

Sedibeng District Municipality



BID DOCUMENT

Tender No.	8/2/6/2-2023
Closing Date and Time	Tuesday, 23 May 2023@12H00
Description	The Refurbishment, Expansion, Financing And Operation Of The Vereeniging Fresh Produce Market Through A PPP Procurement Process
Contractor / Bidder	
Bid amount	R
Physical address	
Contact person	
Telephone no.	
Fax no.	
Cell no.	
Email address	
Central Supplier Database No.	

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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

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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.
- ✓ The Respondent must be a single legal entity with all other necessary expertise secured via subcontract, or under a joint venture agreement. Formal signed subcontracting contracts will not be required under the RFQ.

Any amendments to any of the information to a Response post the closing date set for submission of Responses will not be allowed and will disqualify the particular Respondent;

Any company, as well as the involvement of any person, blacklisted by the National Treasury under the “Register for Tender Defaulters in terms of GN 194 of the 11th April 2005” issued in terms of the Prevention and Combating of Corrupt Activities Act, 2004, which has been found guilty in a court of law of fraud or corruption related crimes shall be rejected by the Municipality.

Foreign firms providing Responses must become familiar with local conditions and laws and consider them in preparing their Responses.

The Municipality may, before the pre-qualification on the tender process, cancel the RFQ invitation if:

- due to changed circumstances, there is no longer a need for the services specified in the RFQ invite;
- Funds are no longer available to cover the total envisaged expenditure;
- no acceptable Response is received; or
- there is a material irregularity in the tender process.

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Upon detecting that the Respondent submitted false information regarding any matter required in terms of this RFQ process, the Municipality must -

- inform the Respondent of the detection of inaccuracies and detail thereof;
 - allow the Respondent to make a representation within 14 (fourteen) days as to why the Response submitted should not be disqualified;
16. if the Municipality concludes after considering the above representations that such false information submitted by the Respondent is material, it shall disqualify the Respondent

Sedibeng District Municipality
RFQ Number: 8/2/6/2-2023

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	

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**PART A
INVITATION TO BID**

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

BID NUMBER:	8/2/6/2-2023	CLOSING DATE:	Tuesday, 23 May 2023	CLOSING TIME:	12:00AM
DESCRIPTION	The Refurbishment, Expansion, Financing And Operation Of The Vereeniging Fresh Produce Market Through A PPP Procurement Process				

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	

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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

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R
SIGNATURE OF BIDDER	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	Supply Chain Management	DEPARTMENT	Localeconomic development
CONTACT PERSON	Madikgomo Ramonana	CONTACT PERSON	Johannis Tsotetsi
TELEPHONE NUMBER	0664727253	TELEPHONE NUMBER	082 9017591
E-MAIL ADDRESS	madikgomor@sedibeng.gov.za	E-MAIL ADDRESS	johannT@sedibeng.gov.za

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**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:

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DATE:.....

ATTACH SARS TAX CLEARANCE CERTIFICATE/PIN HERE

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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.





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!

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ATTACH UTILITIES ACCOUNT HERE

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REQUEST FOR QUALIFICATION

FOR

**THE REFURBISHMENT, EXPANSION, FINANCING AND OPERATION OF THE
VEREENIGING FRESH PRODUCE MARKET THROUGH A PPP PROCUREMENT
PROCESS**

TENDER NUMBER (8/2/6/2-2023)

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PREFACE

(A) DISCLAIMER

The Sedibeng District Municipality (“**the Municipality**”) provides the information which is contained in or sent with this Request for Qualification (“**RFQ**”), or which is made available in connection with any further enquiries in subsequent Briefing Notes (collectively herein referred to as “**the RFQ**”) in good faith. The Municipality may issue additional information in the form of Briefing Notes regarding clarification to this RFQ. The Municipality accepts no responsibility for the failure of the Respondent to receive or have access to a Briefing Note issued.

This RFQ is being made available by the Municipality to potential Key Contractors, Consortiums or Companies, or any other related person (herein collectively referred to as “**the Respondent(s)**”) on the condition that it is used solely for this procurement process and for no other purpose. Accordingly, all costs incurred by Respondents concerning this RFQ process are for such potential Respondents account alone.

No representation or warranty, express or implied, is or will be given by the Municipality or any of its employees, agents, or advisers concerning the information or opinions in this RFQ. Any liability in respect of such representations or warranties is due to this expressly disclaimed.

Any requirement set out in this RFQ is stipulated for the sole benefit of the Municipality, and save as expressly stated to the contrary, may be waived at the Municipality’s discretion at any stage in the procurement process. The Municipality reserves the right to use the context of any Response at any time during this procurement process and to include such content in any tender document, which may or may not be made available during this or future tender processes.

The Municipality reserves the right to amend, modify or withdraw any procedures or requirements related to this RFQ at any time. This right terminates on the closing of the bidding period and subsequent announcement of Pre-qualified Bidders, without prior notice and without liability to compensate or reimburse any Respondent.

Each interested party to this RFQ must make their independent assessment of the Project after conducting such investigation and taking professional advice as they deem necessary.

Respondents submitting Responses will be deemed to do so on the basis that they have satisfied themselves as to the authority of the Municipality to procure the Project and to be fully acquainted with the laws of South Africa (including without limitation all statutes and regulations on a national, provincial and municipal level) and the subject matter of the Project. Respondents are, therefore, at any stage of the Project, not entitled to request any advice or

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opinion from anyone or advisors or employees of the Municipality on the competency of the Municipality to procure the Project or concerning any aspect of the Project.

(B) IMPORTANT NOTICE:

This RFQ is made available in electronic format to interested Respondents (cost-free) on the basis that the RFQ is distributed as 'read-only files'.

Responses to this RFQ will be evaluated holistically "the whole is greater than the sum of its parts" basis. Accordingly, the evaluation of Responses to this RFQ shall focus on establishing the competency, experience hosted, understanding of PPP's and this Project, the capability of running markets of similar nature, inputs on empowerment, and detail given on the structure of the Consortium.

Suppose any Respondent or its employees, advisers, or agents makes or offers to make any gift to any public official, employee, or consultant of the Municipality either directly or through an intermediary. In that case, such Respondent may be disqualified from participating in the tender process.

Each Respondent to this RFQ agrees to keep all information confidential (herein referred to as "**Confidential Information**"). The Confidential Information provided may be made available to a Respondent who is directly involved in the procurement process (who must be made aware of the obligation of confidentiality), but which information shall not, either in whole or in part, be copied, reproduced, distributed or otherwise made available to any other party in any circumstances without the prior written consent of the Municipality, nor may it be used for any other purpose than that for which it is intended. These requirements do not apply to any information which is or becomes publicly available or is shown to have been made so available, otherwise than through a breach of a confidentiality obligation.

Respondents will keep confidential any confidential information contained in the information provided and may be required to sign confidentiality agreements in such form as the Municipality may require from time to time. All Confidential Information provided (including all copies thereof) remains the property of the Municipality and must be delivered to the Municipality on demand. Further, by receiving this RFQ each Respondent agrees to maintain its Response submitted confidential from third parties other than the Municipality, who are required to review the same for this tender process.

The GIFA, on behalf of the Municipality has engaged in appointing independent Transaction Advisors to advise on the Project, acting as advisers in assisting the Municipality in concluding a feasibility study, assisting with the procurement of a Private Party to reach Commercial/Financial Close, and sign a PPP Agreement and accordingly will not be responsible to any person or institution other than the GIFA and/or Municipality in respect of the Project.

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(C) GLOSSARY OF TERMS

The following acronyms are used in this RFQ:

B-BBEE	Broad-Based Black Economic Empowerment Act, No 53 of 2003
CIPC	Companies and Intellectual Property Commission
CSD	Central Supplier Database
CV	Curriculum Vitae
EME	Exempted Micro Enterprises
GIFA	Gauteng Infrastructure Financing Agency
MFMA	Municipal Finance Management Act No 56 of 2003
MSMA	Municipal System Act 32 of 2000
PFMA	Public Finance Management Act No 1 of 1999
PPPFA	Preferential Procurement Policy Framework Act No 5 of 2000
PPP	Public Private Partnership
QSE	Qualifying Small Enterprises
RFQ	Request for Qualification
RFP	Request for Proposal
SANAS	South African National Accredited Services
SARS	South African Revenue Services
SMME	Small Medium and Micro Enterprises
TCS	Tax Compliance Status
VFPM	Vereeniging Fresh Produce Market

The following terms shall have the meanings assigned to them hereunder, and cognate expressions shall have corresponding meanings, namely:

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Affordable	means the financial commitments to be incurred by the Municipality in terms of the PPP Agreement, which funds can meet: (i) designated within the Municipality’s anticipated budget(s) for the function(s) to which the PPP Agreement relates, and/or (ii) destined for the Municipality in accordance with the Medium-Term future budgetary projections;
Authorised Representative	means the person/official who is fully authorised to provide a Response under this RFQ and who represents the Respondent.
Bid	means a proposal submitted by a Bidder in Response to a RFP;
Bidder	means a Pre-qualified Bidder who, having received an RFP responds thereto by submitting a proposal to undertake the Project or forms an intention to submit a proposal in Response to the RFP;
Black Enterprise	means an enterprise that is at least 50.1% beneficially owned by Black People and in which Black People have substantial Management Control. Such beneficial ownership may be held directly or through other Black Enterprises;
Black People	means African, Coloured, Indian, and Chinese South African citizens;
Briefing Note	means a note issued by the Municipality to Respondents clarifying issues on the RFQ, prior to submission of a Response;
Commercial Close	means the date of signature of the PPP Agreement and if signed on different dates, the last of such dates;
Company	means a legal entity formed by a group of individuals to engage and operate a business, commercial or industrial enterprise;

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Consortium	means any group of persons wishing to be pre-qualified and to respond to provide the services and to submit a response to this RFQ;
Constitution	means the Constitution of the Republic of South Africa Act 108 of 1996;
Confidential information	means information provided by the GIFA or Municipality which is information confidential in nature;
Equity	means any and all issued shares (or to be issued) in the authorised share capital of the Private Party, the entire amount standing to the credit of the share premium account, and the principal of any and all loans made by shareholders of the Private Party, whether or not such loans are evidenced by written agreements, debentures or other documentation;
Financial Close	means the date following Commercial Close, on which the last of the conditions precedent in the PPP Agreement is fulfilled or waived, as the case may be where financing documents become unconditional, and funds become available;
Government	means the Government of South Africa constituted in terms of the Constitution; any one or more of all 3 (three) branches or spheres of Government: national, provincial, or municipal;
Lenders	means a financial institution (s) that will provide the financing to the Private Party in various capacities and in respect of multiple types of debt provided by them under the financing agreements;
Member	means, with respect to a Respondent or Pre-qualified Bidder, which is a Consortium, each Member thereof; including each Relevant Entity and Key Contractor;
Management Control	means, concerning any enterprise, the ability to direct or cause the direction of the business and management policies or practices of that enterprise;

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Municipality	means the Sedibeng District Municipality
Payment Mechanism	means a structure in the form of a matrix that sets out for each and every point of service delivery or workstation the defined availability of service criteria and an associated portion of unitary allocated for the provision of the services at that point of service. Unitary is defined as the sum of all of the full availability values for all of the points of service set out in the Payment Mechanism; inclusive of the cost of financing and capex costs of construction;
Penalty Regime	means a formula for assessing a penalty in money terms for any failure of availability, in whole or part, at a defined point of service;
PPP Agreement	is the agreement to be entered into by the Municipality with the Private Party for the provision of the services;
Preferred Bidder	means the Pre-qualified Bidder who, following evaluation of its proposal in Response to the RFP, is selected by the Municipality as the party with whom to conclude a PPP Agreement;
Pre-Qualified Bidder	means each Respondent who is in due course pre-qualified to bid to provide the services;
Private Party	means the successful Bidder who is awarded the right to undertake the Project and conclude the PPP Agreement;
Project	the refurbishment, financing, operations, expansion of the existing infrastructure, and introduction of the necessary institutional changes required to enable the market to once more function effectively and comply with current health, municipal and other regulations;
Relevant Entity	means any member of the Respondent or Pre-Qualified Bidder that acquired or is committed to developing Equity in the Private Party;

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Response	means a response submitted by a Respondent to this RFQ;
Respondent	means each Respondent that wishes to be pre-qualified to bid to provide the services (whether it is a single organisation or a Consortium);
Reserved Bidder	A bidder appointed for consideration in the event of failure of negotiations with the Preferred Bidder;
Site(s)	Vereeniging, 1939, City of Gauteng, South Africa. Portion 26 of the Farm Leeuwkuil 596 Registration Division IQ, Province of Gauteng measuring 268 0014, held by Deed of Transfer T59373/2008;
Small Enterprise	means the same as a Small, Medium and Micro Enterprise
Subcontractors	mean the counterparties of the Private Party to the subcontracting arrangements, including the construction subcontractor and the operations sub-contractor; and any sub-subcontractors for goods or services of whatever kind;
South Africa	means the Republic of South Africa, constituted in terms of the Constitution;
Transaction Advisor(s)	Advisor(s) appointed by GIFA to provide project preparation advice to the Municipality and to prepare a feasibility study, provide assistance with the procurement process, reach Financial and Commercial Close, up until the appointment of a Private Party which is to sign a PPP Agreement;
Turnkey Contractor	means the Key Contractor who will enter into a contract with the Private Party for the execution of the Private Party's obligations about the design, construction, and commissioning of the facilities, from which the services during the operating period be provided;
Treasury Regulations	National Treasury Regulations as promulgated in terms of the PFMA and MFMA;
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1. PURPOSE

This RFQ is intended to set out relevant information on the proposed PPP project, the terms and conditions under which this RFQ is issued, and the information required of entities submitting Responses.

The purpose of issuing this RFQ is to enable the Municipality to pre-qualify interested parties who wish to be involved in the delivery of the Project and to assess whether the interested parties fulfil the Municipality's requirements and criteria as set out in this RFQ. It is intended that the RFQ and subsequent processes be conducted transparently and openly to ensure that the Municipality's objectives for the Project are achieved, and that the Municipality meets its affordability targets, transfer sufficient risk, and achieves all value-for-money objectives.

The overall tender process will be conducted in 2 (two) phases. The first phase will involve the pre-qualification of interested parties based on their compliance with the specified requirements and criteria outlined in this RFQ. The second phase will include Respondents who have successfully pre-qualified and will be invited to submit detailed Bids during the Request for Proposal (RFP) phase.

This 2 (two) phase process will relate to 2 (two) respective tender stages where Respondents will firstly be provided an opportunity to respond to this RFQ and offer suggestions to improve the technical, commercial, and empowerment drivers, which may enhance the tender concept. The outcome of this RFQ process intends to feed into the RFP phase, aiming to attract quality bids.

The Project falls within the definition of a PPP, which will be regulated by following Treasury Regulations promulgated in terms of section 120 of Municipal Finance Management Act (“**MFMA**”) and sections 21 and 21A of the Municipal Systems Act (“**MSA**”) which prescribes the processes and procedures municipalities must follow when concluding PPPs and which requires, among other things:

- the preparation of a feasibility study to be submitted to the council for a decision, in principle, on whether the Municipality should continue with the proposed PPP;
- at least 60 (sixty) days before the meeting of the council at which the matter is to be considered, following sections 21 and 21A of the Municipal Systems Act (MSA) to (if) make public, include particulars of the proposed PPP, including the report on the feasibility study;
- invite the local community and other interested persons to submit to the Municipality comments or representations in respect of the proposed PPP and solicit the views and recommendations of the National & Provincial Treasury, Department of Agriculture and Rural Development (“**DARD**”) as well as the department of Cooperative Governance and Traditional Affairs (“**CoGTA**”).

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The MFMA establishes the norms, standards, and other requirements for municipalities to ensure transparency, accountability, and appropriate lines of responsibility in their fiscal and financial affairs, the management of their revenues, expenditures, assets, and liabilities, and management of their financial dealings. As currently envisaged, the preferred option triggers the requirements of section 33 of the MFMA about projects with future budgetary implications, which must be complied with. This includes soliciting the views of the community, National and Provincial Treasury, CoGTA, as well as DARD in addition to the approval of the council of the Municipality.

More details are available on the National Treasury's PPP website at www.ppp.gov.za.

2. SUBMISSION

2.1 Requirements

The Municipality now invites Responses from Respondents for the provision of specifications and criteria of services according to the terms as set out in this RFQ for the refurbishment, expansion, financing, and operation of the Vereeniging Fresh Product Market ("**VFPM**") through a PPP procurement process ("the Project").

The procedure for the evaluation process of the Responses is to comply with the Preferential Procurement Policy Framework Act, 2000 ("**PPFPA**") and Preferential Procurement Regulations of 2017.

Respondents may ask for clarification on this RFQ up to close of business day, 48 (forty-eight) hours before the closing date specified for this RFQ. Any request for clarification by a Respondent must be e-mailed to the responsible officials set out in Table 1 below, and it is important to note that telephonic, written, or faxed requests will not be accepted. Any verbal information given by any official representing the Municipality before the closing date of this RFQ will not be regarded as binding on the Municipality. Only information issued formally by the Municipality in writing or electronic mail will be considered formal and binding.

Respondents may not contact the Municipality and/or GIFA on any matter about this RFQ from the closing date of the RFQ to the time the Respondents are formally pre-qualified. Any effort by a Respondent to influence the pre-qualification in any manner will result in the rejection of the Respondent's Response. From the closing date of the RFQ process until final pre-qualification, communication to the respective Respondents may only be done through written communication by an official or person acting in the advisory capacity for the Municipality on the respective tender platform hosted by the Municipality.

During the evaluation process of this RFQ, the Municipality reserves the right to seek clarification from the Respondent on the salient features of the RFQ and may request the Respondent to make a clarification and or presentation.

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The Municipality shall keep all submitted Responses in safe custody until the RFQ's closing time, and all Responses shall be treated as commercially sensitive. Responses shall be opened as soon as possible after the closing time.

Responses must be submitted in the tender box location as set out in Table 1 below on or before the closing date and time, and Responses received after the closing date and time stipulated below shall be marked as "late" and may not be admitted for further consideration by the Municipality, unless the Municipality is satisfied (in its sole discretion) that substantial exculpatory reasons exist, which permits the allowance of a "late" Response. Where practicable. "late" Responses shall be returned unopened to the submitting Respondent. The tender box is open 24 (twenty-four) hours, 7 (seven) days a week.

Responses submitted by fax will not be accepted.

Table 1

	RFQ for the Refurbishment, Expansion, Financing, and Operation of the Vereeniging Fresh Produce Market through a PPP procurement process.	
Institution:	Sedibeng District Municipality	
Technical enquiries:	Kevin Abrahams Tebogo Mutlaneng	Project Manager Project Officer
Email:	<u>k.abrahams@gifa.co.za</u> <u>TebogoM@sedibeng.gov.za</u>	
General enquiries:	Contact Person: Madikgomo Ramonana at for SCM Enquiries	Procurement Services
Email:	MadikgomoR@sedibeng.gov.za	
Download	Documents are available free of charge via download from the Sedibeng District Municipal Portal - http://www.sedibeng.gov.za/tenders.html	
Box location for RFQ	TENDER BOX at Sedibeng District Municipality, Cnr Leslie and Beaconsfield Avenue, Vereeniging. (The tender box is outside the building, ground floor).	
Closing date and time:	Closing date and time: 12 pm 22 May 2023	

2.2 Format

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All Responses must be submitted on the official tender forms (not to be re-typed), and all required information must be completed and must be signed by the person duly authorised to do so.

Respondents are advised that their Responses must be concise, written in plain English, and simply represented.

Each page of the Response in a separately bound copy should be numbered consecutively from beginning to end and contain a detailed index referencing all parts of the Response. Respondents must check the pages' numbers and satisfy that none are missing or duplicated. No liability shall be accepted with regard to claims arising from the fact that pages are missing or duplicated.

Each Response must be delivered : 1 (one) master and 2 (two) hard copies of the Response as well as one electronic copy. The master Response must be marked as the 'Master Response, and each copy must be marked as 'Copy 1' and 'Copy 2'. The Respondent must ensure that the 'Master Response' and the prescribed hard copies are identical to the DVD; CD, or Electronic Disc/Stick. The Municipality will take no responsibility for any inconsistencies between the copies. Any documents forming part of the original Response that are not authentic must be certified as a true copy by a Commissioner of Oaths.

All Responses must be submitted in a sealed envelope/package clearly and visibly containing the following demarcation on each envelope/package:

For attention: Madikgomo Ramonana
RFQ tender number: [8/2/6/2-2023]
Description The Refurbishment, Expansion, Financing And Operation Of The Vereeniging
Fresh Produce Market Through A PPP Procurement Process

Respondent name:
Authorised Representative:

The Municipality accepts no liability for any failure by the Respondent to receive information or communication from the Municipality where the contact details of the Authorised Representative are incorrect or have changed.

The Response formulation must be clear and concise and follow a clear methodology which Respondents must explain upfront in a brief executive summary and follow throughout the Response. Respondents must provide sufficient information and detail to enable the Municipality to evaluate the Response.

Information submitted as part of a Response must, as far as possible, be submitted according to the order of the required information requested by the Municipality in the RFQ. All pages must be consecutively numbered. Respondents must ensure that each requirement contained in the RFQ is sufficiently addressed. Respondents

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should, as far as possible, use the terms and definitions in this RFQ and indicate their interpretation of any differing terminology applied.

2.3 Responses

The Respondent must be a single legal entity with all other necessary expertise secured via subcontract, or under a joint venture agreement. Formal signed subcontracting contracts will not be required under the RFQ.

Any amendments to any of the information to a Response post the closing date set for submission of Responses will not be allowed and will disqualify the particular Respondent;

Any company, as well as the involvement of any person, blacklisted by the National Treasury under the "Register for Tender Defaulters in terms of GN 194 of the 11th April 2005" issued in terms of the Prevention and Combating of Corrupt Activities Act, 2004, which has been found guilty in a court of law of fraud or corruption related crimes shall be rejected by the Municipality.

Foreign firms providing Responses must become familiar with local conditions and laws and consider them in preparing their Responses.

The Municipality may, before the pre-qualification on the tender process, cancel the RFQ invitation if:

- due to changed circumstances, there is no longer a need for the services specified in the RFQ invite;
- Funds are no longer available to cover the total envisaged expenditure;
- no acceptable Response is received; or
- there is a material irregularity in the tender process.

Upon detecting that the Respondent submitted false information regarding any matter required in terms of this RFQ process, the Municipality must -

- inform the Respondent of the detection of inaccuracies and detail thereof;
- allow the Respondent to make a representation within 14 (fourteen) days as to why the Response submitted should not be disqualified;
- if the Municipality concludes after considering the above representations that such false information submitted by the Respondent is material, it shall disqualify the Respondent.

2.4. Validity Period

The RFQ shall be valid for a period of 90 (ninety) days. This RFQ invite does not constitute an offer to enter into a The Refurbishment, Expansion, Financing And Operation Of The Vereeniging Fresh Produce Market Through A PPP Procurement Process



contractual relationship with any Respondent. The Municipality may extend this RFQ's validity period for any reason.

2.5 Bid Evaluation

The RFQ will be evaluated based on the point system stipulated in the Preferential Procurement Policy Framework Act (PPPFA). The Respondent who achieves the highest total points out of 100 (hundred) will be recommended by the Bid Evaluation Committee (**BEC**) to be pre-qualified.

In this tender under Table 2 below, the administrative compliance elements, as a Stage 1, will constitute the first hurdle to pass through to Stage 2.

Table 2

Evaluation element	Weighting
Stage 1:	
Administrative Compliance	n/a
Stage 2:	
Financial Standing	30%
Technical/Functional	50%
Empowerment	20%
	100 points (with a threshold of 70%)

2.5.1 Stages

Responses that do not meet the Administrative Compliance requirements under Stage 1 will not be considered for Stage 2. Likewise, responses that fail to meet the minimum threshold of 70% for Stage 2 will be eliminated and not be eligible for pre-qualification under this RFQ process.

2.5.1.1 Stage 1: Administrative Compliance

The BEC members will be responsible for the evaluation and/or outcome of the Administrative Compliance and Responses received against certain requirements set in the RFQ invite, and these will include the following:

2.5.1.1.1 Compulsory Requirements

The following are compulsory requirements for any Response received:

- Response commitment and declaration of interest must be completed and signed by the Respondent;
- Declaration of acceptance by the Respondents for the Supply Chain Management Practices set by the Municipality must be completed and signed;

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- Certificate of independent Response and such determination must be completed and signed by the Respondent;
- The Respondent must respond to the forms as attached to this RFQ;

Failure to comply with any of the above **may** result in the Respondent being disqualified.

2.5.1.1.2 Other required documents

Certain information will be required from the Respondent, and should the respective Respondent fail to comply, although important, non-submission will not lead to the elimination of the Respondent but may require some further clarification.

The following information is required

- Curriculum Vitae's ("**CV's**") of any one individual may only be submitted as part of one Response;
- Proof of registration with the National Treasury Central Supplier Database ("**CSD**"/"**MAAA**") number;
- A company profile must provide a record of experience, highlighted successes, elaboration on the period dedicated to a specific area/project, the specific role in the area/project, and the extent to which the experience demonstrates a holistic view of their specialisation. Experience of a company must be supported by CV's from respective individuals who are still employed in the company;
- The Respondents must submit copies of identity documents of directors or shareholders of the company;
- The Respondent must submit copies of academic qualifications (certification not necessary);
- Respondents to provide their 'Business Registration Directorship', 'Membership identity Numbers' and 'Tax Compliance Status';
- Where applicable, proof of company registration from the Companies and Intellectual Property Commission ("**CIPC**") or other organisation registration authority must be submitted in the form of certified copies of registration documents;
- Proof of valid tax Compliance Status ("**TCS**") PIN from South African Revenue Services ("**SARS**") must be submitted by all South African firms submitting for the lead advisory firm.
- Provide the lead advisory firm's audited and signed off financial statements issued for the last 2 (two) years. Where the Respondent or advisor is not yet operating in South Africa, it must submit proof of "good standing" with the relevant taxation authority in its country of origin;
- Respondents must ensure that all the forms attached to this RFQ are completed and submitted with their Response.
- The Response must be signed and authorised by the Authorised Representative. By signing the Response, the signatory(s) warrants that all information supplied by it in its Response is true and correct and that the

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Respondent and each party whom the Respondent signatory represents consider themselves subject to and bound by the terms and conditions of this RFQ.

- Documentation requiring the signature of the Authorised Representative must be signed as follows:
 - Parties in partnerships should provide the signature of the 2 (two) duly authorised representatives;
 - Parties which are companies should provide the signatures of 2 (two) directors or a director such persons being duly authorised for the purpose;
 - Parties forming a trust should provide the signature of 2 (two) of the trustees, duly authorised thereto in terms of the trust deed of the trust;
 - Parties that are another form of a legal or corporate entity must provide the signature of s such persons as are duly authorised in terms of the entity's Constitution or as required by law;
- Responses submitted by joint ventures of 2 (two) or more firms shall be accompanied by a declaration of intent to form a Joint Venture.
- The attention of the Respondents, its members, and subcontractors is drawn to Section 4(1)(b)(iii) of the Competition Act, 1998, which prohibits collusive tendering;
- The Respondent must provide the following detailed information for each Sponsor and Subcontractor forming part of the proposed Consortium:
 - Name and contact details;
 - Type of business entity with supporting documentation. The following documentation must be provided, depending on the type of entity:

Company:

- (a) Certificate of Incorporation (CM1);
- (b) Certificate to commence business (CM46);
- (c) Most current register of directors (CM29);
- (d) Memorandum of Association.

Closed Corporation:

- (a) Founding Statement (CK1);
- (b) Amended Founding Statement (CK2) (if applicable).

Trust :

- (a) Description of trustees and trust beneficiaries;
- (b) Most current letters of authority;
- (c) Trust deed.

Partnership:

- (a) Description of partners;

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(b) Partnership agreement.

Other legal/statutory entities

(a) Description of ownership;

(b) Founding document/constitution.

(c) Proof of registration (if any);

(d) Valid tax status

- Details regarding the parent or holding companies and subsidiaries and the relationship between such entities are imperative. Any organisation to form part of the Respondent in the future which does not exist at the time of submission of the Response must be expressly indicated in this RFQ.
- Any changes effected in the corporate entity, consortium, or sub-contractor arrangement after pre-qualification but prior to tendering for the RFP will only be allowed if the change will constitute the same level of expertise and experience in the Respondent's Constitution as responded to under the RFQ. The Respondent shall inform the Municipality before effecting such a change and approval will have to be sought from the Municipality for such a corporate change to the Constitution.
- The Respondent must provide the following information for each sponsor and subcontractor forming part of the proposed Consortium:
 - The existence of any current substantial litigation or arbitration in the last 4(four) years to which any sponsor or subcontractor has been a party to;
 - Where any litigation or arbitration is indicated, provide the detail of such litigation or arbitration, the opposing parties, the amount in dispute, the outcome of the litigation and the implications of the litigation for the relevant party and its ability to perform;
 - Indicate the insolvency or winding-up of any sponsor or subcontractor of the Respondent, and where such a possibility exists or proceedings are in progress, indicate which safeguards the Respondent will employ to replace such sponsor or subcontractor to the satisfaction of the Municipality and to avoid dissolution of its empowerment compliance;
 - Details of any substantial dispute regarding the provision of services with a supplier and/or client of the party in the last 3 (three) years, and the details of the nature, outcome and current status of such dispute;
 - Details of any contract that has been cancelled or not renewed due to failure to perform in accordance with the terms and conditions thereof;
 - Save as disclosed in its Response, the Respondent, through the submission of its Response, warrants that no event as described above has occurred in respect of any sponsor or subcontractor, and in respect of the disclosure made, warrants the accuracy of the information supplied.
- A "**Letter of Commitment**" indicating availability and commitment of the Respondent to the Project and providing consent to the detailed individual commitments and obligations indicated in the Response as accruing to them. Letters of Commitment must also be approved and authorised by the signatory entitled to sign the Response and provide an undertaking that through such signatory's signature each party considers itself bound to the terms and conditions of the RFQ.

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➤ **Provide details regarding the following:**

- Description of current business;
- Summary of South African resources and capacity;
- Summary of global resources (if applicable).

➤ The Respondent must provide the following information for each Sponsor and Subcontractor forming part of the proposed Consortium:

- Number of years in business;
- Provide audited financial statements for the last 2 (two) financial years, as well as that of any other entity that will be guaranteeing any financial obligations. Where a party cannot provide such detailed reasons as to why must be given. Any qualifications or conditions in the financial statements provided, which may affect its ability to perform the Project or any element of the Project or may affect the party's continued existence

➤ The Respondent must indicate and provide detail regarding the following:

- The sponsors and subcontractors forming part of the Consortium and future organisations to form part of the Respondent. Confirm any parent company authorisation/support/security which shall be given in relation to the performance of the Respondent's obligations.
- Identify the main Sponsors/Subcontractors for:
 - Fresh produce market expertise;
 - Soft and hard facilities management;
 - Design and construction;
 - Operating the Facility.
- Provide an organogram for the management structure of the Special Purpose Vehicle (**SPV**).
- Respondents must provide the information above in respect of the Consortium make-up to the Municipality.
- Respondents must also provide an indication of the level of Risk acceptance – at a high level.

2.5.1.2 Stage 2: Technical Evaluation

The technical evaluation will be evaluated according to the thresholds set in this RFQ.

The evaluation criteria set out (i) the evaluation criteria for measuring functionality (ii) points for each criterion and sub-criteria (iii) reference where category information may be found in Response. Points scored for functionality will be rounded off to the nearest 2 (two) decimal places.

2.5.1.2.1 Legal and Financial Advisors

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The Respondent must indicate the name and contact details of the financial and legal advisor who will assist the Respondent. Detail regarding the relevant experience of the advisors in PPP's or similar type of market projects must be stated.

2.5.1.2.2 Technical Capacity

Fresh Produce Market expertise

The Respondent must clearly indicate in its Response in relation to the technical works to be undertaken for the Project, as follows:

- Indicate the sponsors and subcontractors that will be performing the works, and the degree of involvement of each party;
- Indicate relevant experience or similar work/projects undertaken in the past;
- State names and brief resumes of each of the key personnel and organisations they represent;
- Compliance with local and international norms and standards;
- Detail of the methodology and approach that will be applied to the works and how value-adds and innovation can be introduced to the Project.

Facility Management expertise

The Respondent must indicate in its Response in relation to the works to be undertaken for the Project, the following:

- The Sponsors/Subcontractors that will be maintaining the VFPM, and the degree of involvement of each part;
- Relevant experience or similar work/projects undertaken in the past;
- Names and brief resumes of each of the key personnel and organisations they represent;
- Detail of the methodology and approach that will be applied to the maintenance and how value-adds and innovation can be introduced to the Project;
- A statement indicating the Respondent's approach to the involvement and employment of local people and women.

Project Management capability

The Respondent must provide detail regarding:

- Ability, experience, and capacity to manage projects similar to the Project;
- The methodology its dedicated project management team will apply in managing the various teams and elements of the Project to ensure the integrated delivery of the Project according to the Municipalities needs and timeframes;

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- It's understanding of the various key project management issues in a PPP project;
- It's understanding of managing a PPP project through various stages providing its understanding of risk transfer and contractual responsibilities.

Understanding of key project demands/complexities

The Respondent should provide a detailed exposition of its understanding of the key concepts of the Project, the proposed Project structure, and its PPP nature and should discuss its views of the Project, providing suggestions and recommendations as to innovation and possible alternative options for the Project scope. This section will contribute to improving the content and standard of the RFP. The following elements should, at a minimum, be addressed in the Respondent's discussion:

Concerns regarding the Project and ability of the Project to deliver to Municipalities needs.

- Respondent's objectives for the Project and anticipated approach to the PPP and methodology for delivering each element of the Project;
- Envisaged process to be followed in implementing the services, to minimise disruption of VFPM operations, on-going management, and measurement of the service provisioning and quality and measures of addressing scope changes during the Project term;
- An indication of potential timeframes from appointment to a fully operational facility as well as options for early commencement of services;
- Any other general issues relating to the Project.

2.5.1.2.3 Empowerment

In terms of National, Provincial and Municipal objectives for high catalytic projects such as this one, it is imperative that Broad-Based Black Economic Empowerment (“**B-BBEE**”) forms an integral part of the Project.

B-BBEE – Objective

The respondents need to ensure that the B-BBEE targets are taken into account as part of their Responses. Below are the key areas of B-BBEE to be considered for consortiums to be shortlisted for participation in the RFQ.

- **B-BBEE Contributor Status Level**

Respondents are required to identify their minimum weighted B-BBEE contributor status level, issued by a verification agency accredited by the South African National Accredited Services (“**SANAS**”), by Registered Auditors approved by the Independent Regulatory Board of Accounting Auditing Services or through an affidavit in

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accordance with the guidelines issued by the Department of Trade and Industry. The B-BBEE contributor status Level mentioned above is a pre-qualification criteria.

- **Black Shareholders in the Consortium**

Bidders are required to indicate minimum ownership by black shareholders in the Consortium.

Target Group Shareholding in the Construction Subcontractor	Percentage Shareholding
Black Women	10%
Black Youth	10%
Other Black Persons	20%
Total	40%

- **Black Shareholders in the Construction Subcontractor**

Bidders are required to indicate minimum ownership by black shareholders in the Turnkey Contractor for the development period and to be made up as follows. See percentage shareholding only as an indication below.

Target Group Shareholding in the Construction Subcontractor	Percentage Shareholding
Black Women	10%
Black Youth	10%
Other Black Persons	20%
Total	40%

- **Black Shareholders in the Operations Subcontractor**

Bidders are required to indicate minimum ownership by black shareholders in the Turnkey and Operations Contractor at the submission of the Response. See percentage shareholding only as an indication below.

Target Group Shareholding in the Operations Subcontractor	Requirement
Black Women	10%
Black Youth	10%

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Other Black Persons	20%
Total	40%

- **Shareholding of People with Disabilities**

In addition to the above shareholding requirements, Respondents are required to indicate a minimum of People with Disabilities in each of the Respondents, Turnkey Contractor, and Operations Contractor.

- **Management Control**

- Management control focuses on the involvement of Black People in top management. Respondents are required to demonstrate their staffing and commitments in respect of the level of management control at the Respondents, Construction Subcontractor and Operations Subcontractor.
- Bidders are required to indicate the percentage of Black People in management control in each of the Private Party, Construction Subcontractor, and Operations Subcontractor. Only an indication is set out below and is made up as follows:
 - at least 10% (ten percent) by Black Women;
 - at least 10% (ten percent) by Black Youth; and
 - at least 20% (twenty percent) by other Black Persons.

- **Skills Development**

- Skills Development incentivises the development of scarce skills and the skills of Black People. South African employers are required to develop the skills of the South African workforce to:
 - improve the quality of life of workers, their prospects of work, and labour mobility;
 - use the workplace as an active learning environment;
 - provide employees with the opportunities to acquire new skills;
 - address the scarce skills shortage the country is facing;
 - provide opportunities for new entrants to the labour market to gain work experience;
 - improve the employment prospects of persons previously disadvantaged by unfair discrimination and redress those disadvantages through training and education.
- A number of initiatives have been developed. These include among other things, The Expanded Public Works Programme and the Gauteng Tshepo 500 000 Programme.

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- Bidders are required to demonstrate their commitments to skills development and commitment such that at least 1% (one percent) of the Private Party's payroll will be spent on skills development targeted at Black Persons.

➤ **Enterprise and Supplier Development**

- Enterprise and Supplier Development focuses on subcontracting to empowered enterprises, including Black Enterprises, small enterprises, and enterprises owned by Black Women, Black Youth, and People with Disabilities. This element also focuses on the development of the supply chain in the Project, and other small or emerging enterprises.
- The Enterprise and Supplier Development Element has 2 (two) components. These are:
 - o Preferential Procurement; and
 - o Supplier Development.

➤ **Preferential Procurement**

- The Municipality, in having these requirements in relation to Preferential Procurement Policy Framework Act (“**PPFA**”), seeks to incentivise Respondents to utilise empowered entities, including black enterprises, QSEs and EMEs, as well as Black Women Owned Vendors and Black Youth Owned Vendors in the undertaking of Project activities.
- Respondents are required to demonstrate their projected spend during the Development Period. Please find the below, which is just an indication of spending:
 - o spend at least 30% (thirty percent) of the capital expenditure cash flow to companies owned by the Target Group and
 - o spend at least 30% (thirty percent) of the operating expenditure cash flow to companies owned by the Target Group.
- Bidders are required to demonstrate that during the Services Period, they will: spend for instance, at least thirty percent (30%) of the procurement spend to companies owned by the Target Group and two percent (2%) of the procurement spend to companies owned by People with Disabilities which just serve as an indication to follows:
 - o Ten percent (10%) to Black Women-owned companies;
 - o Ten percent (10%) to Black Youth owned companies;
 - o Ten percent (10%) to other Black Persons owned companies; and
 - o Two percent (2%) of companies owned by People with Disabilities.

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➤ **Supplier Development**

- The Municipality supports the objectives stated in the revised B-BBEE Codes to actively support Broad-Based Black Economic Empowerment (“**B-BBEE**”), Qualifying Small Enterprises (“**QSE**”) and Exempted Micro Enterprises (“**EME**”), and Women-Owned Vendors through procurement from such entities to increase the participation of such entities in the mainstream economy.
- For this reason, the Municipality has provided for the Supplier Development element, which measures the extent of committed Supplier Development Contributions in each development and the operating period.
- Respondents are required to indicate the requested information and provide proof thereof to demonstrate compliance with the Supplier Development requirements.
- Requirements in relation to target group ownership requirements, B-BBEE contributor status level and the minimum thresholds.

3 INFORMATION ABOUT THE PROJECT

3.1 Introduction

The VFPM has seen a decline in business over the recent past. Therefore, the Municipality intends to revive the existing VFPM by refurbishing and expanding the existing infrastructure and introducing the necessary institutional changes required to enable the VFPM to function effectively and comply with current health, municipal, and other regulations.

Re-establishing the VFPM will attract producers (both large and small) to take advantage of the large customer base, enabling customers of fresh produce to purchase their required goods within the market’s catchment area rather than traveling to other more remote markets. This will be of specific assistance to SMME’s who currently need to travel to Johannesburg to get similar goods directly from producers.

The GIFA appointed Transaction Advisors to assist the Municipality in undertaking a feasibility study in line with National Treasury Municipal PPP Guidelines to determine the Project’s most appropriate structure and best procurement option. The feasibility study has been completed, recommending a PPP procurement process as the most beneficial and proper procurement structure; hence, the Municipality intends to procure this Project through a PPP arrangement.

3.2 Background

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There are currently 19 (nineteen) Government-owned fresh produce markets across the country. Although markets are owned and operated mainly by municipalities, in some instances, such as Cape Town, previous municipal-owned markets have been privatised. Gauteng has 4 (four) municipal markets located in: Pretoria, Johannesburg, Springs, and Sedibeng.

Despite a move by large retailers to procure fresh produce directly from farmers, many suppliers still prefer to deliver to the market instead of only signing contracts with large retailers such as Pick n Pay, Shoprite Checkers, and Woolworths. Although the reasons for this vary, there is a compelling business case for not being the sole supplier to 1 (one) or 2 (two) retailers. In addition, keeping a diverse and varied client base is a form of risk mitigation, even for very large commercial farmers. Fresh produce markets, therefore, have a bright future and will continue to serve a broad spectrum of buyers into the future, particularly the informal bakkie buyers who serve the townships.

The VFPM, however, has not seen any significant growth in turnover, tonnage, and rand per ton over many years. VFPM is regarded as a capital liability to Sedibeng, and currently, the business performance is rather poor compared to over a decade ago when the market was doing well.

3.2.1 Strengths:

There are several positive aspects to the VFPM. These include:

- The facility is structurally reasonable stable, taking into account its age;
- Although only one access point, possibilities for other entrances is a possibility;
- Good road network feeding to the VFPM;
- Excellent visibility from the highway;
- Railway line next to the site;
- Sufficient floor space to expand operations;
- Location in Sedibeng for local producers and buyers;
- Additional land owned by the Municipality to expand operations further;
- Job creation;
- Increase in SMME's such as bakkie businesses who can purchase fresh produce closer to their location to the market.

3.2.2 Weaknesses:

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Despite the need for fresh produce markets to serve a spectrum of sellers and buyers, the recent fortunes of the VFPM have been mixed, and the commercial sustainability of the market is under threat. This is apparent from the following decline in business over the recent past:

- Even though the existing facility can accommodate a maximum of 3 (three) agents, only 2 (two) agents currently trade at VFPM, the 3rd (third) having recently left.;
- The butchery and canteen have closed down;
- Tonnage through-put has steadily declined mainly due to the non-adjustment to sector changes and the declining condition of the VFPM;
- The Municipality developed a turnaround strategy in 2008 to ensure VFPM becomes economically viable. Some of the objectives of the turnaround strategy included:
 - To have a well-run, market-driven fresh produce marketing facility capable of optimally meeting the needs and demands of the new product sector and the community in and around Sedibeng district;
 - To address all matters relating to the future of the VFPM in a diligent, transparent, consultative, and cost-effective manner;
 - To address all matters relating to the future of the VFPM in a diligent, transparent, consultative, and cost-effective manner;
 - To address all matters relating to the future of the VFPM in a diligent, transparent, consultative, and cost-effective manner;
 - Enhancement of access to economic opportunity for previously disadvantaged persons;
 - Providing new impetus to the local economy by unlocking horizontal and vertical integration opportunities embedded in the fresh produce sector.
- Although, the primary challenge to implementing the turnaround strategy was the lack of funding, and until today no turnaround has taken place (except for the R 20 million (twenty million Rand) capital injection in 2018/19FY for the upgrade of the VFPM, issues that continue to plague the VFPM to date include the following:
 - Limited human resources to operate the market;
 - The building is 40 (forty) years old and needs significant upgrades;
 - Required institutional changes to respond better to changing market conditions;
 - The demand in the area is high enough for an upgrade to be feasible, but to accommodate more fresh produce at the VFPM, it will need to have more cold storage facilities, the infrastructure needs to be looked at, and the ripening room, as well as the market, needs to be modernised;
 - Competes with all Gauteng-based markets and other businesses that trade in fresh produce in its area;

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- There is no generator/alternative electricity currently at the VFPM to run the cold rooms and the ripening rooms in the case of load shedding/power outages;
- Waste management is currently a problem because the market is now falling under the Emfuleni district. Thus waste is not collected in the Sedibeng district;
- Produce needs to be separated. Certain produce releases a gas that influences the other produce. Onions and potatoes, for example, need to be stored in a separate location;
- The lighting at the market is incorrect and also influences the shelf life of the produce. More natural lighting from the sun also needs to be introduced;
- The roof leaks, and there are doves inside the building, resulting in droppings;
- Maintenance backlog;
- Ventilation needs to be replaced;
- Financially, the market does not have a system where a business plan gets set up to ensure that maintenance gets done regularly.

The challenges as mentioned above specifically pave the way for initiatives to be stated by Respondents during the RFQ process about possible technical or commercial drivers that will ignite growth and turnover and market sustainability over the concession term, which could be highlighted in the RFP to ensure that the Municipality receives good bids during the RFP process.

In addition, the Municipality needs to establish what aspects of the Project need to be enhanced to make the Project more attractive to the market and ensure a competitive and valuable tender process and bids during the RFP.

The above aspect also discusses factors contributing to the Project's bankability and whether modelled revenues are sufficient to support the latter.

3.2.3 Opportunities:

- The bigger markets such as Tshwane and Johannesburg are saturated;
- The VFPM is ideally located to take advantage of the area surrounding the district of the Municipality;
- The infrastructure is already in place, albeit it's age;
- Future plans to expand into an agro-processing hub;
- Job creation, growth, transformation, and training of employees in the Municipality is important.
- It is not envisaged that the Private Party needs to absorb current employees in the Municipality; however, it is anticipated that the Private Party provides training to these employees to assist with the contract management of the VFPM. The VFPM was a well-performing market at a point in time. Diagram1 and Diagram 2 below show the comparisons in the various Fresh Produce Markets for 2010/2011;

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Diagram 1

Market	Tonnage	% share (Tons)	Amount (R)	% share (ZAR Value)	R/T
Tshwane	561,195	19%	1,893,098,946	19%	3,373
Joburg	1,117,739	37%	4,002,197,366	40%	3,581
Bloemfontein	88,871	3%	287,765,791	3%	3,238
Kimberly	22,902	1%	65,166,376	1%	2,845
Cape Town	303,161	10%	993,763,916	10%	3,278
Port Elizabeth	84,619	3%	251,079,853	3%	2,967
East London	82,719	3%	274,151,419	3%	3,314
Durban	286,084	9%	941,691,262	9%	3,292
Pietermaritzburg	92,583	3%	275,425,146	3%	2,975
Welkom	51,638	2%	145,200,419	1%	2,812
Klersdorp	92,033	3%	267,389,402	3%	2,905
Vereeniging	50,324	2%	131,620,976	1%	2,615
Springs	107,802	4%	289,221,919	3%	2,683
Uitenhage	11,619	0%	27,081,141	0%	2,331
Witbank	14,687	0%	40,170,982	0%	2,735
Nelspruit	4,715	0%	14,464,363	0%	3,068
Mpumalanga	31,006	1%	85,965,513	1%	2,773
Kei	8,332	0%	20,235,161	0%	2,428
George	8,255	0%	22,426,077	0%	2,717
	3,020,286		10,028,116,031		

Diagram 2: Volume, turnover and average rand per ton achieved (2016/2017)

Comparative figure of turnover and mass of the 17 Fresh Produce Markets



	SEPTEMBER 2016		SEPTEMBER 2017		% GROWTH		RAND PER TONNE		MARKET SHARE (%)
	TURNOVER RAND	MASS SOLD met.ton	TURNOVER RAND	MASS SOLD met.ton	TURNOVER %	MASS %	2016	2017	
							RAND	RAND	
JOHANNESBURG	R 578 302 563.00	110 768	R 587 676 131.00	120 497	1.62	8.78	5220.85	4877.10	49.40
TSHWANE	R 261 473 360.12	54 856	R 260 658 382.53	54 391	-0.31	-0.85	4766.54	4792.31	21.91
DURBAN	R 122 738 316.73	25 324	R 111 554 181.89	24 971	-9.11	-1.39	4846.72	4467.35	9.38
SPRINGS	R 30 057 981.60	7 541	R 34 262 602.39	8 819	13.99	16.95	3985.94	3885.09	2.88
PIETERMARITZBURG	R 28 623 453.80	6 192	R 27 588 057.50	7 027	-3.62	13.49	4622.65	3926.01	2.32
EAST LONDON	R 33 142 632.38	6 789	R 31 966 815.96	6 961	-3.55	2.53	4881.81	4592.27	2.69
BLOEMFONTEIN	R 33 107 429.14	6 678	R 36 288 387.21	7 806	9.61	16.89	4957.69	4648.78	3.05
KLERKSDORP	R 25 423 545.80	6 331	R 29 055 562.12	7 184	14.29	13.47	4015.72	4044.48	2.44
PORT ELIZABETH	R 26 233 770.48	5 392	R 22 095 846.83	5 226	-15.77	-3.08	4865.31	4228.06	1.86
WELKOM	R 15 620 411.75	3 382	R 15 444 199.50	3 498	-1.13	3.43	4618.69	4415.15	1.30
VEREENIGING	R 11 232 469.60	2 877	R 11 384 159.50	2 915	1.35	1.32	3904.23	3905.37	0.96
NELSPRUIT	R 1 340 087.00	316	R 1 761 780.00	490	31.47	55.06	4240.78	3595.47	0.15
KIMBERLEY	R 5 427 273.90	1 224	R 4 070 176.00	995	-25.01	-18.71	4434.05	4090.63	0.34
WITBANK	R 4 894 109.03	1 128	R 4 643 125.17	1 126	-5.13	-0.18	4338.75	4123.56	0.39
UMTATA	R 436 065.70	136	R 496 448.00	142	13.85	4.41	3206.37	3496.11	0.04
GEORGE	R 3 049 317.20	738	R 1 923 522.49	425	-36.92	-42.41	4131.87	4525.94	0.16
MPUMULANGA	R 8 426 650.70	1 942	R 8 693 843.00	2 266	3.17	16.68	4339.16	3836.65	0.73
	R 1 189 529 437.93	241 614	R 1 189 563 221.09	254 739	0.03	5.43	4923.26	4669.73	

Compiled by Tshwane Market - Tel: (012) 358-2398

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The volumes Diagram 1 in 2010/2011FY and Volumes Diagram 2 in 2016/2017FY show that the volumes have decreased drastically from R131 620 976 to R11 384 159 in 2017. The volumes from 2010/2011FY show the potential the VFPM once had and still has if the market challenges are addressed.

3.2.4 Threats:

- Privately owned markets establishing themselves in the area to fill the gap;
- Farmers selling directly to the wholesalers;
- Smaller buyers go to the bigger markets or the producers directly.

3.3 Project Definition

The refurbishment, financing, operations, and expansion of the existing infrastructure and introduction of the necessary institutional changes are required to enable the VFPM to once more function effectively and comply with current health, municipal, and other regulations. The VFPM needs to be revived in line with the 'Project Rebirth Programme' and the 'Codes of Best Practice', and once this is achieved, the next phase could be developing an agro-processing hub in the long run.

3.4 Project Objectives

The Project Objective is to identify a Private Party to modernise the existing VFPM and to develop an economically sustainable world-class agro-processing hub in Sedibeng, considering technology innovation to improve the area's economy. This is to ensure:

- Job Creation;
- Economic Growth and Stimulation;
- Transforming urban and rural spaces;
- Improving education and training;
- Introduction of innovation and technology.

3.5 Location

Diagram 3 below shows where the existing market is currently located and gives an idea of the envisaged expansion/new building.

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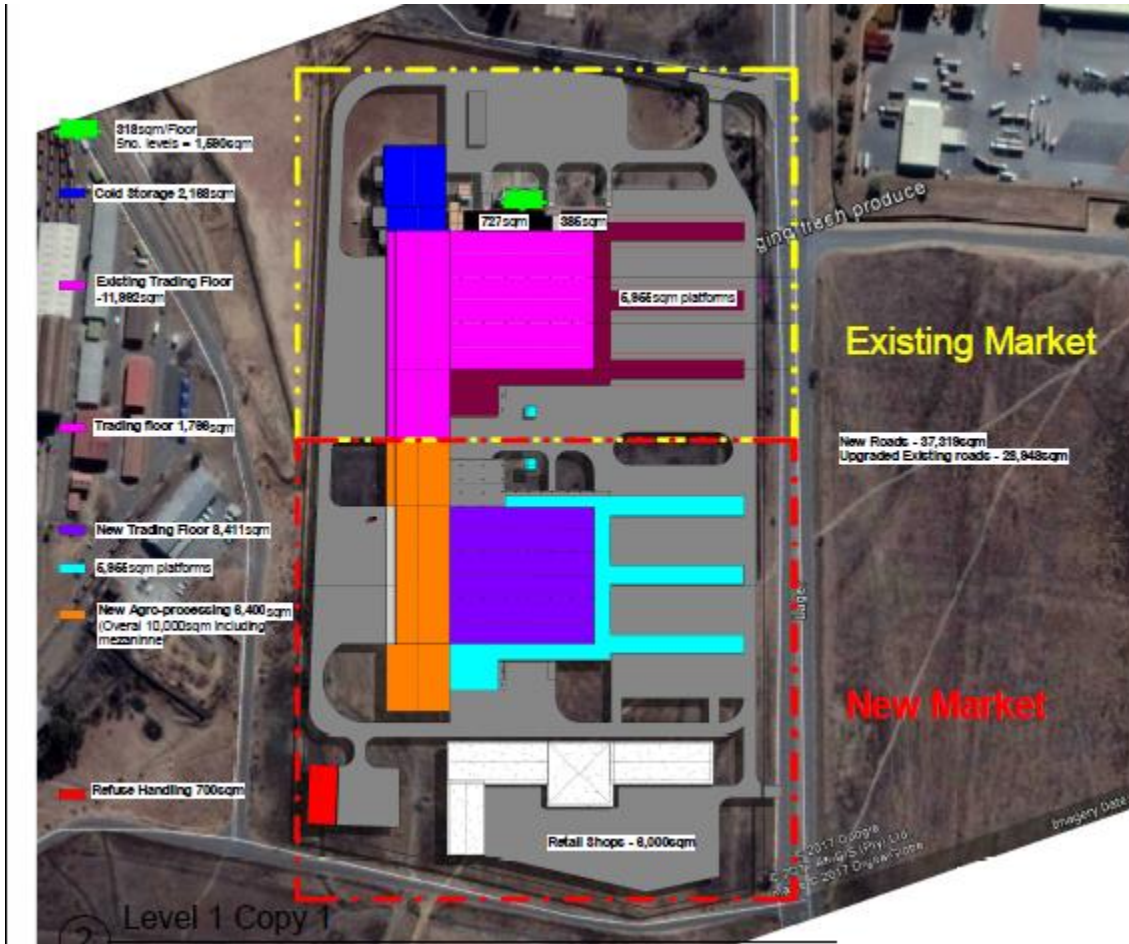


Diagram 3 : The Vereeniging Fresh Produce Market is located at 535 Lager Street, Vereeniging,

The property of VFPM covers some 9.5ha, with approximately half of it fenced. It has excellent access to the R59, and a railway line, and VFPM has a trading floor of 10 000sqm.

Considering the above information, the Respondent needs to identify additional measures on how the above factors could assist the VFPM in competing with other markets, such as the Johannesburg market. Again, an aspect of the location, visibility, and access will support these suggestions.

3.6 Output Specifications:

The output specifications for the Project must subscribe to the code of best practice for fresh produce markets. The minimum output specifications for this Project include:

- Refurbishment of the existing market to ensure compliance and health and safety regulations are adhered to;
- Security and access control systems must be in place;
- Information Technologies (IT) facilities and the system must be in place to ensure efficiency within the VFPM;
- Waste management facilities;
- Cold storage and ripening rooms;

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- Loading docks;
- Parking area with large turning ability;
- Wholesale trading area;
- Pallet trading area;
- Back-up power facility;
- Proper lighting for a fresh produce market;
- Proper ventilation;
- Forklift storage and repair centre;
- Management offices with a corporate image.

The Project's output specifications will enable the VFPM to be a commercially viable business once again and create a change in the value of localised manufactured goods (in the region):

- While at the same time transferring skills and creating confidence in the minds of the participants so that they can achieve the goals;
- Concurrently developing SMMEs to face the manufacturing challenge;
- Growing the turnover of the Project participants exponentially;
- While remaining competitive in cost and quality and keeping to delivery timescales;
- At the same time, raising funds to achieve the goals stated above;
- Using the market mechanism (shares etc.) to distribute added value equitably.

In terms of the Service interface expectations, the public's requirement from the Project is as follows:

- The public would require that the Project and all activities take place as part of the Project, and conforms to the current legislative framework;
- The processes followed, and the application of public funding must be transparent;
- Clean and healthy market;
- Secure market;
- Increased variety of produce;
- Increase in opportunities for informal SMME buyers;
- Increase in the number of jobs to be created;
- A further expectation is a rapid transfer of skills and that the declared policy of black industrialists be visibly supported.

The project outcome and expectation must remain a sustainable organisation that adds value to all the stakeholders.

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3.7 Conceptual Diagram

The intention is to refurbish the current structure on the existing land and the adjacent land to expand the VFPM. Currently, the trading floor is fenced, and the land next to it is identified for the anticipated development. Conceptual diagram 5 is shown below:

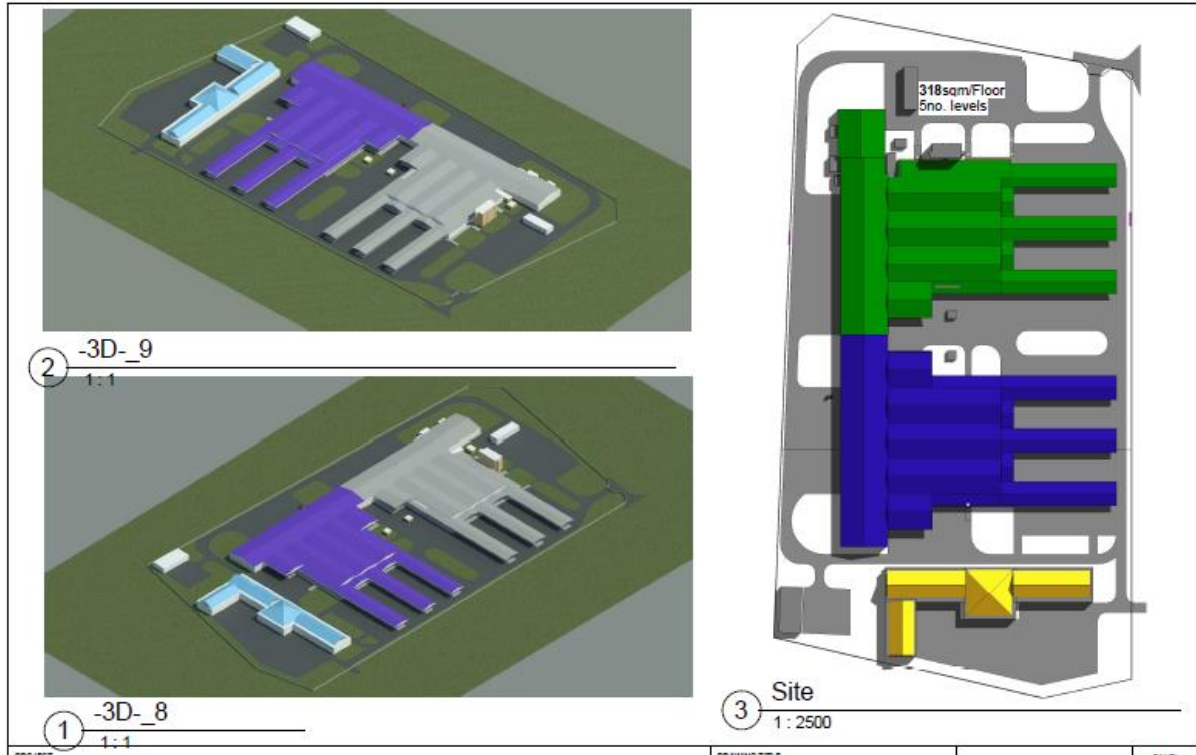


Diagram 4: Conceptual Diagrams

3.8 Government Assets

The Government assets that will form part of the Project include the site measuring 9.5HA. The site is located at Vereeniging, 1939, City of Gauteng, South Africa, and the land is on Portion 26 of the Farm Leeuwkuil 596 Registration Division IQ, Province of Gauteng measuring 268 0014, held by Deed of Transfer T59373/2008.

3.9 Public Private Partnership

Following the feasibility study, it was determined that an external funding mechanism should be considered to develop VFPM. Accordingly, a PPP procurement process was opted for. The proposed Project will be executed as a PPP in terms of the MFMA and Treasury Regulations pertaining to Municipal PPPs. The MFMA governs PPPs, Municipal PPP Regulations, MFMA Regulations, and Municipal Systems Act (MSA) issued under the Local Government. The definition of a municipal PPP is similar to the definition in Treasury Regulation 16 of the Public The Refurbishment, Expansion, Financing And Operation Of The Vereeniging Fresh Produce Market Through A PPP Procurement Process



Finance Management Act (PFMA). The Project, in terms of the preferred option, falls within the definition of a PPP as it involves outsourcing the VFPM to a private party who will perform these functions on behalf of the Municipality. The Project, therefore, meets the requirements of the definition of a PPP in that it constitutes both the outsourcing of an institutional function and the use of state assets. PPPs are also required to be affordable and transfer sufficient risk.

Respondents are advised of the following:

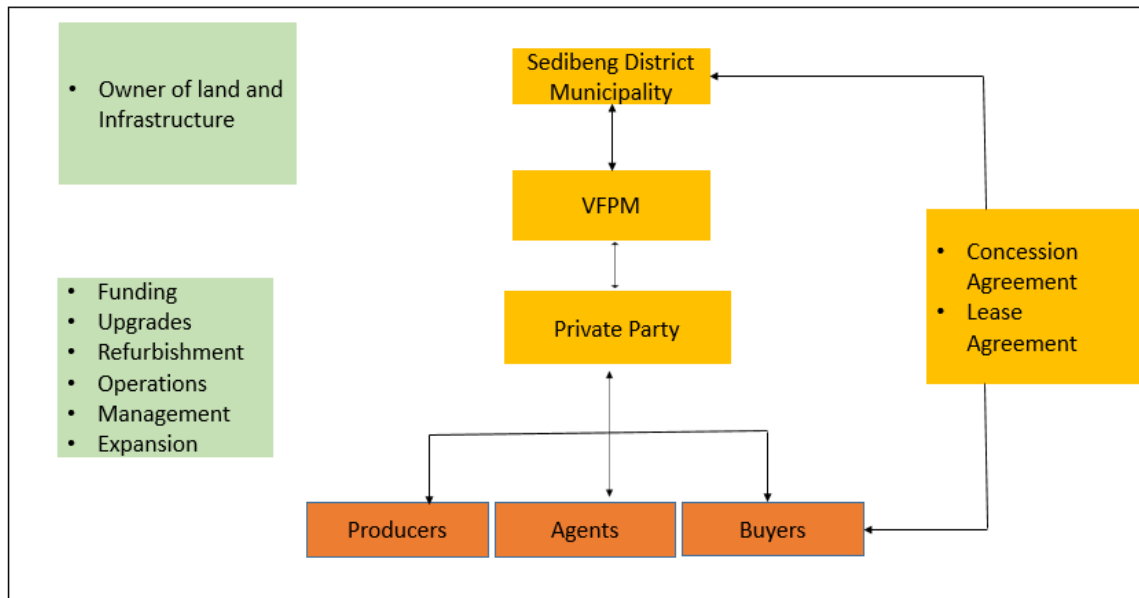
- The MFMA and Treasury Regulations create and regulate the competency of Municipalities to implement PPP projects. The Municipality's competency to implement this Project as a PPP has been established regarding, among other things, the Constitution, MFMA, MSA, and respective Treasury Regulations;
- The Municipality may enter into a PPP Agreement, but only if the Municipality can demonstrate that the PPP Agreement will –
 - provide Value for Money to the Municipality;
 - be affordable for the Municipality; and
 - transfer appropriate technical, operational, and financial risk to the Private Party.
- The PPP Agreement must comply with all relevant prescribed regulatory requirements for PPP's about the Municipality;
- Procurement of the Project will be carried out following prescribed legislation, which includes the Constitution, the Preferential Procurement Policy Framework Act, MFMA, and MSA;
- In terms of section 8(1) of the MSA, a municipality has all the functions and powers conferred by or assigned to it in the Constitution, and must exercise them subject to Chapter 5 of the MSA Act
- In terms of section 4(2) of the Municipal Structures Act, the council of a municipality, within the Municipality's financial and administrative capacity and having regard to practical considerations, has to promote and undertake development in the Municipality.

3.10 The PPP Structure

The PPP structure through the external mechanism for this Project will be shown in Diagram 5 below.

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The Private Party structure entails outsourcing the VFPM and the land to a Private Party. Outsourcing VFPM to a Private Party means that the refurbishment, funding, expansion, operations, and maintenance will be the responsibility of the Private Party, while the Municipality will still own the land and infrastructure over the concession period. The facility and land will be made available to the Private Party on a long-term lease basis. It is envisaged that the concession will be long-term in nature, as the Private Party will have to spend a substantial amount of capital on improving the business and will need time to recoup its investment. The land and infrastructure will remain under the ownership of the Municipality and any improvements on the property by the Private Party will revert to the Municipality after the concession.

4 PRE-QUALIFICATION EVALUATION

The evaluation criteria to be scored and the maximum score assigned to each measure are as follows. The Respondent is advised to reference each evaluation criteria to their Responses

EVALUATION CRITERIA	Maximum number of points	Reference in Responses
1. COMPOSITION AND STRUCTURE, BUSINESS CREDENTIALS, AND FINANCIAL STANDING - 30		
1.1 Consortium composition and structure (SPV), Business Credentials and Financial Standing (details on each member/sub-contractor forming part of the SPV/Consortium (see page 19	20	
<ul style="list-style-type: none"> Comprises all elements in detail -20 points Comprises all elements at a high level -15 points Partially covers elements - 10 points 		

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<ul style="list-style-type: none"> No information provided – 0 points 		
1.2 Bidder's Financial Ability (to finance the Project, Indication of Risk Acceptance and Bidder's Strength of covenant / commitment- 10 points	10	
<ul style="list-style-type: none"> The Respondent provides all of the above - 10 Proposal partially fulfills the above (only 2 of the above) - 7 Proposal satisfies the above to a limited extent (only 1 of the above) - 4 Meets none of the above – 0 		
2. TECHNICAL EXPERTISE	50	
2.1 To indicate examples and actual periods (years) of relevant experience. This is to be supported by CV's of personal and company profiles.	15	
<ul style="list-style-type: none"> > 10 years of Market Experience – 15 points 5-9 years Market Experience – 10 points 1-4 years Market Experience – 5 points None – 0 points 		
2.2 Demonstrating project specific Project management capabilities.	15	
<ul style="list-style-type: none"> Include good and detailed understanding, experience, and capability to manage all processes from Bid Preparation (RFP), indicating envisaged timeframes for key milestones from appointment as a preferred bidder to reaching commercial and financial close, commencing construction, operations, and hand-over – covering all of the above with detailed explanations/descriptions – 15 points Covers the above - only by mentioning the aspects at a high level – 10 points Partially covering the abovementioned aspects – 5 points Not covered in the Response – 0 points 		
2.3 Experience in Facilities and operations Management capabilities – supported by examples and periods (years)	10	
<ul style="list-style-type: none"> > 10 years of Facilities Management/Operations experience – 10 points 5-9 years Facilities Management/Operations Experience – 7 points 1-4 years Facilities Management/Operations Experience – 4 points None – 0 points 		
2.4 Approach and methodology to Project illustrating understanding of the Project - ("Understanding of key project demands/complexities – see p21)	10	

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<ul style="list-style-type: none"> • The approach and outline of implementation processes are specifically tailored to address the Project objectives and requirements (allowance could/may also be made to express alternative or innovative approaches to execution of the project as described) and are sufficiently flexible to accommodate changes that may occur during execution. – 10 points • The approach and implementation processes are generic and not tailored to address the specific Project objectives and requirements. The approach does not adequately deal with the critical characteristics of the Project. – 9 points • The technical approach and/or methodology is poor/ is unlikely to satisfy Project objectives or requirements. – 7 points • The team has misunderstood certain aspects of the scope of work and does not deal with the critical elements of the Project. – 4 points • There is no information in the bid that demonstrate the methodology and approach to this assignment – 0 points 		
5. EMPOWERMENT		
BEE Responses to the BEE Scoreboard Targets	20	
<ul style="list-style-type: none"> • BEE Contributor Status Level – 4 points (Meets the requirement stated above): <ul style="list-style-type: none"> • Status Level 1 – 4 points • Status Level 2 – 3 points • Status Level 3 – 2 points • Status Level 4 and above - 1 • Black Shareholders in the Bidder – 4 points (Meets the requirement stated above) • Black Shareholders in the Construction Subcontractor– 3 points (Meets the requirement stated above) • Black Shareholders in the Operations Subcontractor– 3 points (Meets the requirement stated above) • Management Control – 3 points (Meets the requirement stated above) • Enterprise and Supplier Development – demonstrating subcontracting to empowered enterprises. – 3 points (Meets the requirement stated above) <p>(If the Respondent does not meet the requirement, no score will be allocated to a sub-category)</p>		

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PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of Bidder.....	Bid Number: 8/2/6/2-2023
Closing Time: 12H00 Closing Date: Tuesday, 23 May 2023	

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

ITEM QUANTITY DESCRIPTION BID PRICE IN RSA CURRENCY
NO.

****(ALL APPLICABLE TAXES INCLUDED)**

- Required by:
- At:
- Brand and Model
- Country of Origin
- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s)
- Period required for delivery
- *Delivery: Firm/Not firm
- Delivery basis

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

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DECLARATION OF INTEREST

- 1. No bid will be accepted from persons in the service of the state¹.
- 2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their 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.

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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:

.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
 The Refurbishment, Expansion, Financing And Operation Of The Vereeniging Fresh Produce Market Through A PPP Procurement Process



Capacity

Name of Bidder

The Refurbishment, Expansion, Financing And Operation Of The Vereeniging Fresh Produce Market Through A PPP
Procurement Process

Bid no.:8/2/6/2-2023

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PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20

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- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \quad \text{or} \quad Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

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Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \text{ or } Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the

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90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

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- Non-Profit Company
 - State Owned Company
- [TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

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.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

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

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CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)..... in accordance with the requirements and 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 time of 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);
 - Technical Specification(s);
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (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 goods and/or works 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 fulfilment 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.

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Bid no.:8/2/6/2-2023

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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 of Restricted Suppliers as companies or persons 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 Accounting Officer/Authority of the institution that imposed the restriction after the <i>audialterampartem</i> rule was applied). 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.	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)? 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.	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"/>

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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

Js367bW

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**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***

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

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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		

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**ATTACH COMPANY
REGISTRATION DOCUMENTS
HERE**

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**ATTACH CENTAL SUPPLIER DATABASE
REGISTRATION
HERE**

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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.

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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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

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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

Js9141w 4

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: 8/2/6/2-2023

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:.....

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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:.....

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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

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