



TENDER DOCUMENT

Tender No: MLM/RFQ002/2022-23

**SUPPLY AND DELIVERY OF ROAD MARKING PAINT FOR MAKANA LOCAL
MUNICIPALITY**

Closing Date: 28 September 2022	Closing Time: 12H00
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To be completed by the Bidder

Name of Bidder:

Address:

.....

.....

Telephone No:

Fax No:

BID PRICE (VAT incl):

AMOUNT IN WORDS:

TENDER BOX: FINANCE DIRECTORATE; HIGH STREET; GRAHAMSTOWN

IMPORTANT NOTES TO BIDDERS:

- | |
|---|
| <ul style="list-style-type: none"> a) No late RFQ will be accepted under any circumstances b) RFQ offers must be submitted in a sealed envelope clearly reflecting the RFQ number and tender description as indicated. c) Only original RFQ will be accepted. No copies, electronic or RFQ via facsimile or telegram will be accepted. d) Returnable documentation to be numbered |
|---|

RFQ NO: MLM/RFQ002/2022-23

CHECKLIST

No.	Documents	Checked
1.	Tax compliance status report with Issued Pin	
2.	Original Certified copy/ies of identity Document/s of the Directors	
3.	Copy/ies of Company composition documents e.g. CK1, CK2 or Trust document	
4.	Billing clearance certificate, lease agreement or statement of municipal accounts must be attached to and be returned with the tender documents, municipal account must not be in arrears for more than 3 months.	
5.	Completed and signed- MBD4, MBD6.1, MBD6.2, MBD8 & MBD9	
6.	Original or certified copy of BBBEE Certificate	

DETAILS OF TENDERER

Name of firm / entity / enterprise	
Trading as (if different from above)	
Postal Address	
Physical Address	
Contact Details of the Person Signing the Tender	Name: _____ Telephone : () _____ Fax: () _____ Cellular Number: _____ E-mail Address: _____
Contact Details of the Senior Manager Responsible for Overseeing the Contract Performance	Name: _____ Telephone : () _____ Fax: () _____ Cellular Number: _____ E-mail Address: _____
Contact Details of Person Responsible for the Accounts / Invoices	Name: _____ Telephone : () _____ Fax: () _____ Cellular Number: _____ E-mail Address: _____
Company Income Tax Number	
VAT Registration Number	
Company Registration Number	
Any other Registration Applicable to this Industry	
CIBD Registration Number	



BID NOTICE / ADVERT

Makana Local Municipality invites all experienced and competent suitable service-providers that are fully equipped for the following.

Project Name	RFQ No.	Preference Points System	Compulsory Briefing / Site Inspection Meeting	Closing Date & Time	Date Advertised
SUPPLY AND DELIVERY OF ROAD MARKING PAINT FOR MAKANA LOCAL MUNICIPALITY	MLM/RFQ2022-23/002	80/20	N/A	28 September 2022	19 September 2022

Bidders are required to submit the following documents:

- Bidders must submit a valid SARS Tax status report Issued with a Pin.
- Certified copies of identify documents of Directors
- Completed and signed declaration of interest MBD4, MBD 6.1, MBD 6.2, MBD 8 & MBD 9, failure to submit will result in disqualification.
- Certified copies of BBB-EE; failure to submit will result in 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 in arrears must be attached to and be returned with the Tender documents, **failure to submit will result in disqualification.**
- Tenderers must be registered as a supplier/service provider on Makana Local Municipality supplier/service provider database and Central Supplier Database (CSD) proof of registration

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(Makana Database Confirmation Letter; CSD Registration report) on both databases must be submitted.

- RFQs which are late, incomplete, unsigned, or submitted by fax to email or electronically, will not be accepted. Courier services can be used to submit the tender on behalf of the bidder, however late RFQs will not be accepted.
- Documents to be filled with black ink.
- CK / Company Registration Certificate or certified copy must be submitted, if a Sole Proprietor provide affidavit confirming ownership

PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT NO 5, 2017 (PPPFA) POINTS

WILL BE AWARDED AS FOLLOWS:-

Received Responsive proposals will be evaluated based on the following two stages, namely:

- Stage 1 – Functionality
- Stage 2 – Price and Preferential Points

A bidder that scores less than 70 points out of 100 in respect of “functionality” will be regarded as submitting a non-responsive quote and will be disqualified and will be not evaluated further, i.e., for price.

Failure to supply all required and supplementary information will result in the RFQ being deemed non-responsive; and therefore, the RFQ will not be considered for award.

Functionality Evaluation Criteria

Criteria	Points
<i>Company experience in Supply and Delivery of paint with reference letters:</i> 0 – 1 year = 20 points 1+ - 3 years = 30 points 3+ - 5 years = 40 points	40
Time frame for delivery 0 -7 days = 20 points 7+ - 14 days = 10 points 14+ days = 5 points	20
<i>Proof of quality agreement of paint from your manufacturer. (All Road Marking paint must comply with SABS – SANS 731-1: 2015)</i>	20
Financial References	20

TOTAL**100**

Bid Documents: will be available at Makana Finance website published with the advert at no cost to the bidder.

Closing Date: Completed bid documents in sealed envelopes, clearly marked “**tender name;** tender number” should be deposited in the TENDER BOX situated at DOWN STAIRS Makana Local

Municipality: Finance Department at 92 High Street Grahamstown not later than **28 September 2022 @ 12h00** where they will be opened in public- names of the bidders will be called out.

Makana Local Municipality does not bind itself to accept the lowest or any bid and reserves the right to accept the whole or part of the bid.

All Technical enquiries are to be directed to Project Manager- **Mr. Shannon Walters and email SWalters@makana.gov.za** and SCM related enquiries to be directed to **Ms Tabisa Mvane on 046 603 6222or tmvane@makana.gov.za**

Issued by office of the Municipal Manager: Mr M. Mene

MR M MENE
MUNICIPAL MANAGER

SECTION 1.2: RFQ CONDITIONS AND INFORMATION

1.2.1 General and Special Conditions of Contract

General Conditions of Contract (GCC) as well as Special Conditions of Contract (SCC) forming part of this set of tender documents will be applicable to this tender in addition to the conditions of tender. Where the GCC and SCC are in conflict with one another, the stipulations of the SCC will prevail.

1.2.2 Acceptance or Rejection of an RFQ

The Municipality reserves the right to withdraw any invitation to tender and/or to re-advertise or to reject any tender or to accept a part of it. The Municipality does not bind itself to accepting the lowest tender or the tender scoring the highest points.

1.2.3 Validity Period

Bids shall remain valid for **seven days** after the tender closure date.

1.2.4 Cost of RFQ Documents

Will be available at Makana Finance website published with the advert at no cost to the bidder.

1.2.5 Registration on Accredited Supplier Database- CSD

It is expected of all prospective service providers who are not yet registered on the Municipality's Supplier Database to register without delay on the prescribed form. The Municipality reserves the right not to award tenders to prospective suppliers who are not registered on the Centralised Supplier Database.

1.2.6 Completion of RFQ Documents

- (a) The original RFQ Document must be completed fully in black ink and signed by the authorised signatory to validate the RFQ. RFQ documents may not be retyped. Retyped documents will result in the disqualification of the tender.

- (b) The complete original RFQ document must be returned. Missing pages will result in the disqualification of the tender.

- (c) No unauthorised alteration of this set of RFQ documents will be allowed. Any unauthorised alteration will disqualify the tender automatically. Any ambiguity has to be cleared with contact person for the tender **before** the RFQ closure.

1.2.7 Compulsory Documentation

1.2.7.1 Tax Clearance Certificate

- (a) A Tax Compliance Status with Pin Issued must accompany the bid.
- (b) Bids not supported by a valid tax compliance status with a pin issued will be disqualified.

1.2.8 Other Documentation

1.2.8.1 Construction Industry Development Board (CIDB) (If applicable)

When applicable, a copy of the bidder's registration with the CIDB must be included with the tender.

1.2.8.2 Municipal Rates, Taxes and Charges

- (a) An original or certified copy of the bidders Municipal Billing Clearance Certificate (for the Municipality where the bidder pays his account) for the month preceding the tender closure date must accompany the tender documents.

- (b) Any bidder which is in arrears with their municipal rates and taxes or municipal charges due to any Municipality or any of its entities for more than **three months** and have not made an arrangement for settlement of same before the bid closure date will be unsuccessful.
- (c) If a bidder rents their premises, valid lease agreement signed by both parties (lessor and lease) must be submitted that the rental includes their municipal rates and taxes or municipal charges and that their rent is not in arrears.

1.2.8.3 Identity Document

- (a) The Identity document/s of the Director or Directors must be originally certified and not a copy of a previous certification

1.2.8.4 BBBEE Certificate

- (a) The BBBEE certificate must be an original certificate or if a copy is submitted it must be certified, failure to submit this will result in bidder losing points

1.2.8.5 Company composition documents

- (a) A copy of the company composition documents e.g. CK1, CK 2 or Trust documents must be submitted.

1.2.8.6 MDB Forms

All the attached MBDs must be completed and signed, failure will lead to disqualification

- (a) MBD 4, 8 and 9 forms must be duly completed and signed.
- (b) MBD 6.1 (PPPFA) must be duly completed and signed.
- (c) MBD6.2 declaration of local content (local production and local content) must be duly completed and signed.

If sections of the declaration forms are not applicable

1.2.9 Authorised Signatory

- (a) A copy of the recorded Resolution taken by the Board of Directors, members, partners or trustees authorising the representative to submit this bid on the bidder's behalf must be attached to the Bid Document on submission of same.

- (b) A bid shall be eligible for consideration only if it bears the signature of the bidder or of some person duly and lawfully authorised to sign it for and on behalf of the bidder.

1.2.10 Site / Information Meetings

N/A

1.2.11 Samples

N/A

1.2.12 Quantities of Specific Items

If tenders are called for a specific number of items, Council reserves the right to change the number of such items to be higher or lower. The successful bidder will then be given an opportunity to evaluate the new scenario and inform the Municipality if it is acceptable. If the successful bidder does not accept the new scenario, it will be offered to the second-placed bidder. The process will be continued to the Municipality's satisfaction.

1.2.13 Submission of RFQ

- (a) The RFQ must be placed in a sealed envelope, or envelopes when the two-envelope system is specified, clearly marked with the RFQ number, title as well as closing date and
- placed in the tender box on the Lower Ground floor of the Finance Directorate in 92 High Street, Makhandha by no later than the **26 SEPTEMBER 2022 at 12h00**.
- (b) Faxed, e-mailed and late tenders will not be accepted. Tenders may be delivered by hand, by courier, or posted at the bidder's risk and must be received by the deadline specified above, irrespective of how they are sent or delivered.

1.2.14 Expenses Incurred in Preparation of RFQ

The Municipality shall not be liable for any expenses incurred in the preparation and submission of the RFQ.

1.2.15 Contact with Municipality after RFQ Closure Date

Bidders shall not contact the Makana Municipality on any matter relating to their bid from the time of the opening of the bid to the time the contract is awarded. If a bidder wishes to bring additional information to the notice of the Makana Municipality, it should do so in writing to the Makana Municipality. Any effort by the firm to influence the Makana Municipality in the bid evaluation, bid comparison or contract award decisions may result in the rejection of the bid.

1.2.16 Opening, Recording and Publications of RFQ Received

- (a) RFQ will be opened on the closing date immediately after the closing time specified in the RFQ documents. If requested by any bidder present, the names of the bidders, and if practical, the total amount of each bid and of any alternative bids will be read out aloud.
- (b) Details of RFQ received in time will be published on the Municipality's website as well as recorded in a register which is open to public inspection.

1.2.17 Evaluation of Tenders

RFQ will be evaluated in terms of their responsiveness to the RFQ specifications and requirements as well as such additional criteria as set out in this set of tender documents.

1.2.18 Procurement Policy

Bids will be awarded in accordance with the New Preferential Procurement Regulations, 2017 pertaining to the Preferential Procurement Policy Framework Act, No 5 of 2017 as well as the Municipality's Supply Chain Management Policy.

1.2.19 Contract

The Municipality, will request the signing of a Service Level Agreement which, together with the signed RFQ document, will constitute the full agreement between the Municipality and the successful bidder.

1.2.20 Language of Contract

The contract documents will be compiled in English and the English versions of all referred documents will be taken as applicable.

1.2.21 Wrong Information Furnished

Where a contract has been awarded on the strength of the information furnished by the bidder which, after the conclusion of the relevant agreement, is proved to have been incorrect, the Municipality may, in addition to any other legal remedy it may have, recover from the contractor all costs, losses or damages incurred or sustained by the Municipality as a result of the award of the contract.

1.2.22 Past Practices

- (a) The bid of any bidder may be rejected if that bidder or any of its directors have abused the municipality's supply chain management system or committed any improper conduct in relation to such system.

- (b) The bid of any bidder may be rejected if it is or has been found that that bidder or any of its directors influenced or tried to influence any official or councillor with this or any past RFQ.

- (c) The bid of any bidder may be rejected if it is or has been found that that bidder or any of its directors offered, promised or granted any official or any of his/her close family members, partners or associates any reward, gift, favour, hospitality or any other benefit in any improper way, with this or any past RFQ.

1.2.23 Enquiries

Enquiries in connection with this RFQ, prior to the RFQ closure date, may be addressed to **Mr. Shannon Walters and email SWalters@makana.gov.za** and SCM related enquiries to be directed to **Ms Tabisa Mvane on 046 603 6222or tmvane@makana.gov.za**

OTHER RETURNABLE DOCUMENTS



MBD 4

DECLARATION OF INTEREST

- 1. No bid will be accepted from persons in the service of the state.
- 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 be completed and submitted with the bid.**

3.1 Full Name:

3.2 Identity Number:

3.3 Company Registration Number:

3.4 Tax Reference Number:

3.5 VAT Registration Number:

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

3.6.1 If so, furnish particulars.

.....
.....

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

3.7.1 If so, furnish particulars.

.....
.....

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

(a) a member of –

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

3.8 Do you, have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?

3.8.1 If so, furnish particulars.

.....
.....

3.9 Are you, aware of any relationship (family, friend, other) between a 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**

3.9.1 If so, furnish particulars

.....
.....

3.10 Are any of the company's directors, managers, principal shareholders or stakeholders in service of the state? **YES / NO**

3.10.1 If so, furnish particulars.

.....
.....

3.11 Are any spouse, child or parent of the company's directors, managers, principal shareholders or stakeholders in service of the state? **YES / NO**

3.11.1 If so, furnish particulars.

.....
.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM (MBD 4) IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder



MAKANA
MUNICIPALITY | EASTERN CAPE
...a great place to be

MBD 6.1

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

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

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

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

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

1.2

- 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

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b) The 80/20 preference point system will be applicable to this tender

Points for this bid shall be awarded for:

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

1.3 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

1.4 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.

1.5 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.

2. 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;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“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;

3. POINTS AWARDED FOR PRICE

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

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iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
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		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

8.7 MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account Number:

Stand Number:.....

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8.8 Total number of years the company/firm has been in business:.....

8.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

WITNESSES
1.
2.

.....
SIGNATURE(S) OF BIDDERS(S)
DATE:
ADDRESS
.....
.....



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:

Description of services, works or goods	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)

<p>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)</p>	
<p>IN RESPECT OF BID NO.</p>	
<p>ISSUED BY: (Procurement Authority / Name of Institution):</p>	
<p>NB</p>	
1	<p>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.</p>
2	<p>Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thdti.gov.za/industrialdevelopment/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration</p>

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
of(name of bidder entity), the
following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (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 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:		

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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	No
4.3.1	If so, furnish particulars:		

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

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid;
or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

³Joint 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 ineffective 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

Scope of Work

Supply and Delivery of Road Marking Paint for Makana Local Municipality MLM/RFQ002/2022-23

Technical Specifications and Scope of Work

Technical Specifications and Scope of Work

ITEM	DESCRIPTION	Quantity
1	TP24 White Road Marking Paint 20L SABS – SANS 731-1:2015 Approved	50
2	TP41 Yellow Road Marking Paint 20L SABS – SANS 731-1:2015 Approved	16
3	TP88 Red Road Marking Paint 20L SABA-SANS 731-1:2015 Approved	16
4	TP28 Black Road Marking Paint 20L SABS – SANS 731-1:2015 Approved	5
5	Thinners Road Marking 5L SABS Approved	40
6	25KG bag of Retro-reflective glass beads	5
7	100mm Roller Refill Sheepskin Brushes	100
8	100mm Roller with pole extension	10
9	5-piece paint brush set (Small)	10

PRICING SCHEDULE
Supply and Delivery of Road Marking Paint for Makana Local Municipality
RFQ No: MLM/RFQ002/2022-23



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MAKANA
 MUNICIPALITY | EASTERN CAPE
a great place to be

QUANTITY	DESCRIPTION	PRICE incl. VAT	Date when delivery can be given
50	TP 24 White Road Marking Paint 20L SABS – SANS 731 -1:2015 Approved	_____	
16	TP41 Yellow Road Marking Paint 20L SABS – SANS 731- 1: 2015 Approved	_____	
16	TP88 Red Road Marking Paint 20L SABS – SANS 731 – 1:2015 Approved	_____	
5	T28 Black Road Marking Paint 20L SABS – SANS 731 – 1:2015 Approved	_____	
40	Thinners Road Marking 5L SABS Approved	_____	
5	25KG bag of Retro – reflective glass beads	_____	
100	100mm Roller Refill Sheepskin Brushes	_____	
10	100mm Roller with pole extension	_____	
10	5 Piece paint brush set (Small)	_____	
ALL PRICES TO INCLUDE VAT			

I/We, the undersigned, hereby agree to supply the articles as specified above and deliver same in good order and condition as may from time to time be demanded, subject to the conditions stated. This tender is for 24 months.

Signed:

BUSINESS DETAILS:

Name  **MAKANA**
: MHSUCURATU, J. EASTERS, CAPE
...a great place to be

AS WITNESSES  **200 YEARS**
reflect and imagine
...the making of a great place to be

MBD 9

Address :
.....

Telephone No: Fax No:

Address :
.....



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