin issued by the South African Revenue Services.
- 7.4 The tenderer is not in arrears for more than 3 months with municipal rates and taxes and municipal service charges;
- 7.5 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
- 7.6 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 effect.

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

8. JOINT VENTURES AND CONSORTIUMS

Joint ventures or consortia's or any sub-contracting will be accepted on this tender

- Signed Joint Venture Agreement
- Combined Joint Venture BBBEE certificate / CIDB certificate
- Summary report of Central Supplier Database of JV

9. PERIOD OF TENDER

The period of the tender will be Three months as and when required

10. SERVICE LEVEL AGREEMENT

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

11. 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.

12. EVALUATION

Tenders will be evaluated on functionality first. Only tender s who receives the minimum eligible points will be further evaluated on price and preference points.

13. 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 – <http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/>

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