



Date: 17 FEBRUARY 2023

SCM 115 / 2022-23

NOTICE

FORMAL WRITTEN QUOTATIONS ARE REQUESTED FROM SUITABLE SERVICE PROVIDERS FOR DEVELOPMENT OF A TECHNICAL REPORT, FEASIBILITY STUDY AND BUSINESS FOR THE DEVELOPMENT OF FORMAL TRUCK STOPS IN MALELANE IN NKOMAZI LOCAL MUNICIPALITY

Kindly furnish the district municipality with a formal written quotation for the goods or services as stated in the specifications attached and only quotations meeting the specifications will be considered.

The written quotations must be submitted on the letterhead of your business and physically deposited to the bid box situated at Ehlanzeni District Municipality, 8 van Niekerk Street, Sonheuwel Central, Ground Floor, Tender Room not later than at 12H00 on the 29th of February 2023 will be considered.

This request for quotations shall be evaluated based on mandatory requirements and returnable documents, and price and preference point system.

1. The following mandatory requirements must be with complied with by the bidders, failure which the quotations shall be deemed not responsive;

- 1.1 Only service providers that are registered on the Central Supplier Database will be considered for awarding of this request for quotations and a copy of CSD report not later than three months should be attached.
- 1.2 Price(s) quoted must be firm, VAT and other taxes inclusive and valid for at least thirty (30) days from date of your offer.
- 1.3 No quotations shall be considered from persons who are in the service of the state.
- 1.4 Service providers are required to fully complete the attached MBD forms and submitted together with the written quotations.
- 1.5 Attached a bank account confirmation letter with bank stamp not older than three months accompanied with an affidavit confirming the business bank account details - if the banking details are not verified on the CSD report.
- 1.6 Attached original certified copy of identity documents (ID) of company directors.
- 1.7 Provide original certified copy of the company registration certificate issued by the Companies and Intellectual Property Commission (CIPC).
- 1.8 Valid SARS pin must be attached.
- 1.9 Attach a verifiable copy of municipal accounts for both the bidder and company director/s or an original certified copy of proof of residence (PTO) issued by a relevant traditional authority or a copy of a valid lease agreement

2. This request for quotation will be evaluated in terms of the 80/20 preference point system in terms of the Preferential Procurement Policy of the Ehlanzeni District Municipality. The policy preference point system will be applied as follows;

- 2.1 The 80 points will be for price; and
- 2.2 The 20 points will be allocated for the specified goals on a proportional or pro rata basis as follows:

POINTS FOR CONTRACTING AN ENTERPRISE OWNED BY HISTORICALLY DISADVANTAGED PERSONS OR INDIVIDUALS		
HISTORICALLY DISADVANTAGED PERSONS OR INDIVIDUALS	POINTS ALLOCATION	SOURCE DOCUMENTS REQUIRED TO CLAIM POINTS
100% black person or people owned enterprise	5	A copy of a Full CSD report not older than 3 months.
More than 30% woman or women shareholding or owned enterprise	5	
more than 30% youth shareholding or owned enterprise	2,5	
More than 30% people living with disability shareholding or owned enterprise	2,5	A copy of a Medical Certificate to confirm disability.
POINTS FOR IMPLEMENTING OF RDP PROGRAMMES		
Enterprises regarded as *EMEs located within the Ehlanzeni District Municipality area of jurisdiction	5	<p>➤ A copy of a Full CSD report not older than 3 months</p> <p>NB: Points will only be awarded if the CSD physical address is the same as the address for the proof of residence required in 1.9 above.</p>
TOTAL PREFERENCE POINTS TO BE CLAIMED	20	

** EME's are Exempted Micro Enterprise with an annual turnover of R10 million or less.*

FOR TECHNICAL ENQUIRIES PLEASE CONTACT: T MKHATSHWA AT 013 759 8610

FOR PROCUREMENT RELATED ENQUIRIES PLEASE CONTACT: SP KHUMALO AT 013 759 8573 OR SC THELA AT 013 759 8510.

Failure to comply with these conditions may invalidate your offer.

Regards,

CHIEF FINANCIAL OFFICER

SCOPE OF WORKS

1. INTRODUCTION

A Professional Service Provider is required to provide the professional services necessary to develop a Technical report, Feasibility study and a Business Plan for the development of official truck stops in Malelane – Nkomazi Local Municipality, which, in terms of the Municipal Finance Management Act, 2003 and the Municipal Supply Chain Management Regulations, 2005, must be procured through written request for quotations.

2. OBJECTIVE

The purpose of this document is to request a formal written quotation from suitably qualified and experienced consulting firms for **THE DEVELOPMENT OF TECHNICAL REPORT, FEASIBILITY STUDY AND BUSINESS PLAN FOR THE DEVELOPMENT OF FORMAL TRUCK STOPS IN MALELANE IN NKOMAZI LOCAL MUNICIPALITY** which will be evaluated as per tender notice.

3. EXTENT OF THE WORKS

3.1 BACKGROUND:

3.1.1. There is a high rate of road crashes and one of the factors that have been identified as contributing to this problem is fatigue, and this includes truckers, especially with the distances they have to travel transporting goods. Driver tiredness poses a significant risk to road safety – and several studies have indicated that this problem is experienced daily by Truck drivers. There is a need for convenient, safe and comfortable stops on all major road freight routes around Nkomazi Local Municipality. The solution must be quantified so a Business Plan can be submitted to source funding.

3.1.2. Apply value for money principles in design concept as well as sound engineering principals and apply guidelines to solve the problem.

The scope of works will be carried out in different phases, namely:

3.2 DEVELOPMNT OF A FEASIBILITY AND VIABILITY STUDY FOR THE DEVELOPMENT OF OFFICIAL TRUCK STOPS IN MALELANE:

3.2.1. Refer and use District Integrated Transport Plan (DITP) in order to take a holistic approach when compiling the technical report. The DITP runs on an Esri platform and data can be collected from the GIS unit at Ehlanzeni District Municipality. Consider the recommendation in the report as well as the proposed new routes and infrastructure on the DITP.

3.2.2. Also refer to the Roads Master Plan (RMP) which also run on Esri platform. The system and data is available from the GIS unit at EDM. Consider the recommendation in the report as well as the proposed new routes and infrastructure on the RMP and the latest traffic counts.

3.2.3. Assessment of existing (unofficial) places used as truck stops (not qualified to be truck stops), establish current status quo and proposed solutions.

3.2.4. Proposal, challenges and availability of civil engineering services for the facility.

3.2.5 Liaise and consult with existing Fuel filling station when considering the location of the truck stop.

3.2.6 Demonstrate costs, timeframes, wayleave, land ownership, phases if applicable and breakdown of costs, stakeholders and prior approvals required

3.2.7 The Town Planner must consult the respective Local Authority with regard to the By-Laws of the SPLUMA.

3.2.8 It is a requirement that the professional team have a Transportation Engineering back gound.

3.2.9 The tendered amount of The professional engineering team for this stage must include the services of a town planner to verify the landownership and development requirements and conditions and the costs thereof.

3.2.10 The tendered amount of The professional engineering team for this stage must include the services of an Architect to submit a perspective drawing for this stage and a basic construction cost breakdown.

3.2.11 The professional team must take note that Feasibility and viability plan must be approved before proceeding with Technical report and Bussiness plan.

3.3 DEVELOPMENT OF A TECHNICAL REPORT AND BUSINESS PLANS FOR THE DEVELOPMENT OF OFFICAL TRUCK STOPS IN MALELANE:

3.3.1. Demonstrate costs, timeframes, wayleave, land ownership, phases if applicable and breakdown of costs, stakeholders and prior approvals required.

3.3.2. Cost breakdown in construction and professional fees and other eg. Land expropriation, EIA etc.

3.3.3. Demonstrate Funding options.

3.3.4. The tender amount must include other costs for professional services such as architect, EIA, town planning etc. for inter alia rendering drawings and proposals. A minimum of 4 drawings is required for:

- Basic Plan layout of building
- 3D perspective
- Sections
- General layout plan for road access and exit and lane specifics for access to main road according to road authority guidelines and specifications.
- Locality plan

3.3.5. The ecstastics of the facility must be modern but relate to the geographical area and wild life and vegetation (Trees and bushveld) when principal is applied.

3.3.6. Submit a rendering that display the proposed Truck stop facility.

3.3.7. Format of Technical Report to be carried out in the MIG format.

3.3.8. The Technical report and Business Plan include the following:

- Professional fees
- Constructions cost breakdown
- Change of land ownership if applicable⁵
- Methodology and basis traffic analysis
- Traffic status quo and basic traffic study and analyses taking into account previous studies.
- Peak hour traffic volumes
- Analysis of existing scenario AM and PM peak if available
- Horizon year
- Access to main road and minim requirements from road ownersip authority
- Conclusion and recommendations.
- Photo report and demonstration

4. LOCATION OF THE WORKS

The identified areas are as follows:

- Malelane Town in Nkomazi Local Municipality.

5. ENGINEERING

The following documents will be applicable to this tender:

The required Professional Services will be according to the Guideline Scope of Services and tariff of fees for persons registered in terms of the Engineering Profession Act, 2000, (Act No. 46 of 2000), Board Notice 203 of 2011. It is a requirement that the team have a transportation engineering background.

6. SANCTIONS RELATING TO BREACHES OF PREFERENCING CONDITIONS

Where a Service Provider is found guilty of misrepresenting any facts in respect of ownership, either in a tender submission, or on the Ehlanzeni District Municipality Supplier Database, in order to affect the outcome of a tender, either before or after the award of a contract, then that contractor or consultant shall be blacklisted for a period of 12 months. The effect of such blacklisting is that no further work will be awarded to the Service Provider for the duration of the blacklisting. Furthermore sanctions as provided for in Schedule 19, Part T2.2: Returnable Schedules will be applied.

7. FORMAT OF COMMUNICATION

Requests for formal approval from the Employer, or any other body, shall be submitted in writing in hardcopy format. Interim payment claims shall be submitted in the same format, accompanied by an original tax invoice. Ad-hoc communication between the Employer and the Service Provider may be conducted per facsimile or in electronic format (e-mail).

All technical reports and business plans shall be submitted in hardcopy format, and softcopy (in PDF/DXD/DWG format) for approval and further submission to source funding.

8. MANAGEMENT MEETINGS

The Service Provider shall however convene management meetings on an ad-hoc basis as and when necessary, and when called upon to do so by the Employer. The Service Provider shall be represented at these meetings by at-least one of the key personnel.

9. CLAIMS FOR PAYMENT

The Service Provider may submit interim claims for payment (invoices) for the work in terms of this contract progresses.

10. EMPLOYERS RIGHT TO RECOVER COSTS

The Employer reserves the right to recover, by way of a deduction from any amount due to the Service Provider, any additional cost which the Employer incurs arising out of non-performance of the Service Provider.

11. PROJECT MILESTONES

The project phasing and key milestones are recorded as follows:-

Milestones	Planned
Feasibility and Viability Study – Draft Report	5 May 2023
Technical Report and Business Plan - Draft Report	30 May 2023

Tender documentation for Construction -Draft	15 June 2023
Rendering of drawings	15 June 2023

12. PROJECT DELIVERABLES

Milestones	Delivarables
Feasibility and Viability Study – Final	5 May 2023
Technical Report and Business Plan for MIG application	Report on specification, Technical and financial feasibility Implications including required surveys, test analysis and all other investigations.
Rendering of drawings & Designs	30 May 2023
Submission of Tender document for construction	28 February 2023

The undersigned, who warrants that he / she is duly authorized to do so on behalf of the firm or sole proprietor confirms that he / she understands the conditions under which such preferences are granted and confirms that the tenderer satisfies the conditions pertaining to the granting of tender preferences.

Signature:

Difference between milestones and deliverables

Name :

Duly authorized to sign on behalf of :

EVALUATION SCHEDULE

The tenderer is required to score (35 points) in Table A1 to Table A2 for Functionality/Quality in order to avoid being rejected for the tender.

TABLE A1: EXPERTISE OF PERSONNEL

	TARGETED GOALS (Attach ECSA registration and Curriculum Vitae to obtain maximum points)	TENDERED GOAL	POINTS Claimed by Tenderer	ALLOCATED POINTS
	<ul style="list-style-type: none"> - Team Leader: Person registered as Professional Civil Engineer - Pr Eng or Pr Tech Eng (Transport engineering) <ul style="list-style-type: none"> - Minimum relevant experience in construction projects with a min 10 years (Attach 2*A4 page Curriculum Vitae) (Transport engineering) - ECSA Registration (Submit Original Certified copies to qualify for points) - Support team: Person qualified as a Civil Engineer Technologist/ Design (Pr Tech Eng or Pr (Transport engineering) <ul style="list-style-type: none"> - Minimum relevant experience in construction +05 years (Attach 2*A4 page Curriculum Vitae) (Transport engineering) - ECSA Registration (Submit Original Certified copies to qualify for points) 	10		
			10	
		05		
		05		
	SUB TOTAL:	30 Max		

NOTE: Failure to submit information as requested will result in non-allocation of points

TABLE A2: SIMILAR or COMPARABLE PROJECTS

	TARGETED GOALS (Attached proof)	TENDERED GOAL	POINTS Claimed by Tenderer	ALLOCATED POINTS
	<p>Number of Technical reports and business plans completed by Service Provider.</p> <ul style="list-style-type: none"> - 4 x Technical reports and business plan - completed for upgrade and or construction of relevant infrastructure, etc. <p>Attach 4 x certified copies of appointment letters - (5 points for each letter submitted)</p>	20		
	SUB TOTAL:	20 Max		

NOTE: Failure to submit information as requested will result in non-allocation of points

A. CALCULATION OF OVERALL TENDER EVALUATION POINTS
FUNCTIONALITY POINTS:

		MAXIMUM POINTS TO BE ALLOCATED	POINT CLAIMED BY TENDERER	ALLOCATED POINTS
COMPETENCE GOALS (35 POINTS out of 50)				
	TABLE A1: KEY PERSONNEL	30		
	TABLE A2: TRACK RECORD	20		
	TOTAL	50		
	MINIMUM POINTS REQUIRED TO QUALIFY TO TENDER: 35 POINTS	Qualify? Yes / No		

Note: Service providers are required to score a minimum of (35 points) on functionality only, in order to be considered for further 80/20 evaluation. Failure to score less than minimum required will render the bid to be non-responsive.

B. SUPPLY CHAIN POLICY USING 80/20 PREFERENTIAL POINT SYSTEM

		MAXIMUM POINTS TO BE ALLOCATED	POINT CLAIMED BY TENDERER	ALLOCATED POINTS
POINTS FOR PRICE (80 POINTS)	(a) SUB TOTAL	80		
SPECIFIC GOALS POINTS (20 POINTS)	(b) SUB TOTAL	20		
	(c) TOTAL	100		

The undersigned, who warrants that he / she is duly authorized

to do so on behalf of the firm or sole proprietor confirms that he / she understands the conditions under which such preferences are granted and confirms that the tenderer satisfies the conditions pertaining to the granting of tender preferences.

Signature:

Name :

Duly authorized to sign on behalf of :

ACTIVITY SCHEDULE

SCHEDULE OF ACTIVITIES FEE PROPOSAL

The following is a schedule that takes note of the prices that the Tenderer is offering to render professional services required for *(project)*.

Table 1 – Professional Fees

Tender Number	RFQ				
Project Description / Name	PROVIDE PROFESSIONAL SERVICES FOR: DEVELOPMENT OF TECHNICAL REPORT, FEASIBILITY STUDY AND BUSINESS PLAN FOR THE DEVELOPMENT OF OFFICIAL TRUCK STOPS IN MALELANE IN NKOMAZI LOCAL MUNICIPALITY				
Professional fees in terms of The Engineering Council of South Africa has, under Section 34(2) of the Engineering Profession Act. 2000 (Act No. 46 of 2000) determined the guideline scope of services and tariff of fees in the Schedule: Planning Studies, Investigation and Assessment.					
Item No	Professional Fee apportionment	Unit	Qty	Rate	Amount
1.	FEASIBILITY AND VIABILITY STUDY INCLUDING ALL PROFESSIONAL FEES FOR TOWN PLANNER AND ARCHITECT	Sum	1		
2.	TECHNICAL REPORT AND BUSINESS PLAN INCLUDING ALL PROFESSIONAL FEES FOR TOWN PLANNER AND ARCHITECT	Sum	1		
3.	RENDERING OF DRAWINGS	Sum	1		
4.	Sub-Total				
5.	Add Contingency fees @ 10%				
6.	Sub-Total				
7.	Add VAT @ 15%				
8.	Grand Total (Carried to Form of Offer – MBD 1)				

The undersigned, who warrants that he / she is duly authorized to do so on behalf of the firm or sole proprietor confirms that he / she understands the conditions under which such preferences are granted and confirms that the tenderer satisfies the conditions pertaining to the granting of tender preferences.

Signature:

Name :

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

LIST OF RETURNABLES

The following documents are compulsory for tender responsiveness and evaluation purpose (To be attached on the bid document)

NO.	DESCRIPTION	YES	NO
1.	Original Certified Entity Registration Certificate (CK1)		
2.	Valid SARS Pin		
3.	Original Certified Copies of Director(s) ID's		
4.	Copy Municipal Account not older than 3 months for the director(s) - if not applicable attach a valid lease agreement / proof of residence of the director(s) from the relevant traditional authority		
5.	Copy of Municipal Account not older than 3 months of the Company If not applicable attach / valid lease agreement /PTO of the Company		
6.	Copy of Full Central Supplier Database Report not older than 3 months before closing date		
7.	Detailed CVs of the Project Team Leader and support Team member and certified copies of qualifications not older than 3 months		
8.	Certified Appointment letters of similar or comparable projects		
9.	Minimum Bidding Documents - MBD 1		
10.	MBD 4		
11.	MBD 6.1		
12.	MBD 8		
13.	MBD 9		

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS: EHLANZENI DISTRICT MUNICIPALITY					
BID NUMBER:	SCM 115	CLOSING DATE:	29 FEBRUARY 2023	CLOSING TIME:	12:00
DESCRIPTION	RFQ FOR DEVELOPMENT OF A TECHNICAL REPORT, FEASIBILITY STUDY AND BUSINESS PLAN FOR THE DEVELOPMENT OF FORMAL TRUCK STOPS IN MALELANE IN NKOMAZI LOCAL MUNICIPALITY				
A PURCHASE ORDER / AN APPOINTMENT LETTER WILL BE ISSUED TO THE SUCCESSFUL BIDDER					
The tenders must be submitted on the letterhead of your business and physically deposited to the bid box situated at Ehlanzeni District Municipality, 8 van Niekerk Street, Sonheuwel Central, Tender Room, Ground Floor.					
EHLANZENI DISTRICT MUNICIPALITY					
8 VAN NIEKERK STREET					
MBOMBELA					
1201					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
A COPY OF A FULL CSD REPORT NOT OLDER THAN 3 MONTHS IS REQUIRED TO CLAIM PREFERENCE POINTS					
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 MANAGEMENT CHAIN		CONTACT PERSON	TG MKHATSHWA	
CONTACT PERSON	MR. S.P. KHUMALO		TELEPHONE NUMBER	0137598610	
TELEPHONE NUMBER	013-7598573		FACSIMILE NUMBER	0137598573	
FACSIMILE NUMBER	013-759 8639		E-MAIL ADDRESS	tngwenya@ehlanzeni.gov.za	
E-MAIL ADDRESS	pkhumalo@ehlanzeni.gov.za / chela@ehlanzeni.gov.za				

PART B TERMS AND CONDITIONS FOR BIDDING

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.

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.

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<p>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.</p>	

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

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 favoritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorized representative declare their position in relation to the evaluating/adjudicating authority.
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 / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

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

3.8.1 If yes, furnish particulars.

.....

¹MSCM Regulations: "in the service of the state" means to be –

- (a) a member of –
(i) any municipal council;
(ii) any provincial legislature; or
(iii) the national Assembly or the national Council of provinces;
(b) a member of the board of directors of any municipal entity;
(c) an official of any municipality or municipal entity;
(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
(e) a member of the accounting authority of any national or provincial public entity; or
(f) an employee of Parliament or a provincial legislature.

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

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

- 3.9.1 If yes, furnish particulars.....
.....
- 3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**
- 3.10.1 If yes, furnish particulars.....
.....
- 3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? **YES / NO**
- 3.11.1 If yes, furnish particulars.....
.....
- 3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**
- 3.12.1 If yes, furnish particulars.....
.....
- 3.13 Are any spouse, child or parent of the company's directors 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 his 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

.....
Capacity

.....
Name of Bidder

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

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 The applicable preference point system for this tender is the 80/20 preference point system.
- 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

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

- 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 Ehlanzeni District Municipality 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 Ehlanzeni District Municipality.

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:

$$\text{80/20} \quad \text{or} \quad \text{90/10}$$
$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \quad \text{or} \quad Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

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:

$$\text{80/20} \quad \text{or} \quad \text{90/10}$$
$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \quad \text{or} \quad Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

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 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)
100% black person or people owned enterprise	N/A	5	N/A	
More than 30% woman or women shareholding or owned enterprise	N/A	5	N/A	
more than 30% youth shareholding or owned enterprise	N/A	2,5	N/A	
More than 30% people living with disability shareholding or owned enterprise	N/A	2,5	N/A	
Enterprises regarded as *EMEs located within the Ehlanzeni District Municipality area of jurisdiction	N/A	5	N/A	

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
- 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.

..... SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:
DATE:
ADDRESS:

DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury’s database as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (To access this Register enter the National Treasury’s website, www.treasury.gov.za, click on the icon “Register for Tender Defaulters” or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

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

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js367bW

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.

- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

- 4 This SBD 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 (SBD 9) must be completed and submitted with the bid:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or

(f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js914w 2

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

SITE INFORMATION

This will be confirmed with the Town Planner of the Municipality.