

**“ The City of Heritage ”**



**BID NO:1/2020/2021**

**INVITATION TO  
SUBMIT BID**

**APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ONLINE PRE-PAID VENDING SYSTEM AND THIRD-PARTY VENDING FOR THE FINANCIAL YEARS 2020/2021 TO 2022/2023**

NAME OF .....  
BIDDER:

BIDDERS ADDRESS: .....

BIDDERS TELEPHONE: .....

BIDDERS TENDERED PRICE (%) -----

BIDDERS TENDERED PRICE (% in Words) -----

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**APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ON-LINE PRE-PAID VENDING SYSTEM AND THIRD PARTY VENDING FOR THE FINANCIAL YEARS 2020 TO 2023.**

**DOCUMENTS MAY BE COLLECTED AND SUBMITTED TO:**

Ulundi Local Municipality Local Municipality  
Cnr of King Zwelithini & Princess Magogo St  
Private Bag X17

**NOTE:**

**DOCUMENTS CAN ALSO BE DOWNLOADED FROM THE ULUNDI LOCAL MUNICIPALITY WEBSITE**

**CLOSING TIME:** 12:00

**CLOSING DATE:** 28 August 2020

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ULUNDI LOCAL MUNICIPALITY

BID NOTICE AND INVITATION TO TENDER

**APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ONLINE PRE-PAID VENDING SYSTEM AND THIRD-PARTY VENDING FOR THE FINANCIAL YEARS 2020/2021 TO 2022/2023**

Bids are hereby invited from suitable Service Providers for providing an online pre-paid vending system and third-party vending for the financial years 2020/2021 to 2022/2023. Only service providers registered on the Ulundi Municipality supplier's database will be considered. Service providers not yet registered may register before the closing of bids.

Bidders will not be considered if the following documents are not attached to the document:

Proof of good standing with South African Revenue Services; The Bidder must complete all MBD forms included in tender document; Registered on the CSD (Central Supply Database); Certificate of visit to site; BBBEE Certificate; Comp registration; Latest Municipal account of firm; a list of Municipal clients and other in the past 5 years; ID's and CV's of key staff for the project.

Tender documents may be obtained from Ulundi Local Municipality at the Technical Services Department, at the compulsory site meeting at **14:00 PM** on Wednesday 19 August 2020 at Technical Services Department, upon cash payment of a non-refundable amount of R500.00 per set or can be downloaded from Ulundi Municipality official website. No cheques will be accepted. The Engineer will not be available for inspection purposes on any other occasion. To reserve a document tenderers are requested to contact Mr WC De Wet at (035) 874 5152 before the site meeting. Tenders will remain valid for 90 days.

80/20 POINT SYSTEM WILL BE USED AND EVALUATED AS FOLLOWS:

Phase 1: Mandatory Compliance

Phase 2: Functionality

No.	Description	Evaluation	Points
1	Does the system comply with all the STS specifications as listed in the tender?	STS certificate not supplied = 0 Points STS certificate supplied = 20 Points	20
2	Is the functionality of the proposed system acceptable?	Detailed description of system functionality covering all issues in the Compliance schedule of Bid specification	43
3	Is a detailed disaster recovery plan acceptable?	Recovery plan not acceptable = 0 Points Recovery plan acceptable = 10 Points Recovery plan acceptable Plus = 17 Points	17
4	Company experience	1 - 2 Years experience = 5 points 2 – 5 Years experience = 10 points 5 Plus Years experience = 20 points	20
	<b>Total Points</b>		<b>100</b>

**APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ON-LINE PRE-PAID VENDING SYSTEM AND THIRD PARTY VENDING FOR THE FINANCIAL YEARS 2020 TO 2023.**

**Minimum of 80 Points required to advance to Phase 3**

**Phase 3: Point System**

- 80 Points for Price
- 20 Points for BBBEE

Ulundi Municipality Supply Chain Management Policy will apply.

Tenders are to be completed in accordance with the conditions attached to the documents and must be sealed and endorsed with the relevant contract number and must be personally deposited in the official tender box **in the foyer of the Ulundi Local Municipality at Corner of Princess Magogo & King Zwelithini Streets, Ulundi, no later than 12:00 on Friday 28 August 2020**, at which time tenders will be opened in public. Tenders delivered by courier services will not be accepted. Tenders submitted late will be returned unopened. Ulundi Municipality reserves the right not to make an appointment.

Failure to comply with the above conditions will invalidate your offer.

Kindly note that the successful bidder will be subjected to a screening process prior to the bid being awarded. Should it be discovered that the successful bidder provided misleading information he/she shall be disqualified.

Enquiries are to be directed to WC De Wet at (035) 874 5152 or N Hlabe at 035 874 5220

**MUNICIPAL MANAGER**

**CERTIFICATE OF ATTENDANCE AT BRIEFING MEETING**

This is to certify that I \_\_\_\_\_

Representing \_\_\_\_\_

In the company of a representative of Ulundi Municipality visited the site on 19 August 2020 I carefully examined the site and, have made myself familiar with all local conditions likely to influence the work and the cost thereof.

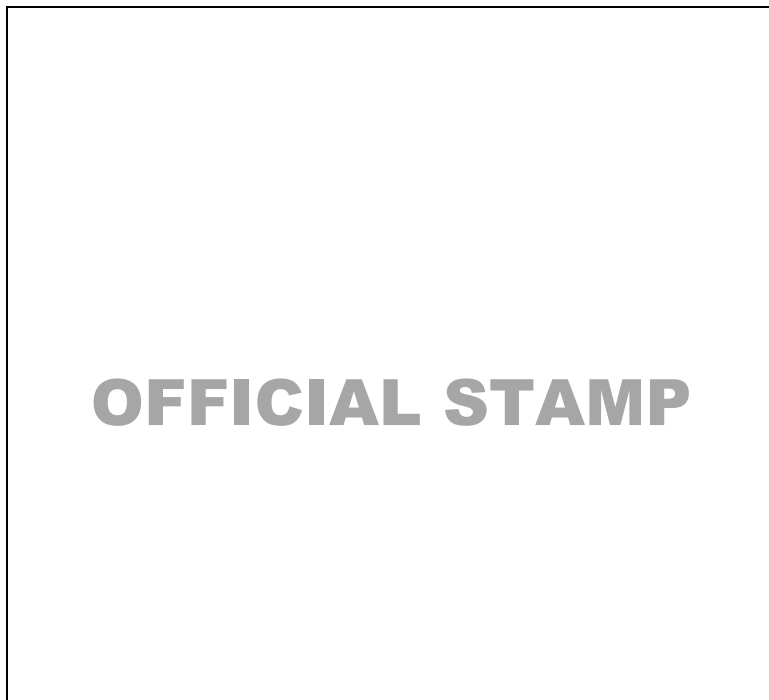
I further certify that I am satisfied with all the descriptions of the work and explanations given by the said representative and that I understand clearly the work to be done, as specified and implied, in the execution of this contract.

\_\_\_\_\_

**BIDDERS SIGNATURE**

\_\_\_\_\_

**REPRESENTATIVE OF THE ULUNDI MUNICIPALITY**



## 1. CONDITIONS OF TENDER/CONTRACT

### A. GENERAL

1. Bid documents must be completed in black ink and prices must include VAT.
2. **All pages and annexures must be initialled / sign in full signature where required.**
3. Each bidder shall complete fully and accurately all the forms, and submit documents with its bid.
4. Any bid will not necessarily be accepted and Ulundi Local Municipality reserves the right to accept the whole or any part of a bid or to reject any or all the bid without stating the reasons thereof.
5. No bid will be accepted by fax or e-mail.
6. The service provider must be in the Ulundi Local Municipality DATA BASE.
7. Only those bidders whose municipal services fees are fully paid or arrangements have been concluded with the Municipality to pay the said fees are eligible to bid.
8. All bidders are to sign the declaration of interest wherein they declare any relationship that may exist with an official of the Municipality involved in the evaluation process.
9. Bids are to remain open for acceptance for a period of ninety (90) days from the date they are lodged and may be accepted at any time during the said period of ninety (90) days.
10. All prices and details must be legible / readable to ensure the bid will be considered for adjudication.
11. Only bids on Ulundi Local Municipality official bid document will be accepted and the original document must be returned, fully completed and signed, in the form presented. **Failure to do so will invalidate such bid.**
12. **Corrections may not be made by means of a correcting fluid. In the event of a mistake having been made it shall be crossed out in ink and be accompanied by a full signature at each and every alteration. The Municipality reserves the right to reject the bid if corrections are not made in accordance with the above.**
13. This contract will be governed by Ulundi Local Municipality "Conditions of the Bid" only and not any conditions supplied by the bidder.
14. The bidder must submit a comprehensive company profile, for example the founding company statements, as well as detailed exposition of previous work done.
15. Only bids received by **12:00** on the given closing date in the bid box will be considered.

### B. DEMONSTRATIONS AND INSPECTIONS

1. All bidders must be prepared to demonstrate where required, free of charge and obligation, at the Ulundi Local Municipality, any services offered in this bid.

### C. CERTIFICATE OF AUTHORITY FOR SIGNATORY

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category, **and attach their Registration Certificates for Companies, Close Corporations and Partnerships, or Agreements and Powers of Attorney for Joint Ventures, or ID documents to the page provided at the end of this form.**

**APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ON-LINE PRE-PAID VENDING SYSTEM AND THIRD PARTY VENDING FOR THE FINANCIAL YEARS 2020 TO 2023.**

<b>(I) COMPANY</b>	<b>(II) CLOSE CORPORATION</b>	<b>(III) PARTNERSHIP</b>	<b>(IV) JOINT VENTURE</b>	<b>(V) SOLE PROPRIETOR</b>

**(I) CERTIFICATE FOR COMPANY**

I, .....chairperson of the Board of Directors of .....  
 hereby confirm that by resolution of the Board (copy attached) taken on .....  
 20....., Mr/Ms..... acting in the capacity of ..... ,  
 was authorised to sign all documents in connection with this and any contract resulting from it, on behalf  
 of the company.

**Chairman:** .....

**As Witnesses:** 1. ....

2. ....

**Date:** .....

**(II) CERTIFICATE FOR CLOSE CORPORATION**

We, the undersigned, being the key members in the business trading as .....

..... hereby authorize Mr/Ms .....

acting in the capacity of ....., to sign

all documents in connection with this tender for and any contract resulting from it, on our behalf.



**APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ON-LINE PRE-PAID VENDING SYSTEM AND THIRD PARTY VENDING FOR THE FINANCIAL YEARS 2020 TO 2023.**

NAME	ADDRESS	SIGNATURE	DATE

**Note:** *This certificate is to be completed and signed by all of the key members upon whom rests the direction of the affairs of the Close Corporation as a whole.*

**(III). CERTIFICATE FOR PARTNERSHIP**

We, the undersigned, being the key partners in the business trading as, .....  
 ..... hereby authorize Mr/Ms .....  
 acting in the capacity of ....., to sign all  
 documents in connection with this and any contract resulting from it, on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

**Note:** *This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole.*

**(IV) CERTIFICATE FOR JOINT VENTURE**

**APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ON-LINE PRE-PAID VENDING SYSTEM AND THIRD PARTY VENDING FOR THE FINANCIAL YEARS 2020 TO 2023.**

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorize Mr/Ms, authorized signatory of the company, acting in the capacity of lead partner, to sign all documents in connection with this and any contract resulting from it, on our behalf.

This authorization is evidenced by the attached power of attorney signed by legally authorized signatories of all the partners to the Joint Venture.

NAME OF FIRM	ADDRESS	AUTHORISING SIGNATURE, NAME AND CAPACITY
Lead partner		

**Note :** *This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole.*

**(V) CERTIFICATE FOR SOLE PROPRIETOR**

I, ....., hereby confirm that I am the sole owner of the business trading as .....

**Signature** of Sole owner: .....

**APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ON-LINE PRE-PAID VENDING SYSTEM AND THIRD PARTY VENDING FOR THE FINANCIAL YEARS 2020 TO 2023.**

As Witnesses:

- 1. ....
  
- 2. ....

Date: .....

**REGISTRATION CERTIFICATE AND ID DOCUMENT**

***[Important note to Tenderer: Registration Certificates for Companies, Close Corporations and Partnerships, or Agreements and Powers of Attorney for Joint Ventures, or ID documents for Sole Proprietors, all as referred to in the foregoing forms and in T2.1, must be inserted here]***

## 2. General Conditions of Contract

### 1. Definitions

1. The following terms shall be interpreted as indicated:

**“Closing time”** means the date and hour specified in the bidding documents for the receipt of bids.

**“Contract”** means the written agreement entered into between the purchaser and the supplier, as recorded in the contract form signed by the parties, including all attachments and appendices thereto and all documents incorporated by reference therein.

**“Corrupt practice”** means the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the procurement process or in contract execution.

**“Countervailing duties”** are imposed in cases where an enterprise abroad is subsidized by its government and encouraged to market its products internationally.

**“Country of origin”** means the place where the goods were mined, grown or produced or from which the Services are supplied. Goods are produced when, through manufacturing, processing or substantial and major assembly of components, a Commercially recognized new product results that are substantially different in basic characteristics or in purpose or utility from its components.

**“Day”** means calendar day.

**“Delivery”** means delivery in compliance of the conditions of the contract or order.

**“Force majeure”** means an event beyond the control of the supplier and not involving the supplier’s fault or negligence and not foreseeable. Such events may include, but is not restricted to, acts of the purchaser in its sovereign capacity, wars or Revolutions, fires, floods, epidemics, quarantine restrictions and freight embargoes.

**“Fraudulent practice”** means a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of any bidder, and includes collusive practice among bidders (prior to or after bid submission) designed to establish bid prices at artificial non-competitive levels and to deprive the bidder of the benefits of free and open competition.

**“GCC”** means the General Conditions of Contract.

**“Goods”** means all of the equipment, machinery, and/or other materials that the supplier is required to supply to the purchaser under the contract.

**“Order”** means an official written order issued for the supply of goods or works or the rendering of a service.

**“Project site,”** where applicable, means the place indicated in bidding documents.

**“Republic”** means the Republic of South Africa.

**“SCC”** means the Special Conditions of Contract.

**APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ON-LINE PRE-PAID VENDING SYSTEM AND THIRD PARTY VENDING FOR THE FINANCIAL YEARS 2020 TO 2023.**

**“Services”** means those functional services ancillary to the supply of the goods, such as transportation and any other incidental services, such as installation, commissioning, provision of technical assistance, training, catering, gardening, security, maintenance and other such obligations of the supplier covered under the contract.

**“Supplier”** means the successful bidder who is awarded the contract to maintain and administer the required and specified service(s) to the State.

**“Tort”** means in breach of contract.

**“Written”** or **“in writing”** means hand-written in ink or any form of electronic or mechanical writing.

**2. Amongst others the following General Conditions of contract will be relevant:**

- Application
- General
- Standards
- Use of contract documents and information inspection
- Patent Rights
- Payment
- Prices
- Delays in the supplier’s performance
- Penalties
- Termination for default
- Antidumping and countervailing duties and rights
- Force Majeure
- Termination for insolvency
- Settlement of Disputes
- Limitation of Liability
- Governing language
- Applicable law
- Notices
- Transfer of contracts
- Amendment of contracts
- Prohibition of restrictive practices

## **DETAIL SPECIFICATIONS AND REQUIREMENTS FOR THE ONLINE VENDING SYSTEM AND THIRD-PARTY VENDING**

### **1. INTRODUCTION**

The Ulundi Local Municipality herewith invites proposals for a pre-paid electricity vending system/solution that will be fully integrated with the Ulundi Local Municipality's existing financial system. The period of appointment will be for a period of 3 years. Bids from suitable service providers will be evaluated according to the set criteria as set out in this document.

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

The scope of the contract as detailed in this specification is as follows:

2.1. The supply, delivery, installation, training and commissioning of the most optimal vending solution, including a hosted back end and distributed 3<sup>rd</sup> party 24 hour vending, offered by the tenderer within the framework and performance specification of the Ulundi Local Municipality as detailed in this document.

2.2. Stand-by and support required as detailed in this document.

2.3. Disaster recovery and business continuity as specified.

### **3. REQUIREMENTS**

#### **3.1. USE OF REASONABLE SKILL AND CARE**

In applying the scope of work, it is expected of the service provider to render services that commensurate with the highest expectations of professionals in the industry and to ensure that all legislative requirements are met.

It is expected of the service provider to take ownership of the project and to facilitate a process that commensurate with the integrity of the municipality as a public institution.

It will also be required of the service provider to contribute to reports on the process progress and outcomes to the relevant officials and/or committees if need be.

It will be required of the service provider to prepare a detailed phased project program of implementation within 1 week of appointment.

**4. NORMATIVE REFERENCES**

The solution offered must be compliant with SABS 1524, the STS Specifications and SABS IEC 1036. The following standards contain provisions which through reference in the SABS 1524 constitute provisions of this specification.

<b>IEC 62055-41 / 62055-51</b>	Standard transfer specification (STS) - Application layer protocol for one-way token carrier systems / Physical layer protocol for one-way numeric card token carriers
<b>NRS 009-4-2:1994</b>	National electricity meter cards and associated numbering standards section two national electricity meter number. (Replacing MCI57).
<b>Licensed STS Document</b>	Standard transfer specification documents.
<b>ESKOM XMLVend 2.1</b>	Eskom's specification for standardization of vending client/server protocols
<b>NRS 009-1:1994</b>	Electricity Sales Systems Part 1: Glossary system overview. Preferred requirements for applications in the electricity supply industry.

**5. DETAILED SPECIFICATION OF VENDING SYSTEM**

**5.1 SYSTEM CONFIGURATION**

- The hardware, software, network infrastructure availability and requirements must include each of the current vending offices.
- A hosted database configuration set is preferable with standby disaster recovery systems in place for business continuity.
- A disaster recovery plan shall be provided with all necessary hardware and infrastructure requirements.
- Assurance of business continuity in the event of a catastrophic systems and/or communications system breakdown in the Municipal environment must be provided.

**5.2 PHYSICAL LOCATION OF WORKSTATIONS**

The configuration envisaged by the municipality is one where the management system server(s) will be located off site in a high availability environment with redundant power and connectivity.

Vending workstations (credit dispensing units) will be required at each of the vending offices. The system must not be limited to existing workstations and locations. The tenderer is required to evaluate the existing hardware at each of the current offices and make an optimum solution recommendation to the municipality.

### 5.3 SYSTEM CAPACITY

The system shall be designed to ultimately accommodate a minimum of 20 000 consumers. The system shall have the capacity to retain a five (5) year transaction history in the live database and older transactions in an archive database. Any system limitations shall be indicated by the tenderer.

## 6. PERFORMANCE SPECIFICATION

- A full and detailed functionality description of the system shall be provided by the tenderer.
- The following criteria will receive preference on the Ulundi Local Municipality's decision and choice of a system offered:

It is required that full specification (and pricing) of equipment (if any) is specified to ensure optimum performance of the system. For this reason, it is also imperative that tenders should be quite clear on where the Ulundi Local Municipality's hardware and/or networks lack the capability and/or capacity to function properly with the system proposed by the tenderer.

A detailed graphical drawing depicting the proposed network and system layout must be drafted to clarify and indicate solution functionality.

Tenderers shall liaise with Ulundi IT Manager to ensure that the proposed system is compatible with existing Ulundi software and hardware systems.

- The system shall be a database solution from which both management functions and vending take place. All updates to customer data must be immediately available at vending terminals and all transactions made at all sales outlets must be immediately available for reporting on.
- The vending terminal solution shall be web based or a web application which automatically updates from the host server should updates be posted.
- The solution should have the capability to provide pre-paid vending services over the internet/intranet. Customers should be able (should the Ulundi



Local Municipality wish to activate these options) to purchase prepaid electricity either via the Internet or a cell phone as follows:

- A registered service on the web where the customer registers for the service. This includes providing the required financial information and then simply authenticating on every transaction. The Ulundi Local Municipality's vending and credit management rules must still be applicable.
- The vending system shall cater for integration with the systems/applications in use. The Ulundi Local Municipality uses the PASTEL system as the financial system of choice.
- The system must cater for storage of all information to comply with financial services regulations (e.g. the storage of all sales/vending transactions).
- The vending system will provide a web-based interface to allow for management functionality and reporting over the Ulundi Local Municipal Intranet and internet. The system must ensure that the program supports the latest version of Microsoft Internet Explorer and always keep up with updates by Microsoft.

## **7. SYSTEM / OPERATION REQUIREMENTS**

### **7.1 GENERAL**

The administrator(s) must have the option to link directly into the server from their offices for e.g. management, reports, etc. Maintenance staff must have the option to link into the system over a 3G data connection from remote locations to perform customer maintenance functions.

All licenses required must be clearly defined and a list provided with license cost. All limitations must clearly be indicated.

All current data on the current vending systems used by the municipality must be catered for on the proposed vending system. The last 3 years data must be migrated into the proposed vending system from the current vending system.

## 7.2 ACCESS

It must be possible to allocate access rights into the system into users and user groups. Access rights allocations shall be transferred during the data migration process and distributed throughout the system. The vending system must allow for activation of password ageing functionality. If this function is activated, the password of the particular user shall expire after a definable amount of time. Early password expiry warnings must be available. In addition, a concurrent log-in limit for log-in attempts is also required. User IDs not used or disabled permanently must not be able to be removed from transaction history data. A full audit trail on user IDs and movement must be kept. Access rights must be configured by the Ulundi Local Municipality.

## 7.3 ARREARS

The vending system offered by tenderer shall make it possible for the municipality to deduct arrears from moneys tendered by consumers to purchase pre-paid electricity. The vending system must be able to define within the applicable arrears scheme and/or credit control policy of the municipality different arrears recovery categories/indexes. This must be included and enforced in all electricity dispensing strategies and/or systems, inclusive of third party vending systems.

The system shall allow for at least:

- Fixed percentage of transaction recovery
- Service based recovery
- Full arrear payment recovery
- Partial arrear recovery and limited sales

## 7.4 BLOCKING

The vending system offered by the tenderer will allow for profiled blocking of purchases by customers based on arrears balances in specific account types. Blocking will be configurable by account type and will allow for either no sales or limited monthly sales to customers with arrears balances.

Customers with shared service accounts will all be unblocked simultaneously when any one blocked account is paid in full.

#### 7.5 FREE BASIC ELECTRICITY

The vending system software offered shall allow preferential treatment of individual consumers [Indigents]. Discounts will be given to the specific consumers by adding "50 Kwh free" utility units to the purchase value.

#### 7.6 ENGINEERING

The system must make provision for the generation of all engineering vouchers directly from the system master station and these vouchers can be printed, viewed (without printing) or sent via SMS.

#### 7.7 FREE ISSUES

The vending system should allow the issuing of vouchers free of charge.

#### 7.8 GENERAL DATA IMPORT / EXPORT

All reports must be able to export into other formats such as Excel and PDF.

#### 7.9 LIMITS

The vending system should allow a limit for the amount of credit that any individual workstation or group of workstations in the system can issue without re-authorization. This amount can be defined per workstation.

The credit update of a workstation must be done by a supervisor (or another user with appropriate access rights) updating the credit limit via the management interface. All updates will be recorded; the records will include the previous credit balance and the user identity, the date and time of the update. The update will automatically print for audit purposes.

#### 7.10 MESSAGES

The vending system should allow the utility to define voucher messages that are printed at the bottom of the printed voucher. The municipality must have the option to change the messages according to requirements.

#### 7.11 GENERAL ISSUES

Vending to a consumer shall only be possible when a point of connection and meter are linked to the consumer and a tariff has been selected. The customer

must still be able to do payments although blocked for pre-paid electricity sales.

Should the information on the database differ from the information on the meter card, no token must be generated.

#### 7.12 SEARCH AND FILTER

The vending system should support full search for the following items in registration:

Consumer surname, first names, ID number, postal address details, comments, blocking codes, account number, point of connection, meter serial number, different tariffs.

All of these searches can be incremental searches or full word searches. Once the search criteria are entered, the system must display the first record matching the search condition or the closest field at any one time for the search.

#### 7.13 REPORTS

The vending system should support a set of standard reports and the capability to customize and / or create new Reports. The tenderer undertakes to add or alter reports according to the needs of the Municipality for at least the first six months free of charge.

Printer selection and formatting according to operating system availability must be supported. Exporting of all reports to at least Excel and/or PDF must be supported. The standard reports required should preferably include but not necessarily all of the following:

- **Standard operator reports**
  - 1) Operator actions between dates grouped by date
  - 2) List of all users registered on the system
  - 3) List of all the user's groups and their functions
  - 4) List of all the groups and their respective functions

- **Standard consumer reports**
  - 1) Number of consumers registered by town between dates
  - 2) List of all STS meters registered on the system
  - 3) List of towns registered on the system
  - 4) List of disconnected meters between dates
  - 5) List of disconnected meters by disconnect reason between dates
  - 6) Consumer information
  - 7) Total new connections per area
  - 8) Total installed meters per area
  - 9) Meter replacements per area
  - 10) All consumers in alphabetic order
  
- **Standard transaction reports**
  - 1) List of transactions grouped by date between dates
  - 2) Sum of transactions grouped by transaction type and tariff
  - 3) Total electricity bought between dates by consumer
  - 4) Free issues between dates per meter
  - 5) Low purchases of electricity over a specified period
  - 6) Total electricity bought in the last 30 and 90 days
  - 7) Reversals between dates
  - 8) Summary of all end of shifts for a user between dates
  - 9) All transactions for a meter between custom dates
  - 10) Arrears owed by consumer
  - 11) Daily cash reconciliation report
  - 12) All transactions for an account between dates
  - 13) Low consumption report
  - 14) Indigent high purchase report
  - 15) Total sales by town
  - 16) Total sales by operator
  - 17) Customer purchase reports
  - 18) Month sales analysis by Tariff Class
  
- **Engineering Reports**
  - 1) Current power limit for a meter
  - 2) Current power limit for all meters
  - 3) Audit trail on Amperage changes
  - 4) Reports in the vending system must be able to be previewed before printing.

## 7.14 TARIFFS

The vending system must support the use of vending based tariffs. The system must cater for pre-defined tariffs by date to be created in advance. Tariff structure of current vending systems must be accommodated.

Meter Tariff Index and Customer Tariff Class must not be linked in the system in order to avoid key changes when tariffs are changed, for instance from an Indigent to Domestic tariff.

#### **7.15 BLOCK TARIFFS**

A block tariff module or stepped tariffs must be able to be defined.

#### **7.16 VAT**

The vending system shall support the use of vending based VAT where the VAT is calculated at the time of vending.

#### **7.17 ACCOUNT PAYMENTS**

In vending, it should be possible to pay off arrears amounts or portions thereof separately from the purchase of actual electricity.

The solution will make provision for configurable blocking codes. The system must automatically remove the blocking code once the full arrear amount has been paid should the system be set to this configuration.

The solution will have the capability to accommodate linked accounts e.g. a rates account on a pre-paid account and be able to force payment on linked account should linked account be in arrears before any pre-paid services will be allowed on the pre-paid account.

All different amounts must be clearly displayed on the vending system screen.

The business rules of the municipality will apply at all times. Arrear amounts, linked account amounts and blocking codes will be transferred from the financial system to the vending system.

#### **7.18 VENDING AMOUNTS**

For each workstation in a vending system, a list of predefined typical purchase amounts must be able to be setup individually.

#### 7.19 IMPLEMENTATION AND COMMISSIONING

The tenderer shall be responsible for the conversion of current Ulundi Local Municipal system data, static as well as historical transaction as well as all meter related data to the new system.

#### 7.20 SYSTEM CHANGES AND ENHANCEMENTS

The tenderer shall indicate corporate policy requirements on system enhancements and changes

### 8. SYSTEM SITE VISIT/DEMONSTRATION

The Ulundi Local Municipality retains the right to request a full system demonstration and/or site visit. The tenderer undertake to arrange as such. A list of current system users with contact details should be supplied by the tenderer. The municipality reserves the right to contact any of these users and the tenderer undertakes to arrange a site visit to any user(s) as indicated by the Municipality within a specified timeframe as agreed on.

### 9. CUSTOMER REFERENCES

The Ulundi Local Municipality may wish to contact one or more of the tenderer's reference clients during the tender evaluation period. Please provide contact names and details of the individuals who should be contacted in this regard.

Contact with your reference clients will be arranged through the tenderer, but the Ulundi Local Municipality reserves the right to conduct these information sharing sessions without representatives from the tenderer being present.

### 10. THIRD PARTY VENDING

The system shall be integrated with third party vending platforms such as ADO, EasyPay and Blue Label Technologies.

The tenderer must demonstrate this capacity and must supply documentation from third party channels to validate the partnership.

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The tenderer must describe in detail the remittance process to be followed between the parties and the periods over which monies will be paid to the Municipality.

**11. DATA OWNERSHIP**

All the information on consumers and related data in the hosted databases will remain the property of the Ulundi Local Municipality at all times and will not be disclosed as a whole or in part to any third party without the express permission of the Ulundi Local Municipality.

Any data archived and warehoused on behalf of the Ulundi Local Municipality shall be accessible at any time by the Ulundi Local Municipality or its appointed auditor.



## 12. COMPLIANCE SCHEDULE

No.	Question	Yes / No	Comments
1	Does the system comply with all the STS specifications as listed in the tender? STS certificate to be supplied.		
2	Does the system allow for configuration by the municipality for various system requirements?		
3	Is a list of system limitations attached?		
4	Is a full, detailed functionality description of the system attached?		
5	Is a detailed graphical drawing of the proposed network and system attached?		
6	Is a detailed disaster recovery plan attached?		
7	Is a comprehensive 3rd Party payment remittance process attached?		
8	Is this a database solution with no data transfer or replication required?		
9	Does the system have the capability to provide pre-paid services according to the municipality's rules over the internet/intranet?		
10	Does the system integrate to other vending mechanics such as other third party service providers using Eskom XMLVend as an interface language?		
11	Does the system provide for integration to the other systems in use at the municipality through the following options: periodic bulk export/import/registration of data/meter to and from other business systems, on-line real-time per transaction synchronization of data?		
12	Does the system comply with financial services regulations regarding storage of data?		
13	Does the system provide WEB integration for management functionality and reporting?		
14	Can the administrators log into the servers directly from their offices? Can admins log in remotely over the internet?		
15	Is a list of license requirements with limitations attached?		
16	Does the system provide for smart metering?		
17	Does the system provide for access rights into the system for users and groups?		
18	Does the system provide for user ID disabled or removed to remain in history transaction data?		
19	Does the system provide for arrear recovery in line with the credit control policy of the municipality?		
20	Does the system provide for at least the following arrear recovery alternatives: fixed percentage of transaction recovery; service based recovery; full arrear payment recovery; partial arrear payment recovery with limited electricity sales?		

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21	Does the system provide for “free issues” (EBSST token) to specific customers like indigents?		
22	Does the system allow all engineering tokens to be either printed, viewed without printing or sent through SMS?.		
23	Does the system support all the different types of engineering vouchers as specified the tender?		
24	Can the abovementioned amount be defined per workstation?		
25	Does the system provide for up-front vending?		
26	Does the system provide for messages at the bottom of the token voucher which can be changed by the municipality according to the municipality’s requirements?		
27	Does the system allow vending when a point of connection, meter or tariff is not linked to a customer?		
28	Does the system allow payment of accounts although a blocking code is active that does not allow the customer to purchase pre-paid electricity tokens?		
29	Does the system provide for at least the standard reports as stipulated in the tender?		
30	Does the system allow for preview of reports before printing?		
31	Does the system provide for pre-defined tariffs by date to be created in advance?		
32	Does the system accommodate the current vending structures of the municipality?		
33	Does the system support IBT (stepped tariffs)?		
34	Does the system support vending based VAT that is calculated at time of vending?		
35	Does the system provide for the payment of arrear amounts, current amounts or linked account separately from purchasing pre-paid electricity tokens?		
36	Does the system provide for the cashier to enter the full amount from which the arrear amount will automatically be deducted and the remainder of the money will then automatically be allocated towards pre-paid electricity sales?		
37	Does the system make provision to warn the cashier before finalizing any transaction?		
38	Does the system provide for integration of historical data?		
39	Does the system provide for user lock-out after a number of wrong password entries?		
40	Is a list of current system users with full contact details supplied?		
41	Was an assessment of current infrastructure done and an optimum solution recommendation attached?		
42	Is provision made for periodic data synchronization with an off-line database in the municipal environment?		

**APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ON-LINE PRE-PAID VENDING SYSTEM AND THIRD PARTY VENDING FOR THE FINANCIAL YEARS 2020 TO 2023.**

43	Does the system support the latest version of The standard Microsoft Internet Explorer and always keep up with updates by Microsoft.		
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**13 EVALUATION:**

**Phase 1 – Mandatory Compliance:**

1. Tax certificate
2. Declaration of interest
3. ID's
4. Independent bid
5. BBBEE Certificate
6. Past SCM Practices
7. CSD
8. CIPRO Certificate
9. Municipal Account
10. Local content

**Phase 2 – Functionality:**

No.	Description	Evaluation	Points
1	Does the system comply with all the STS specifications as listed in the tender?	STS certificate not supplied = 0 Points STS certificate supplied = 20 Points	20
2	Is the functionality of the proposed system acceptable?	Detailed description of system functionality covering all issues in the Compliance schedule of Bid specification	43
3	Is a detailed disaster recovery plan acceptable?	Recovery plan not acceptable = 0 Points Recovery plan acceptable = 10 Points Recovery plan acceptable Plus = 17 Points	17
4	Company experience	1 - 2 Years experience = 5 points 2 – 5 Years experience = 10 points 5 Plus Years experience = 20 points	20
	<b>Total Points</b>		<b>100</b>

**Minimum of 80 Points required to advance to Phase 3**

**Phase 3 – Point system**

The scoring system includes for:

- Price (maximum 80 points)
- Contract participation goal (BBBEE) (maximum 20 points)

## 14. Pricing Schedule

Item	Description	Price Inclusive of VAT as % of R 1 000 000-00 Total sales per month
1	<b>Professional fees</b> Provide and run a complete Vending solution including Municipal offices. Local shops, Major retailers, internet, ATM and cell phone vending. (commission)	
2	<b>Ad-Hoc Charges</b>	<b>Price Inclusive of VAT per line item</b>
	Fixed Call-out Fee	
	Travel (R/Km)	
	Labour – Technician - Normal time per hour	
	Labour – Technician - Overtime per hour	
	Labour – Technician - Sunday and Public Holidays per hour	
	<b>Total ad-hoc charges (add all line items)</b>	

## Summary

Item	Description	Tendered Price
1	Professional fees	
2	Ad-Hoc Charges	
3	<b>Total</b>	

The total bid price for the complete execution of the project is:

\_\_\_\_\_ (Total price in words)

\_\_\_\_\_  
Signature of bidder

\_\_\_\_\_  
Name of Bidder

\_\_\_\_\_  
Date

## 15) RETURNABLE DOCUMENTS

### List of Returnable Documents

REF	DESCRIPTION	Page
<b>MBD2</b>	TAX CLEARANCE CERTIFICATE REQUIREMENTS	T2.14
<b>MBD4</b>	DECLARATION OF INTEREST	T2.15
<b>MBD6.1</b>	PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011	T2.17
<b>MBD8</b>	DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES	T2.23
<b>MBD9</b>	CERTIFICATE OF INDEPENDENT BID DETERMINATION	T2.25
<b>A</b>	Certificate of Authority for Joint Ventures / Close Corporation/ Partnership/ Company/ Sole Proprietor (Certified copies of Identity Documents in the case of Sole Proprietor)	T2.29
<b>B</b>	Registration Certificates of Entities – Joint Ventures / Close Corporation/ Partnership/ Company/ Sole Proprietor.	T2.32
<b>D</b>	B-BBEE Status Level Verification Certificate	T2.36
<b>E</b>	Declaration of Payment of Municipal Services	T2.37
<b>F</b>	Record Of Addenda To Tender Documents	T2.38
<b>G</b>	Amendments, Qualifications and Alternatives	T2.37
<b>H</b>	Local content documentation	
<b>Additional Documentation to be submitted</b>		
<b>I</b>	Schedule of Proposed Sub-Contractors if any	
<b>J</b>	Curriculum Vitae of Key Personnel	
<b>K</b>	Schedule of previous works carried out by tenderer	
<b>L</b>	BBBEE certificate	
<b>M</b>	CSD Documentation	
<b>N</b>	ID Copies of Directors of the firm	
<b>O</b>	Functionality proposal as explained above	

By submission of tender such a tender shall comprise the whole of this document as well as signed acknowledgment of any circulars or additional information which may be issued during the tender period.

## 16) PLACING OF TENDERS IN TENDER BOX

Sealed tenders marked “**Tender: On-line pre-paid vending system**” and bearing the tenderer’s company name and registration number and addressed to the Municipal Manager, should be placed in the Tender Box situated at the Supply chain management offices at Ulundi Local Municipality at the corner of Princess Magogo and King Zwelithini streets, not later than **28 August 2020 at 12h00**.

#### 17) WITHDRAWAL OF TENDERS

If a tenderer wishes to withdraw his tender without incurring any liability he may do so provided written notice to that effect reaches the Director Technical Services before closing time for tenders.

#### 18) COST INCURRED BY TENDERER

The employer will neither be responsible for nor pay for expenses incurred or losses suffered by any tenderer in preparing and submitting the tender, in visiting the site in connection therewith, or for his attendance at the interview in the office of the engineer, or for any reason whatsoever concerning this tender.

#### 19) AWARDING OF BID

Ulundi Local Municipality will not award bids to contractors:

- Who have been convicted for fraud or corruption with any organ of state in the past five years;
- Who wilfully neglected, reneged on or failed to comply with government contracting during the past five years;
- Whose tax matter, or that of its directors / members are not cleared with the South African Revenue Services.
- A tender that does not comply with the requirements in the tender documents and the instructions in the official tender advertisement may be rejected as being invalid.

#### 20) CONDITIONS PERTAINING TO PREFERENTIAL PROCUREMENT

Preferential procurement aims to pursue socio-economic objectives through enabling procurement processes and may therefore award preference points when adjudicating bids.

All bids will be adjudicated using the Preferred Procurement Policy scorecard as a measure for BBBEE compliance.

##### **Process to be Confidential**

- Information supplied by Tenderers to the examination, clarification, evaluation and adjudication of tenders and recommendations for the award of the contract will not be disclosed to Tenderers or any other persons not officially concerned with such processes.
- Any effort by the Tenderer to influence the Employer's processing of tenders or award decisions may result in the rejection of this Tender.

##### **Specific Goals**

- The promotion of South African-owned and managed enterprises;
- The promotion of export-oriented production to create jobs;
- The promotion of SMME's and enterprise development;
- The creation of new jobs or the intensification of labour absorption particularly the employment of local labour;
- The promotion of enterprises located in the municipal area where work needs to be done or services to be rendered;
- The promotion of enterprises located in rural area;

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- The empowerment of the work force by standardizing the level of skill and knowledge of workers;
- To promote sector partnerships particularly in communities;
- The development of human resources, in line with key indicators such as percentage of wage bill spent on education and training and improvement of management skills;
- The promotion employment equity; and
- The promotion of preferential procurement.

## 21) MBD 2 TAX CLEARANCE CERTIFICATE REQUIREMENTS

**It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.**

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

### TAX CLEARANCE CERTIFICATE

***[Tax Clearance Certificate obtained from SARS to be attached to this page]***



**22) DECLARATION OF INTEREST**

**MBD 4**

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.

- No bid will be accepted from persons in the service of the state\*.
- 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 favoritism, 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 authorized representative declare their position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest.

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

3.1 Full Name: .....

3.2 Identity Number: .....

3.3 Company Registration Number: .....

3.4 Tax Reference Number: .....

3.5 VAT Registration Number: .....

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

3.6.1 If so, furnish particulars  
.....

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

3.7.1 If so, furnish particulars  
.....

---

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

- (a) a member of –
  - (i) any Municipal Council;
  - (ii) any Provincial Legislature; or
  - (iii) the National Assembly or the National Council of Provinces;
- (b) a member of the Board of Directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act 1999 (Act No. 1 of 1999);
- (e) a member of the accounting authority of any National or Provincial Public Entity; or
- (f) an employee of Parliament or a Provincial Legislature.

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

3.8.1 If so, furnish particulars  
.....

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

3.9.1 If so, furnish particulars  
.....

3.10 Are any of the company's Directors, Managers, Principle Shareholders or Stakeholders in service of the State? **YES/NO**

3.10.1 If so, furnish particulars  
.....

3.11 Are any spouse, child or parent of the company's Directors, Managers, Principle Shareholders or Stakeholders in service of the State? **YES/NO**

3.11.1 If so, furnish particulars  
.....

**CERTIFICATION**

**I, THE UNDERSIGNED**

**(NAME)** .....

**CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT. I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THE DECLARATION PROVE TO BE FALSE.**

.....  
**SIGNATURE**

.....  
**DATE**

.....  
**POSITION**

.....  
**NAME OF BIDDER**

## 23) MBD 6.1 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

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, 2011.**

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### 1. GENERAL CONDITIONS

The following preference point systems are applicable to all bids:

the 80/20 system for requirements with a Rand value of up to R1 000 000 (all applicable taxes included);  
and  
the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

This bid will be evaluated as Functionality 80 Points, and BBEE 20 Points

### 1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION

**Total points for B-BBEE must not exceed 20**

### 2. DEFINITIONS

- 2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad -Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“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 services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** 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;

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- 2.8 “**contract**” means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 “**EME**” means any enterprise with a annual total revenue of R5 million or less.
- 2.10 “**Firm price**” means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 “**functionality**” means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 “**non-firm prices**” means all prices other than “firm” prices;
- 2.13 “**person**” includes a juristic person;
- 2.14 “**rand value**” means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 “**sub-contract**” means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 “**total revenue**” bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 “**trust**” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 “**trustee**” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

**3. ADJUDICATION USING A POINT SYSTEM**

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

**4. POINTS AWARDED FOR PRICE**

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

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

80/20 or 90/10

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

Where

$P_s$  = Points scored for comparative price of bid under consideration

$P_t$  = Comparative price of bid under consideration

$P_{\min}$  = Comparative price of lowest acceptable bid

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**5. Points awarded for B-BBEE Status Level of Contribution**

5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

<b>B-BBEE Status Level of Contributor</b>	<b>Number of points (90/10 system)</b>	<b>Number of points (80/20 system)</b>
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any

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other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

**6. BID DECLARATION**

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

**7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1**

7.1 B-BBEE Status Level of Contribution: = 20 points

**(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).**

**8 SUB-CONTRACTING**

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted?  
.....%
- (ii) the name of the sub-contractor? .....
- (iii) the B-BBEE status level of the sub-contractor? .....
- (iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

**9 DECLARATION WITH REGARD TO COMPANY/FIRM**

- 9.1 Name of firm :.....
- 9.2 VAT registration number :.....
- 9.3 Company registration number :.....
- 9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....  
.....

9.6 COMPANY CLASSIFICATION

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

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[TICK APPLICABLE BOX]

**9.7 MUNICIPAL INFORMATION**

Municipality where business is situated

.....

Registered Account Number .....

Stand Number .....

**9.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?**

9.9 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 contribution indicated in paragraph 7 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 paragraph 7, 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 contribution 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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. ....

DATE:.....

.....  
SIGNATURE(S) OF BIDDER(S)



MBD 6.2

**DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT**

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

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011 and the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:201x.

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9.(1) and 9.(3) make provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Regulation 9.(3) prescribes that where there is no designated sector, a specific bidding condition may be included, that only locally produced services, works or goods or locally manufactured goods with a stipulated minimum threshold for local production and content, will be considered.
- 1.4. Where necessary, for bids referred to in paragraphs 1.2 and 1.3 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.5. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.6. The local content (LC) as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 201x as follows:

$$LC = 1 - \left( \frac{x}{y} \right) \times 100$$

Where

x imported content

y bid price excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date, one week (7 calendar days) prior to the closing date of the bid as required in paragraph 4.1 below.

1.7. A bid will be disqualified if:

- the bidder fails to achieve the stipulated minimum threshold for local production and content indicated in paragraph 3 below; and.
- this declaration certificate is not submitted as part of the bid documentation.

2. Definitions

2.1. **“bid”** includes advertised competitive bids, written price quotations or proposals;

2.2. **“bid price”** price offered by the bidder, excluding value added tax (VAT);

2.3. **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;

2.4. **“designated sector”** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;

2.5. **“duly sign”** means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility (close corporation, partnership or individual).

2.6. **“imported content”** means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by

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the supplier or its subcontractors) and which costs are inclusive of the costs abroad, plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;

- 2.7. **“local content”** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 2.8. **“stipulated minimum threshold”** means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.9. **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.

**3. The stipulated minimum threshold(s) for local production and content for this bid is/are as follows:**

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

4. Does any portion of the services, works or goods offered have any imported content? YES / NO

4.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.6 of the general conditions must be the rate(s) published by the SARB for the specific currency at 12:00 on the date, one week (7 calendar days) prior to the closing date of the bid.

The relevant rates of exchange information is accessible on [www.reservebank.co.za](http://www.reservebank.co.za).

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Indicate the rate(s) of exchange against the appropriate currency in the table below:

<b>Currency</b>	<b>Rates of exchange</b>
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

**IN RESPECT OF BID No.** .....

**ISSUED BY:** Ulundi Local Municipality:  
.....

NB The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

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

(a) The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286.

(c) The local content has been calculated using the formula given in clause 3 of SATS 1286, the rates of exchange indicated in paragraph 4.1 above and the following figures:

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

If the bid is for more than one product, a schedule of the local content by product shall be attached.

(d) I accept that the Ulundi Local Municipality has the right to request that the local content be verified in terms of the requirements of SATS 1286.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286, may result in the Ulundi Local Municipality imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 1** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 2** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**24) MBD 8 DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

1 This Municipal Bidding Document must form part of all bids invited.

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- 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:
- abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
  - been convicted for fraud or corruption during the past five years;
  - willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  - 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><b>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?</b></p> <p><i>(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 audi alteram partem rule was applied).</i></p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
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 <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No

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4.4	<b>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?</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

**CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME) .....  
 CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM TRUE AND CORRECT.

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

.....  
 Signature

.....  
 Date

.....  
 Position

.....  
 Name of Bidder

## 25) MBD 9 CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - a. take all reasonable steps to prevent such abuse;
  - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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



**MBD 9 CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However

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communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

**26) REGISTRATION CERTIFICATE OF AN ENTITY**

*[Important note to Tenderer: Registration Certificates for Companies, Close Corporations and Partnerships and ID documents for Sole Proprietors, must be inserted here. In the case of a Joint Venture, a copy of a duly signed Joint Venture Agreement clearly setting out the roles and responsibilities of the parties must be included with particular reference to the guarantees required in terms of the Contract Data. The Joint Venture Agreement must also clearly indicate how payment is to be effected to the entity and distributed to the parties]*

Tenderer's must also indicate in the space provided whether they are registered with the CIDB and if so what the registration details are:

*(If not registered, attach proof that the enterprise can be registered with the CIDB within 10 days)*

Registered Name	Registration Number

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**27: BANKING DETAILS**

Tenderers financial capacity to finance and undertake a contract of this nature will also be checked and consequently it is a requirement that the details below be provided.

NAME OF TENDERER						
NAME OF ACCOUNT HOLDER AT BANK						
TYPE OF ACCOUNT (Please tick)	CURRENT/CHEQUE	<input type="checkbox"/>	SAVINGS	<input type="checkbox"/>	TRANSMISSION	<input type="checkbox"/>
BANK						
BRANCH NAME						
ACCOUNT NUMBER						
BRANCH CODE						
BANK TELEPHONE NO						
BANK ADDRESS						
NAME OF BANK MANAGER						
TELEPHONE NUMBER						
FAX NUMBER						
NO OF YEARS ABOVE ACCOUNT HAS BEEN WITH BANK						
CREDIT FACILITIES AVAILABLE (State Amount)						

SIGNATURE: .....  
 (of person authorised to sign on behalf of the Tenderer)

DATE: .....

**28) B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE**

**B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE ATTACHED TO THIS PAGE IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE**

Failure on the part of a bidder to submit a **certified** B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

**29) DECLARATION OF PAYMENT OF MUNICIPAL SERVICES**

**DECLARATION TO CERTIFY THAT:**

**THE TENDERER HAS NO UNDISPUTED COMMITMENTS FOR MUNICIPAL SERVICES TOWARDS A MUNICIPALITY OF WHICH PAYMENT IS OVERDUE FOR MORE THAN 30 DAYS**

*[Proof of Payment to be attached to this page]*

**DECLARATION**

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the firm, confirms that there are no undisputed commitments for municipal services towards a municipality of which payment is overdue for more than 30 days to my personal knowledge, and save where stated otherwise to the best of my belief both true and correct.

Signature: .....

Duly authorized to sign on behalf of : .....

Address: .....

.....

.....

Telephone: .....

Date: .....

**30) RECORD OF ADDENDA TO TENDER DOCUMENTS**

We confirm that the following communications received from the Employer before the date of submission of this tender offer, amending the tender documents, have been taken into account in this tender offer.

ADD. No.	DATE	TITLE OR DETAILS
1		
2		
3		
4		
5		

SIGNATURE: .....  
(of person authorised to sign on behalf of the Tenderer)

DATE: .....

**APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ON-LINE PRE-PAID VENDING SYSTEM AND THIRD PARTY VENDING FOR THE FINANCIAL YEARS 2020 TO 2023.**

**31) CHECK LIST**

<b>No</b>	<b>Description</b>	<b>Ticked Bidder</b>	<b>by</b>	<b>Ticked Municipal Representative</b>	<b>by</b>
1	Initial/ Sign of all pages				
2	Briefing Session for this contract				
3	Form of bid completed				
4	Original Tax Clearance Certificate attached				
5	Preferential Points Claimed				
6	Preferential % Calculated and claimed				
7	All witnesses signed where it required				
8	Bid Declaration with regard to Equity completed				
9	Particulars of Bidders Completed				
10	Bid Declaration of interest Completed				
11	Contract Form MBD Form 7.2 completed				
12	Declaration of Bidders Past SCM Practice MBD Form 8 completed				
13	Certificate of Independent Bid Determination MBD Form 9 completed				