

## **MAKANA MUNICIPALITY**

**Contract No: MLM/RFQ/002/2019-20** 

### **REQUEST FOR FORMAL QUOTATION**

# PROVISION OF AUCTIONEERING SERVICES FOR MAKANALOCAL MUNICIPALITY

ISSUED BY:
MAKANA MUNICIPALITY
FINANCE OFFICES
86 HIGH STREET
MAKHANDA
6139

Supply Chain Management	Supply Chain Management
Ms. Tabisa Mvane	Ms B Vellem
Tel: 046 603 6222	Tel: 046 603 6222
Email: tmvane@makana.gov.za	Email: bvellem@makana.gov.za

COMPANY NAME:_	
TENDER AMOUNT:	
CONTACT NO .	
CONTACT NO.:	
EMAIL ADDRESS. :	

## PART T1: TENDERING PROCEDURES

## **T1.1 INVITATION TO QUOTE**

#### PROVISION OF AUCTIONEERING SERVICES

MAKANA LOCLA MUNICIPALITY HEREBY INVITES YOU TO SUBMIT your quotation for the goods and/or services listed hereunder in this RFQ document. Bidders are requested to furnish all information requested and return their quotation submission on the date stipulated in this invitation and the RFQ advertisement. Late and incomplete submissions will invalidate the quotation submitted.

**PROVISION OF AUCTIONEERING SERVICES** as ordered by the Makana Local Municipality as once off/ short term engagement. Buyers should take out that lots are sold "Voetstoots" and that no claims will be considered by virtue of incorrect description, quantity. quality, condition or any other grounds. Items to be auctioned include. But are not limited to the following: The list of items to be auctioned off will be provided to the winning bidder.

- Plant and Vehicles
- Redundant assets e.g. Furniture, desks, old equipment
- Scrap material and Miscellaneous Smalls,

#### ADDITIONAL MANDANTORY REQUIREMENTS

The Auctioneer has to be registered with S.A.I.A (South African Institute of Auctioneers). Registration Certificate to be provided.

- The Auctioneer must have traded as an Auctioneer for 2 years or more. This might be a signed contract by Government, a contractual signed agreement with sole proprietors and or companies. Please provide proof of signed documents portfolio of evidence.
- The cost for advertising is borne by the Auctioneer.
- Payment of the sale should be made within 21 days after the finalisation of the Auction to the Municipality.

If the Mandatory requirements are not met, the bidder will be deemed non-responsive. The Mandatory requirements will be used as an evaluating criteria, together with the pricing schedule completed.

#### REQUIREMENTS FOR THE AUCTIONEER

This is a once off provision of auctioneering service. The winning bidder will engaged on the terms of reference as mentioned herein. Please note that non -submission of the required ill deem the bidder non-responsive.

The equipment to be used during the auction include but is not limited to:

- · · Fully computerised auction package
- • Public Address system
- • Catalogues and numbering of units on auction i.e. marking and arranging of items will be made available at the site of the auction.

RFQ DOCUMENTS ARE OBTAINABLE FROM: 86 HIGH STREET,

FINANCE BUILDING GRAHAMSTOWN AND

ALSO ON OR WEBSITE AND E-

**TENDER** 

SUBMISSION OF RFQs: RFQ Box- Upstairs- Finance Building

86 High Street, Grahamstown

6139

TECHNICAL ENQUIRIES: Name: Mr Bokwe/ Mr Radu

Tel: 083 335 4843/073 769 5107

Email:

#### PART T2 RETURNABLE DOCUMENTS

#### T2.1 RETURNABLE DOCUMENTS

Bidders are hereby invited for the provision of Auctioneering Services as ordered by the Makana Local Municipality as once off/ short term engagement.

Buyers should take out that lots are sold "Voetstoots" and that no claims will be considered by virtue of incorrect description, quantity, quality, condition or any other grounds.

Items to be auctioned include. But are not limited to the following: The list of items to be auctioned off will be provided to the winning bidder.

- Plant and Vehicles
- Redundant assets e.g. Furniture, desks, old equipment
- Scrap material and Miscellaneous Smalls,

Bidders are required to submit **the following documents** (copies must be originally certified):

- Founding Statement (CK/Company Registration Certificate) or certified copy must be submitted, if a sole proprietor provide affidavit confirming owners and failure will result in disqualification
- Bidders to submit a valid SARS Tax Compliance Status Report <u>Issued with a Pin.</u>
- Completed and signed declaration of interest MBD4, MBD 6.1, MBD 6.2, MBD 8 & MBD 9. **Failure to submit will result to disqualification**.
- BBBEE Certificates original certified copies Failure to submit will result to loss of points.
- Billing clearance certificate/ lease agreement signed by both parties the lessor and the lessee, if expired extension of the lease must be attached or statement of municipal accounts not more than 3 months old and not more than 3 months in arrears, if arrangements are made to submit arrangement letter. Failure to submit will result to disqualification
- Proof of registration on Central Supplier Database (CSD) report.
- Proof of registration with Makana Local Municipality Data base if not already registered.
- MFMA Circular 90 will apply

#### COMPULSORY VIEWING OF THE ASSETS TO BE DISPOSED

Date: 19 FEBRUARY 2020

Time: 10am

Venue: (ELECTRICAL STORES) SUGARLOAF SUBSTATION.

#### ADDITIONAL MANDANTORY REQUIREMENTS

The Auctioneer has to be registered with S.A.I.A (South African Institute of Auctioneers). Registration Certificate to be provided.

- The Auctioneer must have traded as an Auctioneer for 2 years or more. This might be a signed contract by Government, a contractual signed agreement with sole proprietors and or companies. Please provide proof of signed documents portfolio of evidence.
- The cost for advertising is borne by the Auctioneer.
- Payment of the sale should be made within 21 days after the finalisation of the Auction to the Municipality.

If the Mandatory requirements are not met, the bidder will be deemed non-responsive. The Mandatory requirements will be used as an evaluating criteria, together with the pricing schedule completed.

#### REQUIREMENTS FOR THE AUCTIONEER

This is a once off provision of auctioneering service. The winning bidder will be engaged on the terms of reference as mentioned herein. Please note that non -submission of the required ill deem the bidder non-responsive.

The equipment to be used during the auction include but is not limited to:

- · Fully computerised auction package
- Public Address system
- Catalogues and numbering of units on auction i.e. marking and arranging of items will be made available at the site of the auction.

#### This submission will be evaluated in two (2) Stages as follows:

- **Stage One**: Bidders passing will need to pass Eligibility Compliance Criteria, and responsiveness to the bid rules and conditions of tender and functionality evaluation.
- Stage Two: Functionality and Price and Preferential Points

Tenders will also be submitted to a functionality evaluation, as stated in clause MBD 6.1 to determine further responsiveness, in terms of functionality.

The following aspects will be considered when the Functionality of tenders are being considered:

- 1. Related Auctioneering service experience
- 2. Auctioneer registration Certificate(SAIA)
- 3. Financial reference
- 4. Locality

Criterion	Weighting per criterion ( Maximum score)
Auctioneering service	30
experience	
Auctioneer Registration	50
Certificate S.A.I.A (South	
African Institute of	
Auctioneers).	
Financial reference( bank	10
letter/recent bank statement)	
Resources required (refer to	10
list to be compiled on site	
viewing)	
Total	100

The minimum total score required for all four criteria, is 70%. Tenderers scoring less than 70% will be regarded as non-responsive.

#### 1. Resources required:

- • Fully computerised auction package
- · · Public Address system

• • Catalogues and numbering of units on auction i.e. marking and arranging of items will be made available at the site of the auction.

BBBEE level Points and Price Evaluation (method 2)

## PREFERENTIAL PROCUREMENT **POLICY FRAMEWORK ACT NO 5, 2017** (PPPFA) POINTS WILL BE AWARDED AS FOLLOWS:-

The 80/20 preference point system will be applicable,

Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.
- 1.1 The maximum points for this bid are allocated as follows:

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

NB: NO SUBMISSIONS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (as defined in Regulation 1 of the Local Government: Municipal Supply Chain Management Regulations)

BIDDERS ARE REQUIRED TO FAMILIARISE THEMSELVES WITH THE TENDERING CONDITIONS AND PROCEDURES AS DOCUMENTED BELOW.

#### 1.1 GENERAL CONDITIONS OF THE REQUEST FOR QUOTATIONS (RFQ)

- 1. For the purposes of this RFQ document, the words 'bidder' and 'tenderer', and 'RFQ' and 'tender' shall bear the same meaning.
- 2. 'MLM,' where referred to in this document means Makana Local Municipality.
- 3. No quotation will be considered unless submitted on this RFQ document.
- 4. The whole original RFQ document, as issued by Makana Municipality must be submitted. A quotation will be considered invalid and will not be accepted, if any part of this RFQ document is not submitted.
- 5. Bidders must submit one RFQ offer only, either as a single tendering entity or as a member of a joint venture.
- Telephonic, telegraphic, telex, facsimile or emailed RFQ submissions will not be accepted.
- 7. Any portion of the RFQ document not completed will be interpreted as 'not applicable'. Notwithstanding the afore-going, failure to complete any compulsory portion of the RFQ document will result in the RFQ submission being declared non-responsive.
- 8. Quotations must be properly received and deposited, on or before the closing date and on or before 12:00pm, in the RFQ Box situated at 86 High Street, Grahamstown, Upstairs at Finance Building. If the quotation submission is too large to fit in the allocated box, please enquire at the counter for assistance.
- 9. MLM accepts no responsibility for ensuring that quotations are placed in the correct tender box, and should a quotation be placed in the incorrect tender box, it will be not be accepted.
- 10. MLM reserves the right to accept: 10.1 the whole quotation or part of a quotation or any item or part of any item, or to accept more than one quotation (in the event of a number of items being offered), and MLM is not obliged to accept the lowest or any quotation; a quotation which is not substantially or materially different from the RFQ specifications.

11. MLM shall not consider quotations that are received after the closing date and time, as specified in the RFQ advertisement.

- 12. MLM will not be held responsible for any expenses incurred by bidders in preparing and submitting quotations.
- 13. MLM may, after the RFQ closing date, request additional information or clarification of submitted quotations, in writing.
- 14. A quotation may be rejected as non-responsive if the bidder fails to provide any clarification requested by MLM within the time for submission stated in the written request for such clarification.
- 15. A bidder may request in writing, after the closing date, that its quotation be withdrawn. Such withdrawal will be permitted or refused at the sole discretion of MLM after consideration of the reasons for the withdrawal, which shall be fully set out by the bidder in such written request for withdrawal.
- 16. The RFQ document must be signed by a person duly authorised to do so.
- 17. Quotations submitted by joint ventures, consortia, partnerships shall be accompanied by a joint venture, consortium, partnership agreement, in which it is defined precisely the conditions under which the joint venture, consortium or partnership will function, its period of duration, the persons authorised to represent and obligate it, the participation of the several firms of which it is formed, and any other information necessary to permit a full appraisal of its functioning.
- 18. Once the RFQ is awarded, all purchases will be made through an official Makana Local Municipality Purchase Order. Therefore no goods must be delivered or services rendered before an official Purchase Order has been forwarded to the successful bidder. The successful bidder must then deliver or render service upon receiving an official signed Purchase Order from MLM.
- 19. Evaluation of RFQs 19.1 Quotations will be evaluated in accordance with the evaluation criteria set out in the Special Conditions of the Request for Quotations.
- 19.2 Quotations will be evaluated for price and preference using the 80/20 preference points system as follows –
- 19.3 Unless otherwise stated in the Special Conditions, a contract will be concluded with the bidder who complies with the evaluation criteria, and scores the highest total price and BBBEE points.
- 19.4 Bidders may quote with or without VAT depending upon whether or not they are VAT vendors. In the calculation of price points, VAT shall be removed from the quotation amount of bidders who are registered as VAT vendors, so that financial offers can be evaluated on a comparative basis as a price advantage cannot be afforded to bidders who are not VAT vendors.

Price	80
BBBEE	20

#### 20. Test for Responsiveness

#### 20.1 Invalid Submissions

Quotations shall be invalid if:

- (a) The quotation submission is not sealed when submitted into the tender box.
- (b) The quotation submission is not completed in non-erasable ink.
  - (c) The form of offer has not been completed.
- (d) The bidder has been listed on the National Treasury's Register for Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act, No. 12 of 2004, or has been listed on the National Treasury's List of Restricted Suppliers and who is therefore prohibited from doing business with the public sector.
- (e) The bidder is prevented from doing business with MLM in terms of Regulation 38 and 44 of the Supply Chain Management Regulations (MFMA).

#### 20.2 Non-responsive Submissions

Quotations will be declared as non-responsive and eliminated from further evaluation in the following circumstances –

- (a) The submission has not achieved the minimum score for functionality as set out in the evaluation criteria, where functionality is applicable.
- (b) Where there are material deviations or qualifications to the RFQ which in MLM's opinion would
- i (i) Detrimentally affect the scope, quality or performance of the works, services or supply identified in the scope of works;
  - i (ii) Significantly change MLM's or the bidder's risks and responsibilities under the contract, or
  - ii (iii) Affect the competitive position of the bidder, or other bidders presenting responsive submissions, if it were to be rectified.
    - (c) The submission will be declared non-responsive if the bidder fails to adhere to a written request (within the specified period set out in such request) to –
  - i (i) Comply with the general conditions applicable to RFQs as contained in the MLM Supply Chain Management Policy;
  - ii (ii) Complete and/or sign any declarations and/or authorisations;
  - iii(iii) Submit items 2 3 of the list of returnable documents in Part 2 (section 2.1) of this bid document.
- (d) The bid will be declared non-responsive in the event that the bidder's tax matters, as verified on the government Central Supplier Database, are shown not be in order, and the bidder fails to ensure that its tax matters are in order within such timeframe as may be required by MLM in writing.

#### 21. Clarification of quotation after submission

The bidder must provide clarification of its submission in response to a request to do so from MLM during the evaluation process. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of bidders or substance of the submission may be sought, offered, or permitted.

#### 22. Provide other material

The bidder shall provide, on request by MLM, any other material that has a bearing on the RFQ submission, the tenderer's commercial position (including notarized joint venture agreements), or samples of materials, considered necessary by MLM for the purpose of a full and fair risk assessment. Should the bidder not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in MLM's request, MLM may regard the RFQ submission as non-responsive.

23. Inspections, tests and analysis

The bidder shall, at the request of MLM, provide access during working hours to its business premises for any inspections, tests and analyses as required for the RFQ.

24. Securities, bonds, policies, etc

shall be declared to be non-responsive.

If required, the bidder must submit for MLM's acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required in terms of the conditions of contract.

25. MLM supplier database 25.1 Bidders must be registered on the MLM Supplier Database, or meet the listing criteria set out in the MLM Supply Chain Management Policy, in order to be considered

- responsive to the RFQ.

  25.2 Bidders must be registered within 7 days of being requested to do so, failing which its submission
- 25.3 It is each bidder's responsibility to keep all the information on the MLM Supplier Database updated. If any information required (e.g. tax clearance certificate, CIDB certificate, etc) is not valid or has expired, all transactions with the vendor may, in the sole discretion of MLM, be suspended until such time as the correct, verified information is received.
- 26. Tax compliance status 26.1 No award shall be made to a person whose tax matters have not been declared to be in order by the South African Revenue Service (SARS).
- 26.2 Each party to a consortium, joint venture or partnership must comply with the above.
- 27. Declarations and authorisation

Bidders are required to complete all statutory declarations and authorisations in the schedules attached to this RFQ document, failing which the submission may be declared non-responsive.

28. Samples

If the specifications require a bidder to provide samples, these shall be provided strictly in accordance with the instructions set out in the special conditions of the RFQ below.

29. Alterations to tender document

Bidders may not make any alterations or additions to the RFQ document, except to comply with instructions issued by MLM, or as are necessary to correct errors made by the bidder. All signatories to the RFQ submission shall initial all such alterations. Erasures and the use of masking fluid are prohibited. 30. Objections, Complaints, Queries and Disputes / Appeals in terms of Section 62 of the Systems Act 30.1 Objections, complaints, queries and disputes 30.2 Section 62 Appeals Persons aggrieved by decisions or actions taken by MLM in the implementation of the supply chain management system or any matter arising from a contract awarded in terms of the supply chain management system may, within 14 days of the decision or action, lodge a written objection or compliant or query or dispute against the decision or action.

- (a) In terms of section 62 of the Systems Act, a person whose rights are affected by a decision taken by a political structure, political office bearer, councillor or staff member of a municipality in terms of a power or duty delegated or sub-delegated by a delegating authority, may appeal against that decision by giving written notice of the appeal and reasons to the Accounting Officer within 21 days of the date of notification of the decision.
  - (b) An appeal shall contain the following:
  - (i) The reasons and/or grounds for the appeal;
  - (ii) The manner in which the appellant's rights have been affected;
  - (iii) The remedy sought by the appellant. 30.3 Lodging of appeals, objections, complaints, queries and disputes relating to this tender
    - ii Appeals, objections, complaints, requests for information, queries and disputes must be submitted in writing to the Office of the Municipal Manager, 86 High Streets, Finance, Grahamstown, OR by email, nmbanjwa@makana.gov.za.

#### 1.2 SPECIAL CONDITIONS OF THE REQUEST FOR QUOTATIONS (RFQ)

The special conditions qualify, or are in addition to the general conditions in section 1.1 above. In the event of any ambiguity or inconsistency between the general conditions and the special conditions, the latter shall have precedence.

These special conditions, the general conditions, and the returnable schedules are only required for evaluation purposes, and shall not form part of any contract arising from the invitation to tender.

Additions or Variations to General Conditions

### **General Conditions Clause No.**

Clause 13 & 21	Where a bidder is requested to provide		
CLARIFICATION OF RFQ SUBMISSION	additional information or clarification of its		
	submission, this shall not be an opportunity for		
	the bidder to bolster its submission in any way,		
	so as to afford it an unfair competitive		
	advantage.		
Clause 16	The bidding entity must submit a letter of		
AUTHORITY OF SIGNATORY	authority on its letterhead authorising the		
	signatory to this RFQ to sign all documents in		
	connection with the RFQ, and any contract		
	which may arise therefrom, on behalf of the		
	bidding entity.		
	The letter of authority must be attached to		
01 10	Schedule A.		
Clause 18	After the Service provider has been notified of		
	the Award and signs Letter of Award, the bidder		
	will have to wait for an official signed Purchase		
	Order before commencing with the delivery or		
Clause 19	rendering of services appointed for.		
EVALUATION OF RFQs	RFQs will be evaluated in accordance with the		
Clause 23	evaluation criteria set out		
	No inspections, tests and analyses shall be		
INSPECTION, TESTS AND ANALYSES	required for this RFQ.		

### 1.3 RETURNABLE DOCUMENTS -check LIST

In addition to the requirements stipulated in this tender, tenderers are required to submit the documentation listed below.

Failure to submit a	RETURNABLE DOCUMENT	AVAILABLE (TICK √)
BBBEE certificate	INCIDINADEL DOCUMENT	AVAILABLE (HOIX V)
will result in no		
points being		
allocated to the		
bidder for BBBEE.		
ITEM NO.		
1.	Original or certified copy of BBBEE	
	certificate or sworn affidavit; if points are	
	claimed (a copy of a certified certificate	
	will not be accepted)	
1.1	A sworn affidavit confirming annual total	
	revenue and level of black ownership, if	
	bidder is an Exempted Micro Enterprise	
	(EME) or Qualifying Small Enterprise	
	(QSE)	
1.2	Original or certified copy of BBBEE	
	certificate, if bidder is a Trust, Joint	
	Venture or Consortium that is a legal	
	entity	
1.3	Original or certified copy of consolidated	
	BBBEE scorecard, if bidder is a Trust,	
	Joint Venture or Consortium that is an	
	unincorporated entity	
2.	Certified copy of Joint Venture or	
	Consortium Agreement; if bidder is a	
	Joint Venture or Consortium	
3.	Original Municipal debt clearance	
	certificate / bidders' business premises	
	lease agreement.	
4.	ID copies of directors	
5.	Print-out of Tax Compliance with Pin	
	Issued	
6.	Current Central Supplier Database	
	printout	
	Tr	

#### 1.4 RETURNABLE SCHEDULES

All returnable schedules below must be completed by the bidding entity, save for those schedules which are not applicable to it in which case the bidder must indicate which schedules are not applicable. Should the bidder fail to complete all applicable and compulsory schedules, its quotation submission shall be deemed to be non-responsive in accordance with clause 20.2 (d) (ii) of the general conditions.

The schedules required to be completed are	Letter of Authority for Signatory	
as listed below – Schedule A		
Schedule B	Confirmation of Registration of Bidder on	
	Central Supplier Database (CSD)	
Schedule C	Municipal Bidding Documents	

### SCHEDULE A – LETTER OF AUTHORITY FOR SIGNATORY

Indicate the status of the bidder by	CLOSE CORPORATION	PARTNERSHIP	JOINT VENTURE	SOLE PROPRIETORSHIP
ticking the appropriate box				
hereunder with an x. COMPANY				

SCHEDULE B -		
CONFIRMATION OF REGISTRATION OF BIDDER ON CENTRAL SUPPLIER DATABASE (CSD) NAME OF BIDDER	REGISTERED ON CSD? (YES/NO)	CSD SUPPLIER NUMBER

#### SCHEDULE C - MUNICIPAL BIDDING DOCUMENTS

MBD 6.1

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

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

#### 2. GENERAL CONDITIONS

- 2.1 The following preference point systems are applicable to all bids:
  - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

2.2

- a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 Preference point system shall be applicable; or
- b) The 80/20 preference point system will be applicable to this tender

Points for this bid shall be awarded for:

- (c) Price; and
- (d) B-BBEE Status Level of Contributor.
- 2.3 The maximum points for this bid are allocated as follows:

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

2.4 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

#### 3. **DEFINITIONS**

- (a) "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) "B-BBEE status level of contributor" means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) "bid" means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- **(e) "EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) "Functionality" means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) "prices" includes all applicable taxes less all unconditional discounts;
- (h) "proof of B-BBEE status level of contributor" means:
  - 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - Any other requirement prescribed in terms of the B-BBEE Act;
- "QSE" means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

#### 4. POINTS AWARDED FOR PRICE

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

A maximum of 80 or 90 points is allocated for price on the following basis: 80/20 or 90/10

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

#### 5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

5.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

6	DID	DECL	A D	ATIO	N I
n	BII)	1756.1	AR	411()	N

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

7.	<b>B-BBEE STATUS LEVEL</b>	. OF	CONTRIBUTOR	<b>CLAIMED</b>	IN	<b>TERMS</b>	OF I	PARAGRAPHS	1.4
	ΔND 4 1								

7.1 B-BBEE Status Level of Contributor: . = .......(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

#### 8. SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	NO	

8.1.1		
	s, indica	

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)				
YES		NO		

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Desi	gnated Group: An EME or QSE which is at last 51% owned	EME	QSE
	by:	$\sqrt{}$	√
Black	people		
Black	people who are youth		
Black	people who are women		
Black	people with disabilities		
Black	people living in rural or underdeveloped areas or townships		
Coope	erative owned by black people		
Black	people who are military veterans		
	OR		
Any E	ME		
Any Q	SE		
9.	DECLARATION WITH REGARD TO COMPANY/FIRM		
9.1	Name of company/firm:		
9.2	VAT registration number:		
9.3	Company registration number:		
9.4	TYPE OF COMPANY/ FIRM		
	<ul> <li>□ Partnership/Joint Venture / Consortium</li> <li>□ One person business/sole propriety</li> <li>□ Close corporation</li> <li>□ Company</li> <li>□ (Pty) Limited</li> <li>[TICK APPLICABLE BOX]</li> </ul>		
9.5	DESCRIBE PRINCIPAL BUSINESS ACTIVITIES		
9.6	COMPANY CLASSIFICATION	•••	
	<ul> <li>□ Manufacturer</li> <li>□ Supplier</li> <li>□ Professional service provider</li> <li>□ Other service providers, e.g. transporter, etc.</li> <li>[TICK APPLICABLE BOX]</li> </ul>		
9.7	MUNICIPAL INFORMATION		
	Municipality where business is situated:		
	Registered Account Number:		

	Stand Nu	ımber:	
9.8	Total num	ber of years the company/firm h	nas been in business:
9.9	that the p	oints claimed, based on the B-	uthorised to do so on behalf of the company/firm, certify BBE status level of contributor indicated in paragraphs qualifies the company/ firm for the preference(s) shown
	i) The in	formation furnished is true and	correct;
		reference points claimed are in raph 1 of this form;	accordance with the General Conditions as indicated in
	parag		awarded as a result of points claimed as shown in or may be required to furnish documentary proof to the claims are correct;
	or any		ator has been claimed or obtained on a fraudulent basis ave not been fulfilled, the purchaser may, in addition to
	(a)	disqualify the person from the	bidding process;
	(b)	recover costs, losses or dama person's conduct;	ges it has incurred or suffered as a result of that
	(c)		any damages which it has suffered as a result able arrangements due to such cancellation;
	(d)	only the shareholders and drestricted by the National Trea	or contractor, its shareholders and directors, or directors who acted on a fraudulent basis, be asury from obtaining business from any organ of any 10 years, after the audi alteram partem (hear applied; and
	(e)	forward the matter for criminal	prosecution.
WI	TNESSES		
1.			SIGNATURE(S) OF BIDDERS(S)
2.			DATE:

**MBD 6.2** 

## DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

#### 1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

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

#### Where

x is the imported content in Rand

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

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

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

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;
- 2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

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

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

YES	NO	

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

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

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

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

IN RESPECT OF BID NO.

**ISSUED BY**: (Procurement Authority / Name of Institution): Makana Local Municipality NB

- The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <a href="http://www.thdti.gov.za/industrial\_development/ip.jsp">http://www.thdti.gov.za/industrial\_development/ip.jsp</a>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below. Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

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

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
  - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

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

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in

clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE:	DATE:
WITNESS No. 1	DATE:
WITNESS No. 2	DATE:

#### **DECLARATION OF INTEREST**

1. No bid will be accepted from persons in the service of the state.

(a) a member of –

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 position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest.

3	In order to give effect to the above, the following questionnaire must with the bid.	be completed and submitted
3.1	Full Name:	
3.2	Identity Number:	
3.3	Company Registration Number:	
3.4	Tax Reference Number:	
3.5	VAT Registration Number:	
3.6	Are you presently in the service of the state	YES / NO
3.6.1	If so, furnish particulars.	
3.7	Have you been in the service of the state for the past twelve months?	YES / NO
3.7.1	If so, furnish particulars.	
MSCM	Regulations: "in the service of the state" means to be –	

	(i) (ii) (iii)	any municipal council; any provincial legislature; or the national Assembly or the national Council of provinces;	
(b) (c) (d) (e) (f) 3.8	an officia an emplo Manage a memb an emplo Do yo	er of the board of directors of any municipal entity; al of any municipality or municipal entity; byee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the ment Act, 1999 (Act No.1 of 1999); er of the accounting authority of any national or provincial public entity; or byee of Parliament or a provincial legislature. bu, have any relationship (family, friend, other) with persons in the service of the state aved with the evaluation and or adjudication of this bid?	
3.8.1	If so,	furnish particulars.	
3.9		ou, aware of any relationship (family, friend, other) between a bidder and any persons rate who may be involved with the evaluation and or adjudication of this bid?	in the service of YES / NO
3.9.1	If so,	furnish particulars	
3.10		ny of the company's directors, managers, principal eholders or stakeholders in service of the state?	YES / NO
3.10.	1 If so,	furnish particulars.	
3.11A	mana	y spouse, child or parent of the company's directors, gers, principal shareholders or stakeholders in service state?	YES / NO
3.11.	1 If so,	furnish particulars.	

### **CERTIFICATION**

I, THE UNDERSIGNE	ED (NAME)					
CERTIFY THAT TH	E INFORMATION	FURNISHED	ON THIS	DECLARATION	FORM	(MBD 4)
I ACCEPT THAT THE	E STATE MAY ACT	AGAINST ME	SHOULD T	HIS DECLARATI	ON PRO	VE TO
BE FALSE.						
Signature				D	ate	

MBD 8

# DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 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.
- 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).
- 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 audi alteram partem rule was applied).	Yes	No
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, <a href="www.treasury.gov.za">www.treasury.gov.za</a> , 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	Νō
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	Νo
4.3.1	If so, furnish particulars:		

PART T2: RETURNABLE DOCUMENTS KEON Consulting Consortium

Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or		No
	municipal charges to the municipality / municipal entity, or to any other mu	ınicipality	
	/ municipal entity, that is in arrears for more than three months?		
4.4.1	If so, furnish particulars:		
1.1.1	, 1		
4.5	Was any contract between the bidder and the municipality / municipal entity	or any Yes	No
	other organ of state terminated during the past five years on account of failure	re to	
	perform on or comply with the contract?		
4.7.1	If so, furnish particulars:		
4.7.1	ii so, raimsii particulais.		
	CERTIFICATION		
ΙT	THE UNDERSIGNED (FULL NAME)		
	RTIFY THAT THE INFORMATION FURNISHED ON TH	S	••••
	CLARATION FORM TRUE AND CORRECT.	i.b	
	CEMETION TOWN INCE IN E CONNECT.		
			~-
	ACCEPT THAT, IN ADDITION TO CANCELLATION		
	TION MAY BE TAKEN AGAINST ME SHOULD THIS DE	ECLARATION F	PROV
TO	BE FALSE.		
Sim	nature Date	• • • • • • • • • • • • • • • • • • • •	
Sigi	nature Date		
• • • • •			

T2-30 8010/06/2030





#### CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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





#### CERTIFICATE OF INDEPENDENT BID DETERMINATION

(Bid Number and Description)
in response to the invitation for the bid made by:
(Name of Municipality / Municipal Entity)
ereby make the following statements that I certify to be true and complete in every respect: I certify, or
If of:tha
-

#### (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.

<sup>&</sup>lt;sup>3</sup> 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.



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



### C1.2 CONTRACT DATA: GCC- SUPPLY AND DELIVERY OF SERVICES WILL APPLY

	The contract will be administered in terms of the General Conditions of
Tender No:	MLM/RFQ/002/2019-20
Project title:	PROVISION OF AUCTIONEERING SERVICES

The contract will be administered in terms of the <b>General Conditions of Contract 2010</b> as issued by National Treasury.  A copy of the General Conditions of Contract may be obtained from the National Treasury website – www.treasury.gov.za
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42.0	Part 1: Contract Data completed by the Employer
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42.1	Contracting and Other	Parties
42.1.1	Employer:	
	Makana Local Municipa <b>Postal Address:</b> P.O. Box 176 Grahamstown 6140	lity
	<b>Tel</b> : 046- 603 6111	Fax: 046- 622 9488
[1.2]	Physical Address: City Hall, High Street Grahamstown 6140	





## Part C2: Pricing Data

C2.1 Pricing Instructions.....

#### 2.1.1 PRICING INSTRUCTIONS

- i (i) The rates and prices submitted by the bidder must be entered into the pricing schedule below.
  - i (ii) The quotation amount must be inclusive of VAT, where the bidder is a registered VAT vendor.
- i (iii) Bidders must provide rates that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract.
- i (iv) Bidders are required to pay attention to clause 25 of the general conditions (imbalance in quoted rates).
  - i (vi) The pricing sheet is to be signed and stamped by the prospective company



RFQNo:	MLM	/RFQ	/002	2019	-20
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C2.2	Activity	/ Schedule
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### 2.2.2 PRICING SCHEDULE

Makana Local Municipality invites written quotations for the Auctioneering services.	Quantities Required	Total
1	COMMISSION ON REDUNDANT ASSETS	
2	COMMISSION OF PLANT AND VEHICLES	
3	COMMISSION OF MISCELLANEOUS SMALLS AND SCRAP MATERIALS	
TOTAL		





