

Sedibeng District Municipality



BID DOCUMENT

Tender No.	8/2/6/5-2022
Closing Date and Time	Wednesday, 14 December 2022@12H00
Description	Request For Proposals – Appointment Of Panel Of Investors/ Consultants/Developers To Provide Capital Funding And Implement Turnaround Solutions On Identified Projects On A Risk Basis For A Period Of Thirty-Six (36) Months.
Contractor / Bidder	
Bid amount	R
Physical address	
Contact person	
Telephone no.	
Fax no.	
Cell no.	
Email address	
Central Supplier Database No.	

Request For Proposals – Appointment Of Panel Of Investors/ Consultants/Developers To Provide Capital Funding And Implement Turnaround Solutions On Identified Projects On A Risk Basis For A Period Of Thirty-Six (36) Months.

Bid No.:8/2/6/5-2022

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CONDITIONS OF TENDER

1. The prospective bidder's attention is drawn to the following list of forms, attached to this document and other documents that **shall** be completed and submitted with his/her bid documents:
 - a) Tender Form
 - b) Form of Offer
 - c) Declaration of interest
 - d) Certificate of independent Bid Determination
 - e) Bidders are requested to submit their Tax Clearance Pin provided by SARS to verify that the Tax Matters are in order.
 - f) A current account or proof that utilities account (municipal rates and taxes, water and lights account) of the bidder is up to date. (Not in arrears for more than 3 months).
 - g) Proof of registration for VAT (if applicable).
 - h) Valid B-BBEE Certificate Certified copy
 - i) Central Supplier Database (CSD) Registration Number.

In terms of Section 112 (1)I of the Local Government Municipal Finance Management Act, (Act 56 of 2003), persons who were convicted of fraud or corruption or who willfully neglected, reneged on or failed to comply with a government tender during the past 5 years, or whose tax matters are not cleared by the South African Revenue Services may not participate in the tendering process and the Tenderer shall submit a sworn statement to this effect.

2. **The official tender form shall be completed in BLACK ink and any corrections to the official tender form must also be made in BLACK ink and signed by the bidder. Any tender documents received with correction fluid (Tippex) corrections shall be disqualified.**
3. Bids shall be sealed and endorsed (with bid number and bid description) and must be deposited at Sedibeng District Municipality's tender box (Ground Floor, outside the main building).
4. Sedibeng District Municipality's Supply Chain Management Policy shall apply.
5. Late, Telexed, faxed or emailed tenders will not be accepted.
6. The Council does not bind itself to accept the lowest or any tender and reserves the right to accept any tender in whole or in part.
7. Persons in the service of the state are not allowed to bid.
8. In the event that you are awarded a tender the strict compliance with terms have to observed and in so doing within a period (3 days) (*after an order is issued) a confirmation letter must be forwarded by you in terms of which you need to indicate whether or not you will be in a position to source the items per the tender and deliver same by the due date.

9. In the event that you do not furnish us with the said letter as requested and fail to comply as per the tender the Sedibeng District Municipality reserves in terms of rights to cancel this tender automatically after 3 days on the basis of your non-compliance and furthermore should you fail to deliver said goods which may necessitate the allocation of a new supplier the Sedibeng District Municipality may impose any further penalty or charges against you.
10. **In the case where all MBD Documents are not completely filled and returned, your quotation will be disqualified.**
11. **The 80/20 Preferential Procurement System will be used to evaluate all the Formal Written Quotations.**
12. Bidders must ensure that, the company status is “**in business**” with the **Company and Intellectual Property Commission (CIPC)**.
13. Bidders who are not registered on the Central Supplier Database are requested to contact National Treasury at csd@treasury.gov.za or 012 406 9222 for any assistance.
14. Exempted Micro Enterprises can submit a letter from the accounting officer; and
15. A trust, consortium or joint venture must submit a consolidated B-BBEE Status Level Verification.
16. Compulsory briefing session
17. Bidders should comply with the applicable professional fees structure issued by Department of Public Services and administration for professional service providers e.g. ECSA, SAICA, IRBA, CESA, ECSCA, CFA, SAVCA, SAIPA, SETA accreditations, registered tax practitioner and any other related professional bodies in terms of the proposal

Sedibeng District Municipality
RFQ Number: 8/2/6/5-2022

DOCUMENT	
INVITATION TO BID	MBD 1
CLEARANCE CERTIFICATE FOR WATER & LIGHTS	
TERMS OF REFERENCE/SPECIFICATIONS	
PRICING SCHEDULE – FIRM PRICES (PURCHASES)	MBD 3.1
DECLARATION OF INTEREST	MBD 4
PREFERENCE POINTS CLAIM FORM	MBD 6.1
CONTRACT FORM – PURCHASE OF GOODS	MBD 7
DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES	MBD 8
CERTIFICATE OF INDEPENDENT BID DETERMINATION	MBD 9
FORM OF OFFER AND ACCEPTANCE	
CREDIT ORDER INSTRUCTION	

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SEDIBENG DISTRICT MUNICIPALITY

BID NUMBER:	8/2/6/5-2022	CLOSING DATE:	WEDNESDAY, 14 DECEMBER, 2022	CLOSING TIME:	12:00AM
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DESCRIPTION: **Request For Proposals – Appointment Of Panel Of Investors/ Consultants/Developers To Provide Capital Funding And Implement Turnaround Solutions On Identified Projects On A Risk Basis For A Period Of Thirty-Six (36) Months.**

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS

**MUNICIPAL BUILDING
GROUND FLOOR
CORNER BEACONSFIELD AND LESLIE
VEREENIGING**

SUPPLIER INFORMATION

NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
TAX COMPLIANCE STATUS	TCS PIN:		CSD No:		
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Request For Proposals – Appointment Of Panel Of Investors/ Consultants/Developers To Provide Capital Funding And Implement Turnaround Solutions On Identified Projects On A Risk Basis For A Period Of Thirty-Six (36) Months.

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[AN ORIGINAL B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE

<p>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No [IF YES ENCLOSE PROOF]</p>	<p>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No [IF YES, ANSWER PART B:3]</p>
<p>TOTAL NUMBER OF ITEMS OFFERED</p>		<p>TOTAL BID PRICE</p>	<p>R</p>
<p>SIGNATURE OF BIDDER</p>	<p>.....</p>	<p>DATE</p>	
<p>CAPACITY UNDER WHICH THIS BID IS SIGNED</p>			
<p>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</p>		<p>TECHNICAL INFORMATION MAY BE DIRECTED TO:</p>	
<p>DEPARTMENT</p>	<p>Supply Chain Management</p>	<p>DEPARTMENT</p>	<p>SPED</p>
<p>CONTACT PERSON</p>	<p>Madikgomo Ramonana / Mohato Madibo</p>	<p>CONTACT PERSON</p>	<p>Mr. Tebogo Mutlaneng</p>
<p>TELEPHONE NUMBER</p>		<p>TELEPHONE NUMBER</p>	<p>078 027 7042</p>
<p>E-MAIL ADDRESS</p>	<p>madikgomor@sedibeng.gov.za mohatom@sedibeng.gov.za</p>	<p>E-MAIL ADDRESS</p>	<p>tebogom@sedibeng.gov.za</p>

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER’S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B: 3.
- 2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO
- 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO
- 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
- 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO
- 3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:.....

ATTACH SARS TAX CLEARANCE CERTIFICATE/PIN HERE

MIBD2:
DISCONTINUED
MIFMA CIRCULAR
NO.90



DEPARTMENT: SUPPLY CHAIN MANAGEMENT

Sedibeng District Municipality
P.O. Box 471
Vereeniging, 1930
Republic of South Africa
Tel: +27 16 450 3110
Fax: +27 86 682 9820

CLEARANCE CERTIFICATE FOR WATER & LIGHTS

Section 38 (d) (i) of Municipal Supply Chain Regulations requires that the municipality must reject a bidder whose municipal rates and taxes are in arrears for more than three months.

The purpose of this form is to obtain prove that municipal services, rates and taxes of the service provider are not more than three months in arrears with the relevant municipality / landlord in the municipal area where the service provider conduct his / her business. **This form is to be completed only if the service provider's rates and taxes are not in arrears for more than three months.**

EACH BIDDER MUST COMPLETE THE BELOW CHECKLIST (Please tick with X where appropriate):

QUESTIONS	YES	NO
1. Is your municipal rates and taxes account up to date/current (not in arrears for more than three months)?		
2. If yes, please submit proof in the form of the original or certified copy of the bidder's municipal rates and taxes account.		
3. Does the bidder lease/rent the property where the business is situated?		
4. If yes provide the contact name and contact number of the lessor/landlord:		
Contact Name:	Contact Number:	
5. Please attach the copy of the lease agreement signed by the Landlord/ lessor and the tenant/lessee as proof.		

I (FULL NAMES), _____ OF (PHYSICAL ADDRESS) _____ being a Director / principal shareholder, owner of company¹ (COMPANY NAME):

Hereby confirms that, the information submitted in this form is accurate, to the best of my knowledge.

Signature

NB: IF YOU FAIL TO COMPLETE THIS FORM, PLEASE REGARD YOUR BID AS NON RESPONSIVE!

ATTACH UTILITIES ACCOUNT HERE



Request For Proposals – Appointment Of Panel Of Investors/ Consultants/Developers To Provide Capital Funding And Implement Turnaround Solutions On Identified Projects On A Risk Basis For A Period Of Thirty-Six (36) Months. BID NO: 8/2/6/5-2022

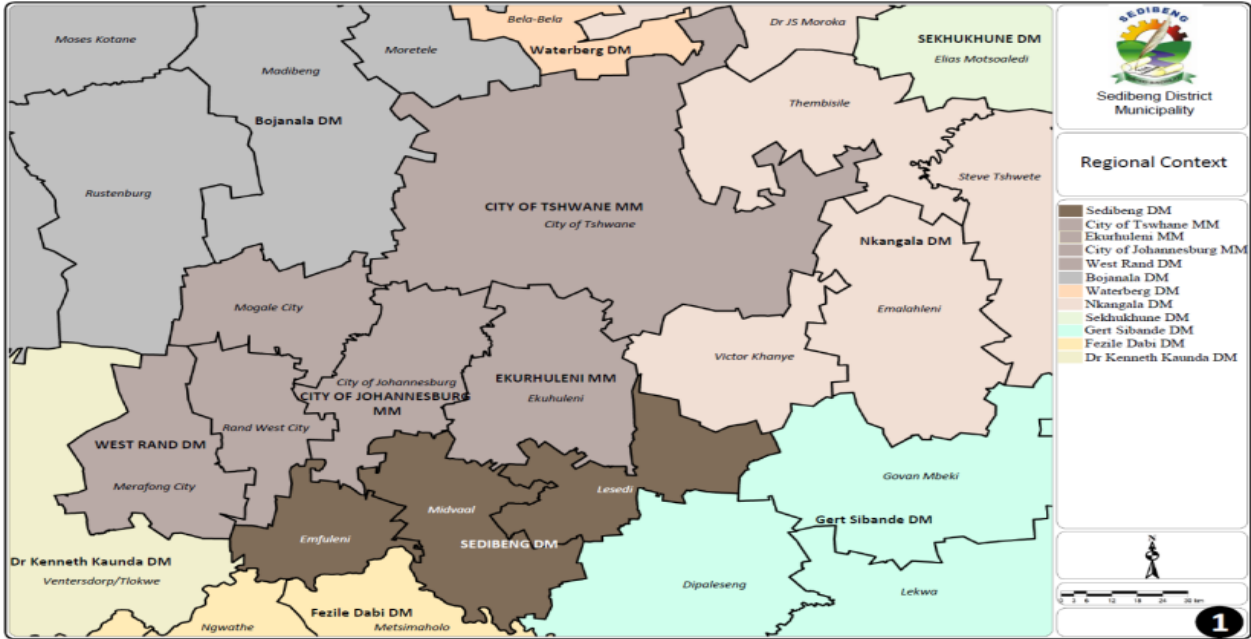
REQUEST FOR PROPOSALS – APPOINTMENT OF PANEL OF INVESTORS/ CONSULTANTS/DEVELOPERS TO PROVIDE CAPITAL FUNDING AND IMPLEMENT TURNAROUND SOLUTIONS ON IDENTIFIED PROJECTS ON A RISK BASIS FOR A PERIOD OF THIRTY-SIX (36) MONTHS. Bid No.: 8/2/6/5-2022

TERMS OF REFERENCE

APPOINTMENT OF INVESTORS/TRANSACTIONAL ADVISORS/DEVELOPERS FOR A PERIOD OF THIRTY-SIX (36) MONTHS.

BACKGROUND

Sedibeng District Municipality (SDM) is a Category C municipality situated on the southern tip of Gauteng Province and strategically located on the boarder of three Provinces, namely Free State, North West and Mpumalanga.



ECONOMIC STATE OF SEDIBENG

The Sedibeng/Vaal economy has shrunk overtime as a result of:

- Extensive de-industrialization due to the decline in the steel industry.
- Negative performance in the Clothing and textile sector.
- Mining that is at a limited scale.
- Negative growth in the manufacturing sector.
- Economy not diversified and historically reliant on the declining steel manufacturing sector.
- Impact of Covid 19
- Job losses resulting in 51.4% unemployment with a backlog of about 120 218 job opportunities.

Various interventions are underway to reignite the economic position of Sedibeng District Municipality (SDM) through implementation of various strategic and catalytic projects. SDM leads in the District Development Model (DDM), wherein all four municipalities in the region are aligned with the provincial and national governments to rollout all developmental projects and programmes towards enhanced service delivery and economic growth in the region. SDM management and political leadership have resolved on this imperative, to embrace the Public Private Partnership (PPP) as a funding model to implement economic development projects and programmes. Various projects are captured in the approved Spatial Development Framework, DDM One Plan and Integrated Development Plan (IDP), available at <http://www.sedibeng.gov.za/keydocs.html>

ABOUT THE PROPOSAL

Sedibeng District Municipality hereby invites the bidders to submit proposals for projects listed in the municipal Integrated Development Plan (IDP) as catalytic projects. This is an appointment of prospective developers to plan and attract private investment capital for the implementation of key infrastructure and economic development projects within Sedibeng District Municipality for a period of thirty-six (36) months. The intention is to initiate partnerships with key role players in the private sector for the implementation of key strategic catalytic projects in the region, at minimal cost to the municipality as the Sedibeng District Municipality has no financial capacity for the development of projects, which has a ripple effect on the quality of life and economy of the region.

The capital raised will be in the form of ~~loan finance~~, grants, investment and foreign direct investment. A fund will be established under MFMA section 12 to ensure that the monies will be managed and utilised specifically for the intended purposes. This fund is intended for Basic Infrastructure and Land Development towards:

- Establishment of Agro-processing opportunities;
- Property Development;
- Alternative Energy opportunities;
- Bulk Infrastructure;
- Transport and Logistics opportunities;
- Tourism opportunities; and
- Information and Communications Technology.

Investors, Developers and Specialists are invited to download the electronic Sedibeng District Municipality's Integrated Development Plan, Spatial Development Framework and DDM One Plan, appended to the RFP.

All submissions will be categorised into Pre-Feasibility stage or Implementation stage. There are projects wherein SDM has completed feasibility studies, some in progress, and some still in concept phase. Interested bidders will be provided with these available and completed feasibility study reports as they prepare their proposals.

The following identified projects are key and urgent:

- Fresh Produce Market (Feasibility completed, and available to bidders)
- Government Precinct (Feasibility in progress, and available to bidders)

- Doornkuil land (Pre-Feasibility completed, and available to bidders)

NB! Potential Investors/Developers are encouraged to submit proposals on any other project/s in the Sedibeng Plans/Frameworks or completely new innovation projects.

ENQUIRIES

All enquiries, information or clarity on the project/s to be made in writing by bidders to:

Technical Enquiries:

Name: Mr Tebogo Mutlaneng (Acting Executive Director: Strategic Planning & Economic Development)

Contact Number: 078 027 7042

Email Address: tebogom@sedibeng.gov.za

General Enquiries: Mr Basseyy Ramagaga (IDP Manager)

Contact Number: 076 707 7615

Email Address: basseyyr@sedibeng.gov.za

And

Mr Gerrie Deyzel

Contact Number: 082 9014 308

Email Address: grd@sedibeng.gov.za

Procurement Enquiries: Ms Madikgomo Ramonana (madikgomor@sedibeng.gov.za)

Contact Number: 066 472 72 53

And

Mr Mohato Madibo (mohatom@sedibeng.gov.za)

PROBLEM STATEMENT AND PROPOSAL

The unemployment rate within the district is increasing at a higher rate above current fiscal injections, it is currently standing at 51,4% as at 2022 stats reports.

Bidders must note and align to these factors in their proposals:

I. Strategy-Implementation Alignment

- a. The long-term vision requires refinement and key projects and budgets need to be better aligned with the vision
- b. Various projects are implemented in a fragmented manner and require better packaging
- c. A more strategic and spatial organisation framework is key

II. Organisational Flow

- a. Better organisational alignment towards implementation and impact-oriented project outcomes
- b. A strategic filter is necessary for credible project conceptualisation, packaging and execution

III. Investment Mobilisation

- a. Current levels of SDM funding are insufficient to achieve the 2030 vision and beyond
- b. Better plugging in of private sector and investment community into the SDM's vision and projects
- c. A more business-friendly environment and smarter public-private investment is necessary

Objectives

- I. Improve Alignment between Strategy and Implementation
 - a. Improve and fast-track project implementation
 - b. Enable better long-term decision making and resource prioritisation
 - c. Overcome fragmented project conceptualisation and delivery
 - d. Align to a more decisive strategic and spatial organisational framework
- II. Strengthen Organisational Flow
 - a. Strengthen the strategic leadership and management processes in SDM
 - b. Strengthen delivery, accountability and monitoring according to a long-term strategic project framework
- III. Mobilise Investment
 - a. Raise levels of funding to achieve the 2030 vision and beyond
 - b. Plug-in private sector and investment community into the SDM's vision and projects
 - c. Set up a more business-friendly environment with smarter public-private investment
 - d. Improve public-private sector collaboration

5.4 Proposal Details/Scope of Deliverables

- Assess, review and align the long-term vision, IDP, DDM, SEZ, SDF and selected project/s
- Align to a strategic spatial investment framework
- Develop project concept document/s
- Outline process to prepare and package bankable feasibility study or due diligence, where necessary
- Funding status/Solicit investment and funding approach
- Strategic facilitation of public-private sector involvement
- Project facilitation, implementation and management
- Contract management and implementation
- Monitoring and evaluation and reporting
- In general, provide:
 - Strategic and technical advice and support to the Office of the Municipal Manager
 - Support decision making processes
 - Draft submissions, reports and prepare presentations
 - Prepare and facilitate working sessions, investor sessions, etc.
 - Develop and manage strong professional working relations within SDM and with stakeholders and local businesses
 - Prepare a project charter, plan and programme and regular reporting against objectives
 - In line with nature of investment/partnership, assist or lead in the procurement, adjudication and appointment of the necessary Implementing Consultants or Contractors, with the project/s, where necessary

SPECIFIC PROJECT OBJECTIVES

Sedibeng is taking into account infrastructure development, technology; innovation to improve the economy of the area. This is to ensure:

- Job Creation
- Economic Growth and Stimulation
- Transforming urban and rural spaces

- Smart and Green buildings and surroundings
- Improving skills, education and training
- Introduction of innovation and technology

SPECIFIC APPLICABLE TERMS

The following amongst other terms to be negotiated shall apply:

- Any company so appointed shall at all times be required to comply with all SDM's terms and conditions as applicable from time to time.
- Fees and disbursements shall be paid only for work done and billed on the applicable tariff or percentage sharing to be negotiated with potential providers. The bidders are expected to comply with the applicable professional fees structure issued by Department of Public Services and administration for professional service providers e.g. ECSA, SAICA, IRBA, CESA, ECSA, CFA, SAVCA, SAIPA, SETA accreditations, registered tax practitioner and any other related professional bodies in terms of the proposal.
- The appointment will not exceed a period of thirty-six (36) months from the date of appointment, however, individual service level agreements will be aligned accordingly to within the nature of the individual project.
- The successful bidder(s) will be expected to enter into a Service Level Agreement AND Memorandum of Understanding with the municipality. The signing of the service level agreement by both the successful bidder and municipality is a condition for the appointment to be valid and effective.
- Only firm prices per project implementation will be accepted, unless dictated otherwise.
- SDM will give preference to companies who will be directly involved in the implementation and management of their projects.
- Remuneration shall be structured strictly on a Success Fee basis and shall be inclusive of all applicable costs, charges and business activities, payable subject to the successful conclusion of a funding agreement. The success fee shall be capped to a limit not more than a pre-defined percentage of the value of the project and SLA entered into per specific engagement unless regulated otherwise.

PERIOD

Bidders will be contracted for a period not exceeding thirty-six (36) months.

METHODOLOGY AND INSTITUTIONAL ARRANGEMENTS

The methodology and work plan must be set up in such a way that it facilitates a common understanding within SDM, its local municipalities and across all key stakeholders of the opportunities and impediments to growth and development.

It must further mobilize all these actors towards successful participation and achievement of goals, and it must enable rigorous project stage and cycle management. The Institutional set up and arrangements need to be specified and motivated.

REPORTING

The Bidder should be accountable and managed from the Office of the Municipal Manager. They will also have a dotted line

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alignment and engagement with various other departments affected by the various programmes and projects.

PROPOSAL LAYOUT

COMPOSITION AND STRUCTURE, BUSINESS CREDENTIALS AND FINANCIAL STANDING

- Bidders Proposed Consortium composition and structure (SPV) and Identity details
- Bidder's Credentials and financial integrity
- Bidder's Ability to finance the project
- Bidder's Strength of covenant/commitment

TECHNICAL CAPACITY

- Bidders' Technical expertise in specific field
- Bidders' Industry Knowledge in the Sector
- Bidders' Project management capabilities
- Bidders' Facilities and operations Management capabilities
- Bidders' demonstration of understanding of key Project demands/complexities
- Approach and methodology to project
- Bidders' envisaged Skills Development Plan

CONTACT DETAILS

Bidders must provide relevant and detailed company profile. They must provide the name and contact details of its Authorised Representative in its covering letter to the bid. The Authorised Representative shall replace any previous contact person and contact details of the Respondent and shall be the primary contact person used by SDM for correspondence and communication during the RFP Process.

The following contact details of the Authorised Representative must be provided: •

- Name
- Designation
- Telephone number
- Mobile number
- E-mail address
- Physical address
- Postal address

MINIMUM QUALIFYING TECHNICAL CRITERIA

- Availability of funds/capital to implement the project/s
- Submit documents to confirm/support funding/capital status, e.g. bank statements / funds guarantee letters / audited financial statements.

Experience of previous related work done by the entity

- The number of years relevant experience should be indicated and in line with the project/s successfully performed or the bidder is focusing on;
- The number of contracts of similar work done and successfully completed.

Capacity and experience of team members

- Bidders must indicate more than 10 years’ experience in Project Funding / Construction Management
- Project Manager must have 8 years’ experience in similar projects
- Project team must comprise of the following requisite skills:
 - Town/Urban and Regional Planning
 - Civil Engineering
 - Architect
- Project Team members should be professionally registered with relevant Councils

NOTES TO BIDDERS

- The bidders are expected to comply with the applicable professional fees structure issued by Department of Public Services and administration for professional service providers e.g. ECSA, SAICA, IRBA, CESA, ECSA, CFA, SAVCA, SAIPA, SETA accreditations, registered tax practitioner and any other related professional bodies in terms of the proposal.
- It will be expected that all service providers attend a compulsory briefing session.

EVALUATION

Shortlisted Bidders will be required to do presentations as part of the evaluation process.

Values: 1 = Poor, 2 = Average, 3 = Good, 4 = Very Good and 5 = Excellent			
FUNCTIONALITY CRITERIA	Percentage	Value (Max of 5 Points per criteria)	Score (Weight x Value) (Max score of 500)
<p>Availability of funds/capital to implement the project/s (1 = Poor, 2 = Average, 3 = Good, 4 = Very Good and 5 = Excellent) = 50 points</p> <p>Now = 5 Excellent 1 to 3 months = 4 Very Good 3 to 6 months = 3 Good 6 to 12 months = 2 Average More than 12 months = 1 Poor</p> <p>Submit documents to confirm/support funding/capital status, e.g. bank statements / funds guarantee letters / audited financial statements.</p>	50%		
<p>Experience of previous related work done by the entity (1 = Poor, 2 = Average, 3 = Good, 4 = Very Good and 5 = Excellent) = 30 points</p> <p>Excellent = 5 or more reference letters Very Good = 4 reference letters Good = 3 reference letters Average = 2 reference letters Poor = 0-1 reference letter(s)</p>	30%		

Values: 1 = Poor, 2 = Average, 3 = Good, 4 = Very Good and 5 = Excellent			
FUNCTIONALITY CRITERIA	Percentage	Value (Max of 5 Points per criteria)	Score (Weight x Value) (Max score of 500)
NB! All submitted letters must be relevant to project/s bidder is focusing on.			
Capacity and experience of team members (1 = Poor, 2 = Average, 3 = Good, 4 = Very Good and 5 = Excellent) = 20 points Excellent = 3 or more post graduate qualifications and 35 or more years combined experience Very Good = 2 post graduate qualifications and 30 or more years combined experience Good = 1 post graduate qualification and 20 or more years combined experience. Average = 10 or more years combined experience. Poor = Less than 10 years combined experience.	20%		
TOTAL	100%		
Minimum functionality to be deemed responsive	70%		

MINIMUM REQUIREMENTS

- Up to date utilities account e.g. Municipal Rates & Taxes account or A Valid Lease Agreement (Please note that if the Water and Lights statement is not in the company's name, kindly submit a lease agreement between the company and the landlord)
- Registered on Central Database (CSD)
- Tax compliance status pin (to enable the municipality to verify the bidders tax compliance status)
- Compulsory briefing Session.
- Bidders should comply with the applicable professional fees structure issued by Department of Public Services and administration for professional service providers e.g. ECSA, SAICA, IRBA, CESA, ECSA, CFA, SAVCA, SAIPA, SETA accreditations, registered tax practitioner and any other related professional bodies in terms of the proposal

PRICING SCHEDULE
(Professional Services)

Name of Bidder.....	Bid Number: 8/2/6/5-2022
Closing Time: 12H00 Closing Date: Wednesday, 14 December 2022	

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

ITEM NO TAX	DESCRIPTION	BID PRICE IN RSA CURRENCY INCLUSIVE OF VALUE ADDED
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1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of VAT for the project.

R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION	HOURLY RATE DAILY RATE
-----	R-----
-----	R-----
-----	R-----
-----	R-----
-----	R-----

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

-----	R-----days
-----	R-----days
-----	R-----days
-----	R-----days

- 5.1. Travel expenses (specify, for example rate/km and total km, class of air travel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
-----	R.....
-----	R.....
-----	R.....

Request For Proposals – Appointment Of Panel Of Investors/ Consultants/Developers To Provide Capital Funding And Implement Turnaround Solutions On Identified Projects On A Risk Basis For A Period Of Thirty-Six (36) Months.

----- R.....
TOTAL: R.....

5.2. Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
-----	R.....
-----	R.....
-----	R.....
-----	R.....
TOTAL: R.....			

6. Period required for commencement with project after acceptance of bid.....

7. Estimated man-days for completion of project.....

8. Are the rates quoted firm for the full period of contract?.....

8.1. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index

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

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

*Delete if not applicable

DECLARATION OF INTEREST

- 5.1 No bid will be accepted from persons in the service of the state¹.
- 2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their positioning relation to the evaluating/adjudicating authority.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

3.1 Full Name of bidder or his or her representative:.....

3.2 Identity Number:

3.3 Position occupied in the Company (director, trustee, hareholder²):.....

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

3.7 The names of all directors / trustees / shareholder members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state? **YES / NO**

3.8.1 If yes, furnish particulars.

¹MSCM 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.

² Shareholder” means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

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

3.9.1 If yes, furnish particulars.....

3.10 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**

3.10.1 If yes, furnish particulars.
.....
.....

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

3.11.1 If yes, furnish particulars

.....
.....

3.12 Are any of the company’s directors, trustees, managers, Principle shareholders or stakeholders in service of the state? **YES / NO**

3.12.1 If yes, furnish particulars.

.....
.....

3.13 Are any spouse, child or parent of the company’s director’s trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

3.13.1 If yes, furnish particulars.

.....
.....

3.14 Do you or any of the directors, trustees, managers, Principle shareholders or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. **YES / NO**

3.14.1 If yes, furnish particulars:

.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

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

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:
 - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

1.2 The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

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

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

5.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a 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.

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

5.6 DEFINITIONS

5.7 “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;

5.8 “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;
- 5.9 “**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;
- 5.10 “**Broad-Based Black Economic Empowerment Act**” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 5.11 “**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;
- 5.12 “**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;
- 5.13 “**contract**” means the agreement that results from the acceptance of a bid by an organ of state;
- 5.14 “**EME**” means any enterprise with an annual total revenue of R5 million or less .
- 5.15 “**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;
- 5.16 “**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;
- 5.17 “**non-firm prices**” means all prices other than “firm” prices;
- 5.18 “**person**” includes a juristic person;
- 5.19 “**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 respect, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

4.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

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

6. Points awarded for B-BBEE Status Level of Contribution

- 6.1 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 (80/20 system)
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2

Non-compliant contributor	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 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

- 1.1 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

- 7.1 B-BBEE Status Level of Contribution: =(maximum of 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.

[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-BBEE 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 audialteram’partem (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution

WITNESSES:

- 1.
- 2.

SIGNATURE(S) OF BIDDER(S)

DATE:.....

ADDRESS:.....

**ATTACH BBB-EE CERTIFICATE / SWORN AFFIDAVIT
HERE**

CONTRACT FORM - RENDERING OF SERVICES

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

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

- 1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
(i) Bidding documents, viz
- Invitation to bid
- Tax clearance certificate
- Pricing schedule(s)
- Filled in task directive/proposal
- Preference claims in terms of the Preferential Procurement Regulations 2001
- Declaration of interest
- Special Conditions of Contract;
(ii) General Conditions of Contract; and
(iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)
CAPACITY
SIGNATURE
NAME OF FIRM
DATE

WITNESSES
1
.....
2

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity as..... accept your bid under reference numberdated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

<i>DESCRIPTION OF SERVICE</i>	PRICE (VAT INCL)	COMPLETION DATE	PREF POINTS CLAIMED FOR HDIs	PREF POINTS CLAIMED FOR RDP GOALS

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

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

....

2

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	Is the bidder or any of its directors listed on the National Treasury’s database as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		

4.2	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)? (To access this Register enter the National Treasury's website, www.treasury.gov.za , click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	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
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



**DEPARTMENT: SUPPLY CHAIN
MANAGEMENT**

Sedibeng District Municipality
P.O. Box 471
Vereeniging, 1930
Republic of South Africa
Tel: +27 16 450 3110
Fax: +27 86 682 9892

Please provide at least 3 references

1. Name:.....
Company:.....
Position Held:.....
Contact Number (s) work.....
Mobile.....
2. Name:.....
Company:.....
Position Held:.....
Contact Number (s) work.....
Mobile.....
3. Name:.....
Company:.....
Position Held:.....
Contact Number (s) work.....
Mobile.....
4. Name:.....
Company:.....
Position Held:.....
Contact Number (s) work.....
Mobile.....
5. Name:.....
Company:.....
Position Held:.....
Contact Number (s) work.....
Mobile.....

PLEASE NOTE THAT THIS IS COMPULSORY***

**ATTACH ADDITIONAL
LETTERS OF REFERENCE
(IF APPLICABLE)
HERE**

DESCRIPTION	YES (√)	NO (X)
1. All pages are completely filled and signed by the authorized person:		
2. Bidders are requested to submit their Tax Clearance Pin provided by SARS to verify that the Tax Matters are in order.		
3. Original BBBEE Certificate or Sworn Affidavit for exempted micro enterprise signed and stamped by Commissioner of Oaths. A trust, consortium or joint venture must submit a consolidated B-BBEE Status Level Verification.		
4. Original current account of water and lights/Rates and Taxes obtainable from any Local or Metropolitan Municipality has been attached		
5. In a case of Joint Ventures (JV)/Consortium, the JV agreement has been attached		
6. The bidder has provided at least three contactable references		
7. Company registration documents e.g. CK document has been attached, in a case of a Private/Public company, shareholding information e.g. share certificate, has been attached		
8. Central Supplier Database summary report.		
9. Compulsory briefing session		
10. Bidders should comply with the applicable professional fees structure issued by Department of Public Services and administration for professional service providers e.g. ECSA, SAICA, IRBA, CESA, ECSA, CFA, SAVCA, SAIPA, SETA accreditations, registered tax practitioner and any other related professional bodies in terms of the proposal		
11. Submitted 2 copies		

**ATTACH COMPANY
REGISTRATION DOCUMENTS
HERE**

**ATTACH CENTAL SUPPLIER DATABASE
REGISTRATION
HERE**

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.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

_____ (Bid Number and Description)

in response to the invitation for the bid made by:

_____ (Name of Municipality / Municipal Entity)

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

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

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

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

FORM OF OFFER AND ACCEPTANCE

OFFER

The Employer, identified in the acceptance signature block, has solicited offer to enter into a Contract in respect of the following service:

TENDER No: 8/2/6/5-2022

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

By the representative of the tenderer, deemed to be duly authorized, signing this part of this form of offer and acceptance, the tenderer offer to perform all of the obligations and liabilities of the Service Provider under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount of R..... be determined in accordance with the conditions of contract identified in the Conditions of Contract.

THE OFFERED PRICE IS R..... (INCLUSIVE OF VAT)

This offer may be accepted by the Employer by signing the Acceptance part of this form of offer and acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the Conditions of Tender, whereupon the Tenderer becomes the party named as the Service Provider in the Condition of Contract.

Signature(s):.....
.....

Name(s):.....
.....

Capacity for the Tenderer:
.....

Name and address of organization).....

Name and Signature of Witness:.....

Date:.....

ACCEPTANCE

By signing this part of this form of offer and acceptance, the Employer identified below accepts the Tenderer’s offer. In consideration thereof, the Employer shall pay the Service Provider the amount due in accordance with the Conditions of Contract identified in the contract that is the subject of this agreement.

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the tender scheduled as well as any changes to the terms of the offer agreed by the tenderer and the Employer during this process of offer and acceptance, are contained in the schedule of deviations attached to, and forming part of this agreement. No amendments to or deviations from said documents are valid unless contained in this schedule, which must be signed by the authorized representative(s) of both parties.

The tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the Employer’s agent (whose details are given in the contract data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the Contract Data at, or just after, the date this agreement comes into effect. Failure to fulfill any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the tenderer (now Service Provider) within five days of the date of such receipt notifies the Employer in writing of any reason why he cannot accept the contents of this agreement shall constitute a binding between the parties.

Signature(s):

.....

Name(s):

.....
.....

Capacity for the Employer:

.....

(Name and address of organization).....

.....

Name and Signature of

Witness:.....

Date:.....

CREDIT ORDER INSTRUCTION

It is the policy of the Sedibeng District Municipality to pay all creditors by means of direct bank transfers. Please complete this information and acquire your banker’s confirmation.

Name of Firm Account Holder

.....

Address:.....

.....
.....

Name of Bank:

Name of Branch:.....

Branch Code:.....

Account Number:.....

Type of Account:.....

I/we hereby requested and authorize the Sedibeng District Municipality to pay any amounts that may accrue to me/us to the credit of my/our bank account.

I/we understand that a payment advice will be supplied by the Sedibeng District Municipality in the normal way that will indicate the date on which funds will be available in my/our bank account and details of payment.

I/we further undertake the inform the Sedibeng District Municipality in advance of any change in my/our bank details and accept that this authority may only be cancelled by me/us by giving thirty days’ notice by prepaid registered post.

.....
Initials and Surname

.....
Authorized Signature

Date:.....

FOR BANK USE ONLY

I/We hereby certify that the details of our clients bank account as indicated on the credit order instruction is correct:

.....
AUTHORISED SIGNATURE(S)

OFFICIAL DATE STAMP