



Open Form

STEVE TSHWETE LOCAL MUNICIPALITY

**QUOTATION NO. Q24.10.20
CALLING FOR QUOTATIONS FOR SERVICES**

**HORIZONTAL DRILLING AND INSTALLATION OF SLEEVES FOR CABLES AS AND WHEN
REQUIRED WITHIN MP313 LICENSED AREA**

CLOSING DATE:	22/10/2020	TIME	12H00
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NAME OF COMPANY	
TOTAL AMOUNT (MBD 3.1)	
CENTRAL SUPPLIER DATABASE NUMBER	MAAA
CONTACT PERSON	
TELEPHONE NUMBER	
FAX NUMBER	

ENQUIRIES REGARDING QUOTATION PROCEDURES		TECHNICAL ENQUIRIES	
DIRECTORATE FINANCIAL SERVICES SUPPLY CHAIN MANAGEMENT UNIT		DIRECTORATE: Electrical Engineering Services	
Kenneth Mahlangu		Mr Bernard Leshaba	
Demand and Acquisition Manager		Technical assistant	
TEL. NUMBER	013 249 7702	TEL. NUMBER	013 249 7328
QUOTATION ISSUED BY			
Ntuthuko Sibanyoni		DIRECTORATE FINANCIAL SERVICES SUPPLY CHAIN MANAGEMENT UNIT	
Buyer		TEL. NUMBER	013 249 7371
STEVE TSHWETE LOCAL MUNICIPALITY		P.O. BOX 14, MIDDELBURG, 1050	

QUOTATION DETAILS

QUOTATION NUMBER	Q24.10.20					
TENDER TITLE	HORIZONTAL DRILLING AND INSTALLATION OF SLEEVES FOR CABLES AS AND WHEN REQUIRED WITHIN MP313 LICENSED AREA					
CLOSING DATE	22/10/2020		CLOSING TIME		12H00	
SITE MEETING	DATE	N/A	TIME	N/A	COMPULSORY	N/A
SITE MEETING ADDRESS	Electrical Workshop, C/O Walter Sisulu and Protea Avenue, MIDDELBURG, (Mpumalanga)					
CIDB GRADING REQUIRED	YES		LEVEL AND CATEGORY		1CE or higher	
QUOTATION DOCUMENT FEE	FREE OF CHARGE		PREFERENCE POINT SYSTEM		80/20	
QUOTATION BOX SITUATED AT	Demand and Acquisitioning 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 08h00 to 16h00 and Fridays from 08h00 to 13h00.					
OFFER TO BE VALID FOR	90	DAYS FROM THE CLOSING DATE OF QUOTATION.				

PLEASE NOTE:

1. Prospective suppliers must be registered on CSD prior to submitting quotation and copy of said document must be attached to quotation.
2. Quotations that are deposited in the incorrect box will not be considered.
3. Mailed, telegraphic, telex, or faxed quotations will not be accepted.
4. No late quotations after closing date and time will be accepted.
5. Quotations not clearly marked and unamend will not be accepted.
6. Quotations may only be submitted on the quotation documentation provided by the municipality.
7. 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

Q24.10.20					
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BIDDER

WITNESS

EMPLOYER

WITNESS

QUOTATION NOTICE & INVITATION



STEVE TSHWETE LOCAL MUNICIPALITY

QUOTATION NO.: Q24.10.20

CLOSING DATE: Error! Reference source not found. AT 12H00

In terms of Section 110 of the Municipal Finance Management Act, 2003 (No. 56 of 2003), quotations are hereby invited for **HORIZONTAL DRILLING AND INSTALLATION OF SLEEVES FOR CABLES AS AND WHEN REQUIRED WITHIN MP313 LICENSED AREA**

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 **22/10/2020**. 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 Mr MB Leshaba on 013 249 7328

Fully completed quotation documents, clearly marked "**Quote No. Q24.10.20: HORIZONTAL DRILLING AND INSTALLATION OF SLEEVES FOR CABLES AS AND WHEN REQUIRED WITHIN MP313 LICENSED AREA**" 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**
- **All forms must be filled in full – Compulsory**
- **Copy of Valid CIDB 1CE or higher - Compulsory**

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

Q24.10.20					
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BIDDER

WITNESS

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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.

Q24.10.20					
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MBD 3.1 BID PRICE

Bid Number: **Q24.10.20**

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

NO	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	TOTAL
A.1	Installation of sleeves SABS Approved 6 class HPDE				
1.2	Installation of sleeves 50mm	m	1	R	R
1.3	Installation of sleeves 110mm	m	1	R	R
1.5	Installation of sleeves 160mm	m	1	R	R
A.2	Horizontal drilling				
2.1	Horizontal drilling for 50mm	m	1	R	R
2.2	Horizontal drilling for 110mm	m	1	R	R
2.3	Horizontal drilling for 160mm	m	1	R	R
A.3	Horizontal drilling for double sleeves				
3.1	Horizontal drilling for 50mm	m	1	R	R
3.2	Horizontal drilling for 110mm	m	1	R	R
A.4	Excavation				
	Digging for inspection hole	ea	1	R	R
SUB TOTAL					R
VAT 15%					R
TOTAL (CONTRACT AMOUNT TO BE CARRIED OVER TO FORM OF OFFER C1.1.1)					R

QUANTITIES INDICATED ABOVE ARE FOR EVALUATION PURPOSES ONLY

ALLOCATION OF WORK WILL BE LIMITED TO THE AVAILABLE BUDGET

Total Price INCLUDING TRANSPORTATION OF TOOLS AND STAFF

NB: Fixed price

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

Q24.10.20				
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BIDDER

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FORM OF OFFER

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

Bid / Tender Number	Q24.10.20
Tender Title	HORIZONTAL DRILLING AND INSTALLATION OF SLEEVES FOR CABLES AS AND WHEN REQUIRED WITHIN MP313 LICENSED AREA

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

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

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

AMOUNT IN WORDS (INCL. VAT)	AMOUNT IN FIGURES (INCL VAT)
	R

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

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

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

Q24.10.20					
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BIDDER

WITNESS

EMPLOYER

WITNESS

FORM OF ACCEPTANCE

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

The terms of the contract, are contained in:

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

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

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

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

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

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

Q24.10.20					
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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		

3.12.3	Relationship		
3.13	Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract? If yes, please furnish particulars:	Yes	No
3.13.1	Name of director		
3.13.2	Related company		
Note:	<p>SCM Regulations:</p> <p>"¹In the service of the state" means to be –</p> <ul style="list-style-type: none"> (a) a member of – <ul style="list-style-type: none"> (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. <p>"² Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.</p>		

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

Full Name	Identity Number	State Employee Number

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

Q24.10.20					
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BIDDER

WITNESS

EMPLOYER

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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

1.3 Points for this bid shall be awarded for:

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

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

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

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

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

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

.....

.....

Q24.10.20					
	BIDDER	WITNESS	EMPLOYER	WITNESS	

MBD 8

DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this database were informed in writing of this restriction by the accounting officer / authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website www.treasury.gov.za and can be accessed by clicking on its link at the bottom of the home page</p>	Yes	No
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No. 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website www.treasury.gov.za by clicking on its link at the bottom of the home page.</p>	Yes	No
4.2.1	If so, furnish particulars:		

Item	Question	Yes	No
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes	No
4.3.1	If so, furnish particulars:		
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes	No
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes	No
4.5.1	If so, furnish particulars:		

CERTIFICATION

I, the undersigned certify that the information furnished on this declaration form true and correct.

I accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

NAME OF REPRESENTATIVE	AUTHORIZED SIGNATURE (UNDERSIGNED)
DATE	CAPACITY

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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	BIDDER	WITNESS	EMPLOYER	WITNESS	

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

TENDER: Q24.10.20 : Error! Reference source not found.

in response to the invitation for the bid made by:

STEVE TSHWETE LOCAL
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

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: (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			

EVALUATION SCHEDULE : TENDERER'S EXPERIENCE

Evaluation Criteria

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.

Description of quality criteria	Maximum number of tender evaluation points
Tender Experience	30
Proposed staff experience	40
Construction Resources	30
Maximum total evaluation points for quality (M_s)	100

NB: Only bidders who score a minimum of 60 points will be further evaluated on price and BBEE.

The experience of the tenderer in similar projects or nature or similar areas and conditions in relation to the scope of work will be evaluated here.

Briefly describe company or individual experience in regard to the above scope of work and attach this to this schedule.

NB: Proof of previous work history must be attached for e.g. purchase order, appointment or reference letter etc.

A summary of the relevant work experience in line with the scope of work should be indicated in the table below: (Any additional information regarding previous work experience can be attached to this schedule).

Employer, contact person and telephone number, where available	Description of work (service)	Value of work (i.e. the service provided) inclusive of VAT (Rand)	Date completed

THE SCORING OF THE TENDERER'S EXPERIENCE WILL BE AS FOLLOWS:

Horizontal drilling and installation of sleeves projects

Non-responsive (0 points)	No information of drilling projects or No information has been provided, or the information provided is not relevant to the project objectives
Poor (05 points)	1 Horizontal drilling project completed or similar nature
Satisfactory (10 points)	2 Horizontal drilling project completed or similar nature
Good (15 points)	3 Horizontal drilling project completed or similar nature

Non-responsive (0 points)	No information has been provided, or the information provided is not relevant to the project objectives
Poor (05 points)	1 installation of sleeves project completed or similar nature
Satisfactory (10 points)	2 installation of sleeves project completed or similar nature
Good (15 points)	3 installation of sleeves project completed or similar nature

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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

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PROPOSED ORGANIZATION, STAFFING & KEY STAFF EXPERIENCE

The tenderer should indicate the company high level organizational structure and composition of their team responsible for this project. The key staff members involved with their main disciplines and or roles of responsibilities (job descriptions) must be attached to this page as well as the proposed technical and support staff allocated to work on the project to successfully implement this tender.

Experience of the key staff (assigned personnel) in relation to the scope of work will be evaluated from three different points of view:

- General experience (total duration of professional activity), level of education and training and positions held of each key staff member / expert member.
- The education, training and experience of the key staff members / experts, in the specific sector, field, subject, etc. which is directly linked to the scope of work.
- The key staff members' / experts' knowledge of issues which the tenderer considers pertinent to the project e.g. local conditions, affected communities, legislation, techniques etc.

In the case of an association / joint venture / consortium, it should, indicate how the duties and responsibilities are to be shared. The organization, staffing and key staff should be based on the implementation of one area as per project scope. Tenderers should provide organization structure for complete scope of work which includes installation of cables and ceaning of side

THE SCORING OF THE TENDERER'S EXPERIENCE WILL BE AS FOLLOWS:

The bidder is required to attach the **certified certificate** of competence or attendance in first aid and fire fighter training

	Qualifications:	Years of experience:
Machine Operator (max 15 points)	Certificate of competency in horizontal drilling: 10 points	At least 2 years of experience: 5 points
Supervisor (max 11 points)	Matric or equivalent: 6 points	At least 2 years of experience: 5 points
Health and Safety Officer (max 10 points)	Health and Safety Certificate/Fire fighter Certificate: 3 points Level 1 or higher First Aider Certificate: 2 points	At least 2 years of experience: 5 points
Labour (max 4 points)		At least 4 labourers with a minimum of 1 year experience: 4 points

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

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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.

The vehicles specified below must solely be committed to the operations of supply of concrete mix, paving bricks, and paving sands back filling soil and rubble with the inclusion of weekends, exclusion of weekdays provided the schedule will be completed by Monday.

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:

- a) Construction equipment that will be hired for this Contract
- **Valid certified copy of Lease agreement must be attached (original will not be accepted)**
 - **Current Motor Vehicle Licence (MVL1) document not older than 12 months**

1. List of main physical resources and equipment to be used on project: (must be attached)

Non-responsive (score 0)	No information has been provided
6 points	Truck
10 points	Transport (bakkies etc.)
2 points	Shovels & picks
2 points	Measuring wheel
10 points	Horizontal Drilling Machine
30	Total score point

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

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CONTRACT FORM - RENDERING OF SERVICES

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

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

- I hereby undertake to render the services as 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 **Q24.10.20** 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);
 - Filled in task directive/proposal;
 - 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;
 - Service Level Agreement
 - 1.2 General Conditions of Contract;
 - 1.3 Other (specify)
 2. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
 3. I accept full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
 4. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
 5. I confirm that I am duly authorized to sign this contract.

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

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BIDDER	WITNESS	EMPLOYER	WITNESS		

C1.2 CONTRACT DATA

PART 1 - DATA PROVIDED BY THE EMPLOYER

The employer is the **Steve Tshwete Local Municipality.**

The authorized and designated representative of the employer is:

Name: MR MB Leshaba (technical assistant)

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

Telephone: 013 249 7328

Facsimile: 013 249 7065

Email: bernardl@stlm.gov.za

The project is: HORIZONTAL DRILLING AND INSTALLATION OF SLEEVES FOR CABLES AS AND WHEN REQUIRED WITHIN MP313 LICENSED AREA

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

Service providers are required to do horizontal drilling and installation of sleeves for a period of three months as and when required within MP313 licensed area

All construction work must be completed as specified in this document in conjunction with the bill of quantities

1. PROJECT DESCRIPTION

➤ The *contractor* will provide the following:

- 1.1 All plant, material, transport and labour required for the construction and commissioning of the works.
- 1.2 Perform work in line with Construction regulation, Explosive regulation, Occupational health and safety act and all other applicable regulations.

➤ The Works will consist of the following:

- 2.1 trenching of inspection holes
- 2.2 Cleaning the site
- 2.3 Horizontal drilling
- 2.4 Supply of class6 pvc pipe 110mm and 50mm

➤ Compulsory procedures

Time respond

Contractor must respond on side within 3hours

Electrical Department has the following procedures in place that must be complied with:

- There must be a qualified first aider, with his first aid box, on site at all times in terms of Councils' first aid policy;
- All workers of the contractor who will be involved with any work or on site must be on a register that they have been on the Occupational Health and Safety Induction course provided by Human Resources or the electrical department.
- The document, of which the contractor will have a copy, will be held at the office of the Engineering technician.

All workers of the contractor who will be involved with any work or on site must understand and accept the following standing instructions:

- Works order
- Pre Task Planning and Risk Assessment
- Workers Register;
- Refusal to work

No work will commence on site by the contractor until the official of Steve Tshwete who has given instruction for the work to be done, has signed the works order, Pre Task Planning, Risk Assessment and Workers register, confirming that the contractor can commence with the work.

No Work will commence on side by the contractor until cable and waterline are identified for the contractor by the electrical and cevil department

All workers of the contractor who will be involved with any work or on site must understand and accept the following working procedures:

- Undergo induction
- Cable real handling
- Operating hydraulic equipment
- Use of lifting equipment

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- First aid kit requirements
- Basic fire fighting experience
- Operating a vehicle mounted crane
- Operating horizontal drilling machine
- Working on side walk/road surfaces

The workers who comply with the above must have an ID card verifying compliance. The card will be valid for the duration of the contract.

➤ **Monitoring of process**

The Council employee who issued the task and has signed the Pre Task Planning, Risk Assessment and workers register is the responsible person from Council who will be responsible for:

- The Council Employee who issued the task will be responsible to check the contractors' workers register to ensure that all persons working are on the register for having received the following: Occupational Health and Safety training, Safety induction course, Pre Task Planning, Risk Assessment, workers register, refusal to work and working procedures. This must be verified on the ID card.
- With the Pre Task Planning the Council employee who issued the task must verify that the contractor understands the work that must be done, where it must be done and how the work must be done;
- Pre Task Planning must indicate all materials, equipment, personnel and skills that will be required;
- Checking that the services such as water, sewerage, telkom lines and electrical services have adequately been identified;
- Checking that trenches/drill pit have been dug straight, and to the correct depth and width;
- The Council employee who issued the task may not allow a contractor to work in an area where direct contact can be made with current carrying components. See Risk Assessment Standard entry unless under supervision of an Authorised Person.
- The Council employee who issued the task must verify that the contractor has taken all risks into account that all safety measures are in place to prevent damages to services, accidents and to ensure correct work procedures.
- The Council employee who issued the task must measure the actual length of drill pit/pvc pipe and must verify that the length on the invoice is correct.
- The Council employee who issued the task must verify that correct rates are being paid for work completed.
- The Council Employee who issued the task is responsible to check that the site has been restored and is acceptable to Council.
- The Council employee who issued the task is responsible to deduct any expenses for the repairs to damaged services from the payment certificate or to issue an account.
- The Council employee who issued the task must ensure that trenches are closed or barricaded.
- The Council employee who issued the task for drilling is responsible to verify that the drilling is done at correct location and the correct size.
- The Council employee who issued the task for a drilling is responsible to verify that the drilling and the inspection hole or barricaded with shark net to restrict any access to the hole or trench, barricading must be made immediately after the joint has been completed.

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	BIDDER	WITNESS	EMPLOYER	WITNESS	

The Contractors role and responsibility

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;
 - Work Procedure.
1. The contractor must have a LDV that is licensed.
 2. The contractor must have a mobile toilets licensed on side for the workers.
 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.
 4. All required road signs for working next to road surfaces must be provided by the contractor
 5. The service must be able to be provided on a short notice, one day notice.
 6. Contractor must make show that he leaves a side clean with no damage of services including private assets
 7. 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.
 - Horizontal Drilling mschine

Trenches Requirements

The services of the contractor will be required for the digging of linspection hole before the drilling will take palce
Inspection hole width 300 to 400mm and depth 600 to 1 200mm

Trenches:

- The work must be done by manual labour due to the presence of other services.
- All services present will be indicated on site after which pilot holes must be dug to determine the depth of the existing services before commencement of the work.
- Any damages to services indicated will be recovered from the contractor.
- Contractor to provide own equipment and transport.
- For other soil conditions,contractor should familiarize them selfs with the soil conditions
- paving and concrete, damage must be reported to the municipal official incharge of work
- the number of workers will be agreed upon between the contractor and Council representative

Closing of trenches:

- It is essential that a trench be closed or barricaded on the same day on which it was excavated.
- The contractor will be responsible to remove any additional material from side on completion. (e.g. rocks and tree stamps).

Inspection holes:/ drill pit

- The work must be done by manual labour due to the presence of other services

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WORK PROGRAM

1. Conduct risk assessment
2. Drilling horizontal and installation of the sleeves
3. Work may only be conducted on receipt of a work instruction.
4. Evaluation on work conducted to be carried out by a council official.
5. 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.
6. Council may appoint more than one contractor.
7. All equipment, materials and labour is the responsibility of the contractor.
8. Contractor is required to comply with Council code of conduct and failure of such could lead to cancellation of order/contract.
9. For all work performed, pre-task planning and risk assessment must be performed prior to commencement of work

SAFETY

- o No work will be carried out without the official of the municipality showing them by indentifying the existing services.
- o Only competent people must be used to do the work.

2. PURPOSE AND RECIPIENTS

Service providers are required to do horizontal drilling and installation of sleeves as and when required within MP313 licensed area

3. TERMS OF REFERENCE

- 3.1 Supervision: The contractor will be required to appoint a person who will render supervisory services to the contracted workers in the target area.
- 3.2 Health and Safety: The contractor will be required to comply with the council's health and safety policy which includes but not limited to the provision of personal protective equipment (PPE), registration with the department of labour, training on first Aid and supply of all required material.
- 3.3 Contractor will work under works order

4. LOCATION OF WORKS

MP313 LICENCE AREA

Middelburg
Somaphepha
Mhluzi
Doornkop
Komati
Koorfontein
Blinkpan
Hendrina

5. INFORMATION THAT WILL BE PROVIDED BY THE MUNICIPALITY

Drawing of cables

6. PAYMENTS

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

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7. ELIGIBILITY CRITERIA

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

- Tenderer receives the minimum required points for functionality.
- Tenderer has the managerial capacity, reliability and experience regarding the nature of the tender.
- The tenderer has in his or her possession an original valid tax clearance certificate issued by the South African Revenue Services.
- The tenderer is not in arrears for more than 3 months with municipal rates and taxes and municipal service charges;
- 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;
- 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.
 - It is considered that the performance of the services will not be compromised through any conflict of interest.)

8. MANDATORY INFORMATION

- o First Aid/fire fighting certificate
- o Safety Induction Course;
- o Pre Task Planning, Risk Assessment, Workers register;
- o Refusal to work;
- o Work Procedure
- o Safety file

9. PERIOD OF TENDER

The period of the tender will determine by the validity of the purchase order during the current financial year 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 tenders who receive the minimum eligible points will be further evaluated on price and preference points.

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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