

“ The City of Heritage “



BID NO: 03/2020/2021

**INVITATION TO
SUBMIT BID**

EXPRESSION OF INTEREST FOR A SERVICE PROVIDER THAT HAVE CAPACITY TO SUPPLY, DELIVER AND MAINTAIN TRANSFORMERS AND 11 KV SWITCHGEAR FOR 2021/2022 TO 2023/2024 FINANCIAL YEARS

NAME OF SERVICE PROVIDER:

SERVICE PROVIDER ADDRESS:
.....

SERVICE PROVIDER TELEPHONE:

EMAIL ADDRESS:.....

Bid Price (Total incl. VAT)	R
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EXPRESSION OF INTEREST FOR A SERVICE PROVIDER THAT HAVE CAPACITY TO SUPPLY, DELIVER AND MAINTAIN TRANSFORMERS AND 11 KV SWITCHGEAR FOR 2021/2022 TO 2023/2024 FINANCIAL YEARS

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EXPRESSION OF INTEREST FOR A SERVICE PROVIDER THAT HAVE CAPACITY TO SUPPLY, DELIVER AND MAINTAIN TRANSFORMERS AND 11 KV SWITCHGEAR FOR 2021/2022 TO 2023/2024 FINANCIAL YEARS

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**ULUNDI LOCAL MUNICIPALITY
BID NOTICE AND INVITATION AWARD**

Bids are hereby invited from suitable service providers of the following Ulundi Municipality projects:

Project/BID No.	Project Description	Point System	Closing Date	Time	Technical enquiries	Contact number
03/2021/2022	Supply delivery and maintenance of Transformers switchgear and overhead lines for the financial years 2021/2022 to 2023/2024. (Panel)	80/20	27/05/2021	12h00	Mr P.N Dlatu	0787009677

Preference will be given to the local and previously disadvantaged service providers.

Only service providers registered in the Ulundi Municipality suppliers' database and registered with Central Supplier Database (CSD) will be considered.

Bid documents may be obtained on the **Ulundi Municipal Website at www.ulundi.gov.za**. Bid documents must be submitted in a sealed envelope clearly marked with the bid number, closing date and, dropped off in the tender box at SCMU, Ulundi Municipality, Corner of Princess Magogo and King Zwelithini Street, Ulundi, 3838 by no later **12H00 of the above stated closing dates**. The bid box is generally open from 07h30 to 16h30 Monday to Thursday and 07h30 to 15h15 Friday. All quotes must be submitted on the official forms – (Not to be retyped). This bid is subject to the general conditions of contract (GCC) and any other special conditions of contract.

THE FOLLOWING ARE MANDATORY: CSD summary report, valid tax clearance or SARS login pin, a certified copy of the most recent municipal account in which the business is registered, copies of ID of members of the entity, B-BBEE Certificate and Certified copy of CIPRO e.g. CK certificates. Bidders are requested to sign where necessary and initial each page on the Bid Documents.

This proposal will be evaluated in terms of the 80/20 Preferential Procurement Point system where 80 points are for functionality and price, and 20 points are for BBEE according to the said legislation.

Late tenders will not be accepted, and the Ulundi Municipality reserved the right not to make an award. Failure to comply with the above conditions will invalidate your offer.

Pre-qualification conditions for a tenderer (PPPFA) Act 2000: Exempted Micro Enterprise (EME) or Qualifying Small Enterprise (QSE) which is at least 51% owned by black people who are women and 51% owned by black people living in rural or underdeveloped areas or townships.

Kindly note that the successful bidder will be subjected to a screening process prior to the bid being awarded, should it be discovered that a successful bidder provided misleading information he/she will be disqualified with immediate effect.

NB: Please provide an itemized breakdown (on a separated sheet) of the total “tender sum” shown on the bid document.

SCM related enquires: Miss B.G. Hadebe (035 874 5120)

**Mr. N.G. Zulu
MUNICIPAL MANAGER**

EXPRESSION OF INTEREST FOR A SERVICE PROVIDER THAT HAVE CAPACITY TO SUPPLY, DELIVER AND MAINTAIN TRANSFORMERS AND 11 KV SWITCHGEAR FOR 2021/2022 TO 2023/2024 FINANCIAL YEARS

NOTICE TO PROSPECTIVE SERVICE PROVIDERS

Ulundi Local Municipality invites Electrical Engineering Service Providers to participate in the bidding process for rendering of services as per scope of works on an as and when required basis.

The validity period for the services is **36** months (2021/22 to 2023/24 financial years) from the date of appointment.

For the Service Provider to be regarded as “responsive”, all the mandatory documents need to be completed and submitted on or before the closing date.

The Functionality evaluation will determine which service providers will be evaluated on an 80/20 point system.

The successful Service Provider will be informed in writing. If no response is received to you from ULUNDI LOCAL MUNICIPALITY within 120 days after closing, please accept that you were unsuccessful.

Enquiries should be submitted to the following e-mail addresses wdewet@ulundi.gov.za

SPECIFICATIONS FOR SUPPLY, DELIVERY AND MAINTENANCE OF TRANSFORMERS AND 11KV SWITCHGEAR

A) SCOPE OF WORKS

It will be expected of the Service provider to supply the following services to Ulundi Municipality:

Supply and deliver of:

- 3 Phase 11KV, 100KVA Pole mounted transformer
- 3 Phase 11KV, 315KVA Distribution
- 3 Phase 11KV, 500KVA Distribution Transformer
- 11KV, SF6 Breaker Gas
- 11KV VBC Breaker Male/Female
- 3 Phase 11KV 200KVA Distribution Transformer, Pole mounted
- 1 Phase 11KV,32KVA Pole mounted Transformer
- 1 Phase 11KV,16KVA Pole mounted Transformer
- 3 Phase 11KV, 315KVA Distribution Transformer.
- Transformer oil

Maintenance and repairs of:

- 40MVA,33/11KV Distribution Transformers
- 40MVA,33/11KV Transformer Ferrati Tap Changers
- 11KV Vacuum Breakers
- 11KV, 315KVA 3 Phase Distribution Transformers
- 11 KV R.M.U
- 11KV, 500KVA 3 Phase Distribution Transformers
- 11KV, 800KVA 3 Phase, Distribution Transformers
- SF6 Breaker, Gas Breakers

B) SPECIFICATIONS

1.) Supply and Delivery of:

DESCRIPTION
<p>3 Phase 11KV, 100KVA Pole mounted transformer, 400V/230V – Inland, Colour : khaki Frequency : 50Hz Cooling : ONAN Windings : Double Wound Copper</p>
<p>3 Phase 11KV, 315KVA Distribution Transformer 400/230V – Inland Colour : khaki Frequency : 50Hz Cooling : ONAN Windings : Double Wound Copper</p>

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<p>3 Phase 11KV, 500KVA Distribution Transformer 400/230V – Inland Colour : khaki Frequency : 50Hz Cooling : ONAN Windings : Double Wound Copper</p>
<p>11KV, SF6 Breaker Gas REYROLLE PARSONS Serial no : 3SLMS-747 Type : LMS/X1/QM Rated voltage : 12 KV Rated impulse Voltage : 95 KV Frequency : 50/60hz Rated normal current : 630 A Rated circuit Breaking Current : 20 KA Short time current: 20KA . For 3sec Opening device : 1 – 30V DC (T/C)</p>
<p>11KV VBC Breaker Male/Female Type no : SBV4/800/25/SI Rated voltage : 12 KV Rated impulse Voltage : 95 KV Frequency : 50/60hz Rated normal current : 800 A Rated circuit Breaking Current : 25 KA Short time current: 20KA . For 3sec 110V DC Spring (T/C)</p>
<p>Transformer oil</p>
<p>11KV, 200KVA Distribution Transformer, 3 Phase, Pole mounted, 400/230V – Inland Colour : khaki Frequency : 50Hz Cooling : ONAN Windings : Double Wound Copper</p>
<p>1 Phase 11KV, 32KVA Pole mounted Transformer 400/230V – Inland Colour : khaki Frequency : 50Hz Cooling : ONAN Windings : Double Wound Copper</p>
<p>1 Phase 11KV,16KVA Pole mounted Transformer 400/230V – Inland Colour : khakhi Frequency : 50Hz Cooling : ONAN Windings : Double Wound Copper</p>
<p>3 Phase 11KV, 315KVA Distribution Transformer 400/230V – Inland Colour : khakhi</p>

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Frequency : 50Hz Cooling : ONAN Windings : Double Wound Copper
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2.) Maintenance and repairs of

DESCRIPTION
<p>20MVA,33/11KV Distribution Transformer Colour : Green Frequency : 50Hz Cooling : ONAN Windings : Double Wound Copper Serial : 85/444 Connection : Dyn11 Service required :</p> <ul style="list-style-type: none"> • Oil testing • Oil purification • Transformer testing • Spray painting (Green) • Replace gasket • Replace silica gel • Service bucholz relay • Replace gasket conservator tank • Fix oil leaks on cooling fins • Fix all oil leaks • Repair termination for 33kv cable • Clean the bushings
<p>40MVA,33/11KV Transformer Ferrati Tap Changer Type : DS 3000 Serial no : 7083 Motor : 220V Standard IEC2/4 Switch comp oil quality : 264 Service required :</p> <ul style="list-style-type: none"> • Fixing tap changer • Replace gasket • Fix all oil leaks • Replace eye glass
<p>11KV Vacuum Breaker Type no : SBV4/800/25/SI Rated voltage : 12 KV Rated impulse Voltage : 95 KV Frequency : 50/60hz</p>

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Rated normal current : 800 A
Rated circuit Breaking Current : 25 KA
Short time current: 20KA. For 3sec
110V DC Spring (T/C)

Service required :

- Servicing

11KV, 315KVA 3 Phase Distribution Transformer 400/230V – Inland

Colour : khaki
Frequency : 50Hz
Cooling : ONAN
Windings : Double Wound Copper

Service required :

- Oil testing
- Oil purification
- Transformer testing
- Replace gasket bushings
- Paint transformer (Khaki)

11 KV R.M.U

Serial no : T20509
Type no : NX3P
Rated voltage : 12 KV
Rated impulse Voltage : 95 KV
Frequency : 50 Hz
Rated normal current : 630 A
Rated circuit Breaking Current : 20 KA

Service required :

- Servicing

11KV, 500KVA 3 Phase Distribution Transformer 400/230V – Inland

Colour : khaki
Frequency : 50Hz
Cooling : ONAN
Windings : Double Wound Copper

Service required :

- Oil testing
- Oil purification
- Transformer testing
- Replace gasket bushings
- Paint transformer (Khaki)

11KV, 800KVA 3 Phase, Distribution Transformer

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400/230V – Inland
Colour : khaki
Frequency : 50Hz
Cooling : ONAN
Windings : Double Wound Copper

Service required :

- Oil testing
- Oil purification
- Transformer testing
- Replace gasket bushings
- Paint transformer (Khaki)

Insurance claims and reports for strip and quote of transformers.

SF6 Breaker, Gas Breaker

REYROLLE PARSONS
Serial no : 3SLMS-747
Type no : LMS/X1/QM
Rated voltage : 12 KV
Rated impulse Voltage : 95 KV
Frequency : 50/60hz
Rated normal current : 630 A
Rated circuit Breaking Current : 20 KA
Short time current: 20KA . For 3sec
Opening device : 1 – 30V DC (T/C)

Service required :

- Servicing

3.) Preference will be given to the following:

- Companies that can furnish proof of experience in the following:
 - Supply and delivery of transformers
 - Maintenance of Transformers
 - Maintenance of switchgear

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C. SCHEDULE OF TARIFFS:

Quantity	Item	Bidder Price
	A. SUPPLY AND DELIVERY	
1	3 Phase 11KV, 100KVA Pole mounted transformer	
1	3 Phase 11KV, 315KVA Distribution	
1	3 Phase 11KV, 500KVA Distribution Transformer	
1	11KV, SF6 Breaker Gas	
1	11KV VBC Breaker Male/Female	
1	3 Phase 11KV 200KVA Distribution Transformer, Pole mounted	
1	1 Phase 11KV,32KVA Pole mounted Transformer	
1	1 Phase 11KV,16KVA Pole mounted Transformer	
1	3 Phase 11KV, 315KVA Distribution Transformer.	
200 Litre	Transformer oil	
	A. Total for Supply and Delivery	
	B. MAINTENANCE AND REPAIRS	
2	20MVA,33/11KV Distribution Transformer	
	Service required :	
	Oil testing	
	Oil purification	
	Spray painting (Green)	
	Replace gasket	
	Replace silica gel	
	Service buchols relay	
	Replace gasket conservator tank	
	Fix oil leaks on cooling fins	
	Fix all oil leaks	
	Repair termination for 33kv cable	
	Total	
2	40MVA,33/11KV Transformer Ferrati Tap Changer	
	Service required :	
	Fixing tap changer	
	Replace gasket	
	Fix all oil leaks	
	Replace eye glass	
	Total	

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1	11KV Vacuum Breaker	
	Service required :	
	Servicing	
	Total	
1	11KV, 315KVA 3 Phase Distribution Transformer 400/230V –	
	Service required :	
	Oil testing	
	Oil purification	
	Replace gasket bushings	
	Paint transformer (Khaki)	
	Total	
1	11 KV R.M.U	
	Service required :	
	Servicing	
	Total	
1	11KV, 500KVA 3 Phase Distribution Transformer 400/230V	
	Service required :	
	Oil testing	
	Oil purification	
	Replace gasket bushings	
	Paint transformer (Khaki)	
	Total	
1	11KV, 800KVA 3 Phase, Distribution Transformer	
	Service required :	
	Oil testing	
	Oil purification	
	Replace gasket bushings	
	Paint transformer (Khaki)	
	Total	

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1	SF6 Breaker, Gas Breaker	
	Service required :	
	Servicing	
	Total	
1	Insurance claims and reports for strip and quote of transformers.	
	B. Total for Repairs and Maintenance	

TOTAL BID PRICE

Nb. The total price MUST be carried over to the front page of this document failing which the document will not be evaluated.

Item	Bid Price (VAT incl)
A. SUPPLY AND DELIVERY (all line items added)	
B. MAINTENANCE AND REPAIRS (All line items added)	
GRAND TOTAL	

D) TERMS AND CONDITIONS

1) OCCUPATIONAL HEALTH AND SAFETY ACT (ACT 85 OF 1993)

The Service Providers must comply with all relevant regulations pertaining to the Act and shall have on site, a responsible person appointed in writing by him when doing repair works.

2) TERMS OF APPOINTMENT

As per Ulundi Municipality's approved procurement policy, the Service Providers must be a registered Vendor. The bid will be evaluated as follows:

COMPLIANCE:

The following criteria will be used to evaluate the compliance of Service Providers. (Compliance evaluation will be done outside of 80/20 point system):

- Original Tax clearance certificate and/or Tax Pin.
- Declaration of interest.
- Declaration of bidders past supply chain management practices.
- Certificate of independent bid determination.
- BBBEE Certification.
- Company registration (CIPRO).
- CSD Certificate.
- ID's of company directors.
- Declaration of Payment of Municipal Services.
- Service Provider relevant experience

80/20 POINT SYSTEM:

- 80 Points for prize
- 20 Points for BBBEE

3) PAYMENT CERTIFICATES

As per Ulundi Municipality's approved procedures.

4) PRICE VALIDITY

The Quotation must be a **fixed** price quotation and hold valid for a period of thirty 60 days from date of closing of Tender.

E) NOTICES TO TENDERERS

Tenders are invited from Service Providers for Services as specified in the Scope of Works.

1) INSPECTION BY TENDERER

The Tenderer must carry out an inspection of the site to satisfy himself that he is fully acquainted with the work described.

2) CHECKING OF DOCUMENTS

Before the Tenderer submits his/her Tender, he should check the number of pages and if any are found to be missing, or duplicated, or the figures or typing indistinct, or Schedule of Quantities contain any obvious errors, he should refer the matter to the Director at once and have same rectified as no liability whatsoever will be admitted in respect of any error in the tender due to the foregoing. The Director may send a written instruction to all tenderers, which shall thereafter form part of these Conditions of Tender. No alterations shall be made to this document. Any departures, modifications and qualifications should be indicated in a separate letter.

3) ACCEPTANCE OF TENDER

The lowest or any tender will not necessarily be accepted and the Ulundi Local Municipality, reserves the right to accept the tender, which he deems to be the best. The whole or any part of a tender may be accepted. The employer is not obliged to state any reason for the rejection of any tender, be it as a whole or in part.

Bidders are required to:

- Use the official Ulundi Local Municipality's bid documents;
- Correctly complete the bid documents;
- Final submitted prices must be inclusive of VAT;
- Furnish all further information required by the bid documents.
- Ensure that bid documents are completed and signed in black ink;
- Submit an Original Valid Tax Clearance Certificate or Tax Pin;
- Submit the latest Municipal account of the firm;
- Registered on the Supplier Database.

4) SIGNING OF TENDER DOCUMENTS

Before submitting a tender, tenderers must ensure that this document is completed in every respect in black ink and signed by and authorized signatory in the presence of two witnesses. Said signatory and witnesses must also initial each page.

5) PLACING OF TENDERS IN TENDER BOX

Sealed tenders marked “**Tender: Supply, Delivery and Maintenance of Transformers and Switchgear**” 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 27 April 2021 **at 12h00**.

6) 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.

7) VALUE ADDED TAX AND TOTAL TENDER PRICE

Tenderers shall make provision for all taxes and any other levies in their tendered rates and lump sums. Should the rate at which VAT is charged by legislation be increased or decreased in relation to the rate applicable at the tender closing date, the difference in payment of VAT shall be borne by the employer or shall be to his benefit.

8) 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.

9) AWARDING OF BID

Ulundi Local Municipality will not award bids to service providers:

- 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; and
- Whose tax matter, or that of its directors / members are not cleared with the South African Revenue Services.
- All bid prices that are unrealistic low or high will not be considered.
- 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.

10) 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 BEE 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;
- 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.

F. RETURNABLE DOCUMENTS

List of Returnable Documents

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MBD2	TAX CLEARANCE CERTIFICATE REQUIREMENTS	16
MBD4	DECLARATION OF INTEREST	17
MBD6.1	PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011	19
MBD6.2	DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS	
MBD8	DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES	25
MBD9	CERTIFICATE OF INDEPENDENT BID DETERMINATION	27
A	Certificate of Authority for Joint Ventures / Close Corporation/ Partnership/ Company/ Sole Proprietor (Certified copies of Identity Documents in the case of Sole Proprietor)	31
B	Registration Certificates of Entities – Joint Ventures / Close Corporation/ Partnership/ Company/ Sole Proprietor.	32
D	B-BBEE Status Level Verification Certificate	38
E	Declaration of Payment of Municipal Services	39
F	Record Of Addenda To Tender Documents	40
Additional Documentation to be submitted		
H	Schedule of Proposed Sub-Contractors	
I	Curriculum Vitae of Key Personnel used for maintenance	
J	Schedule of previous works carried out by tenderer	
K	Certificate of visit to site	
L	BBBEE certificate	
M	CSD Documentation	
N	ID Copies of Directors of the firm	

BD 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.
- 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.

TAX CLEARANCE CERTIFICATE

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

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.

- o No bid will be accepted from persons in the service of the state*.
- o 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.

3.8 Do you, have any relationship (family, friend, other) with

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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

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.

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 BBBE 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;
- 2.8 **“contract”** Error! Bookmark not defined. means the agreement that results from the acceptance of a bid by an organ of state;

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- 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

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:

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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

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-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
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

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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 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

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.....
.....

9.6 COMPANY CLASSIFICATION

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

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WITNESSES:

- 1.
 - 2.
- DATE:.....

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

MBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

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

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes 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. Where necessary, for bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

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

Where

x is the imported content in Rand

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

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

The SABS approved technical specification number SATS 1286:2011 is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp at no cost.

1.6. A bid may be disqualified if –

- (a) this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and
- (b) the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

2. Definitions

2.1. **“bid”** includes written price quotations, advertised competitive bids 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 the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour and intellectual property costs), 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;

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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 (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

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

4. Does any portion of the services, works or goods offered have any imported content?

(Tick applicable box)

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

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

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

5. Were the Local Content Declaration Templates (Annex C, D and E) audited and certified as correct?

(Tick applicable box)

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

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5.1. If yes, provide the following particulars:

- (a) Full name of auditor:
- (b) Practice number:
.....
- (c) Telephone and cell number:
.....
- (d) Email address:
.....

(Documentary proof regarding the declaration will, when required, be submitted to the satisfaction of the Accounting Officer / Accounting Authority)

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

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

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

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Municipality / Municipal Entity):
.....

NB

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

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

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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
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
 - (ii) the declaration templates have been audited and certified to be correct.

(c)The local content percentages (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C;

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

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Municipality /Municipal Entity has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Municipal / Municipal Entity imposing any or all of the remedies as provided for in Regulation 13 of the Preferential

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Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE:

WITNESS No. 1 _____

DATE:

WITNESS No. 2 _____

DATE:

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

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p><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>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 <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 (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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

CERTIFICATION

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

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

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of Bidder

MBD 9 CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - 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:

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

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

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MBD 9 CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(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,

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- based on their qualifications, abilities or experience; and
- (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or 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:
- (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

EXPRESSION OF INTEREST FOR A SERVICE PROVIDER THAT HAVE CAPACITY TO SUPPLY, DELIVER AND MAINTAIN TRANSFORMERS AND 11 KV SWITCHGEAR FOR 2021/2022 TO 2023/2024 FINANCIAL YEARS

(10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature	Date
.....
Position	Name of Bidder

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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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BBBEE 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.

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:

EXPRESSION OF INTEREST FOR A SERVICE PROVIDER THAT HAVE CAPACITY TO SUPPLY, DELIVER AND MAINTAIN TRANSFORMERS AND 11 KV SWITCHGEAR FOR 2021/2022 TO 2023/2024 FINANCIAL YEARS

CHECK LIST

No	Description	Ticked Bidder	by	Ticked Municipal Representative	by
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				