

# **RFQ DOCUMENT**

## RFQ No: MLM/RFQ006/2021-22 SUPPLY AND DELIVERY OF PERSONAL PROTECTIVE CLOTHING FOR WATER SECTION DEPARTMENT

	Closing Date: 16 February	Closing Time: 12H00			
Na	ame of Bidder:				
Ac	ddress:				
Te	elephone No:				
Fa	ıx No:				
Bi	d Price:				
R	RFQ BOX: FINANCE DIRECTORATE; HIGH STREET; GRAHAMSTOWN				
IMPORTANT NOTES TO BIDDERS:					
	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 RFQ description as indicated.				
	c) Only original RFQ will be accept	•			
	via facsimile or telegram will be accepted.				
	d) Returnable documentation to be numbered				

# TENDER NO: MLM/RFQ006/2021-22

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#### CHECKLIST

Only a tenderer who has fully completed and submitted required documentation shall be considered. Failure to do so may result in the disqualification of tenderer.

No.	Documents	Checked
1.	Tax compliance status report with Issued Pin	
2.	Central Supplier Data base (CSD) Proof of registration and Makana data base Confirmation Letter	
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.	
5.	Completed and signed of MBD4, MBD6.1, MBD6.2, MBD8 & MBD9	
6.	Original or certified copy of BBBEE Certificate	

# DETAILS OF BIDDER

Name of firm / entity / enterprise Trading as (if different from				
above) Postal Address				
Physical Address				
Contact Details of the Person Signing the RFQ	Telephone : ( 	)	_ Fax:(	)
Contact Details of the Senior Manager Responsible for Overseeing the Contract Performance	Cellular Number:	)		)
Contact Details of Person Responsible for the Accounts / Invoices		)	_ Fax: (	)

Company	
Income	Tax
Number	



# ADVERTISEMENT

The Makana Local Municipality invites all experience and competent suitable Tenderers that are fully equipped to provide the following goods and services.

Project Name: SUPPLY AND DELIVERY OF PERSONAL PROTECTIVE CLOTHING FOR WATER SECTION DEPARTMENT

RFQ NO: MLM/RFQ006/2021-22

Date Advertised: 09 February 2022

Closing Date: 16 February 2022

Preference Point System: 80/20

# Bidders are required to submit the following documents:

- Founding Statement (CK / Company Registration Certificate) or certified copy must be submitted, if a sole proprietor provide affidavit confirming ownership.
- Bidders to submit a valid SARS Tax status report Issued with a Pin.
- Completed and signed declaration of interest MBD4, MBD 6.1, MBD 6.2, MBD 8 & MBD 9, Failure to submit will result in disqualification.
- If part of material used to manufacture the PPE has imported Items, bidders should submit letter of exemption from DTI. Failure to do so will result in disqualification.
- BBBEE Certificates original / certified copies must be submitted and failure to do so will result in loss of points.
- Original certified copy Directors/Owners/Partners Identity documents.
- Billing clearance / 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 must be attached to and be returned with the Tender documents, if arrangement is done proof must be attached, failure to submit will result in disqualification.
- NB:JV/Partnership; JV agreement or partnership agreement must be attached failure will result in disqualification
- Each JV partner or Partnership partner must complete and sign all MBDs and submit billing per requirement above
- 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 (Makana Database Confirmation Letter; CSD Registration report) on both databases must be submitted.
- MFMA Circular 90 will apply

- RFQs which are late, incomplete, unsigned or submitted by fax or electronically (email; facsimile; telegraphic; telex/telephonic), will not be accepted and submissions from Tenderers who arrived late at the Tender clarification meeting will not be accepted.
- Documents to be filled with black ink.
- RFQs submitted are to hold good for a period of 07 days. Tenders must remain valid for a period of <u>07 days</u> after the closing date for the submission of Tenders, during which period a Tender may not be amended or withdrawn and may be accepted at any time by the Makana Municipality .Validity period can be extended when required by the municipality

PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT NO 5, 2017 (PPPFA) POINTS WILL BE AWARDED AS FOLLOWS:- Method 2 will be used to all evaluate responsive tender offers:

The Makana Municipality procurement policy for evaluation of tenderers will apply taking into account the guidelines in the Instruction Note from the National Treasury in respect of bids that include functionality as a criterion for evaluation. This is as prescribed below:

First compliance will be evaluated first for responsiveness before functionality is evaluated. Only responsive bids will be evaluated for functionality. This will be a one envelope system.

#### The evaluation of bids will be evaluated based on the following two stages:

- Stage 1 Functionality
- Stage 2 Price and Preferential Points

Firstly an assessment of the bids in terms of Functionality will be done in terms of the evaluation criteria stated in the following paragraph. Thereafter, only the qualifying bids are evaluated in terms of the 80/20 preference points system, where 80 are points allocated for Price and the 20 points for BBBEE

#### N.B The system described above will be a one envelope system.

#### **EVALUATION FOR FUNCTIONALITY**

Functionality will be evaluated as shown in the table below:

No	Description	Points	Total Points
	Company profile		
1	Detailed company profile with number of years in existence	10 points	10
	Not detailed and no number of years in existence	5 points	
	Nothing submitted	0 points	
	Experience with supply and delivery projects of PPE		
2	a) 4 projects	a) 40 points	40
	b) 3 projects	b) 15 points	

	c) 2 projects	c) 10 points	
	d) 1 project	d) 5 points	
	Please note:		
	Attach recommendation letters from your previous clients		
	If there is no (reference letter/recommendation letter) attached no points to be awarded.		
	Delivery time frame		
	Within 7 days	20 points	
3	More than 7 but less than a month	10 points	20
	More than a month but less than 3 month	2 – Points	
	Above 3 months	0 – Points	
	Quality Assurance		
4	Proof from Manufacturer	10 points	10
	No proof	0 points	
	Banking rating		
5	(Bank rating of A,B&C)	20 POINTS	20
	Less than C=0 points	0 points	

Total	100			
<b><u>CRITERIA</u></b> A bidder that scores less than 70 points out of 100 in respect of "functionality" will be regarded submitting a non-responsive bid/ quote and will be disqualified.				
PLEASE NOTE WELL THAT THE MINIMUM NUMBER OF POINTS TO BE ACHIEVED BY THE BIDDER IN ORDER TO BE EVALUATED FOR PRICE AND HDI IS 70. ANY BID THAT FAILS TO MEET THE MINIMUM THRESHOLD FOR FUNCTIONALITY WILL BE DISQUALIFIED.				
The bids that qualify will proceed to the next stage where they will be evaluated in terms of preference points system. The Points will be allocated as follows:	f the 80/20			
80 points = for price 20 points = BBBEE				

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A bidder that scores less than 70% in respect of "functionality" will be regarded as submitting a non-responsive bid and will be disqualified and will be not evaluated further, i.e. for price. Only bidders who score 70% or more would be evaluated further and therefore eligible for the award.

- Bids must only be submitted in the format as stated in the RFQ document and this advert as per RFQ documentation provided by the municipality.
- One envelopes system will be followed.

#### **OBTAIN DOCUMENTS**

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

# **NB- SUBMITTING OF TENDERS**

Closing Date: Completed RFQ documents must be enclosed in a sealed envelope, clearly marked "SUPPLY AND DELIVERY OF PERSONAL PROTECTIVE CLOTHING FOR WATER SECTION DEPARTMENT"

**BID No "MLM/RFQ006/2021-22"** as well as the closing time and due date, and must be addressed to the Supply Chain Management, MAKANA MUNICIPALITY, PO Box 176, Makhanda 6140, should be deposited/submitted in the RFQ box situated at upstairs at finance building, Makana Local Municipality: Finance Department at 86 High Street Grahamstown not later than **16 February 2022** @ **12H00**. (No late tenders shall be accepted; all late RFQs shall be returned unopened to the sender if received by post)

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.

Requirements for sealing, addressing, delivery, opening and assessment of RFQs are stated in the RFQ Data.

All Technical Enquiries are to be directed to Ms B Soyizaphi Tel: 073 665 5348,email:bsoyizaphi@makana.gov.za and all SCM queries are to be directed to and Ms T Mvane, email <u>tmvane@makana.gov.za</u> & Mr Ayabonga Bushula, email abushula@makana.gov.aza

Issued by office of the Municipal Manager: Mr Mene\_

MR M. MENE MUNICIPAL MANAGER

#### SECTION 1.2: TENDER 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 a Tender

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 ninety days after the tender closure date.

#### **1.2.4 Cost of Tender Documents**

Payment for tender documents, if specified, must be made by a crossed cheque payable to Makana Municipality. These costs are non-refundable.

#### **1.2.5 Registration on Accredited Supplier Database**

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 Database.

#### **1.2.6 Completion of Tender Documents**

- (a) The original tender document must be completed fully in black ink and signed by the authorised signatory to validate the tender. Tender documents may not be retyped. Retyped documents will result in the disqualification of the tender.
- (b) The complete original tender document must be returned. Missing pages will result in the disqualification of the tender.
- (d) No unauthorised alteration of this set of tender 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 tender 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 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 <u>must</u> 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

#### 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

- (a) All the attached MBD4, 8 and 9 forms must be duly completed and signed.
- (b) MBD 6.1
- (c) MBD 6.2

#### 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 (if applicable)

Site or information meetings, if specified, are compulsory. Bids will not be accepted from bidders who have not attended compulsory site or information meetings.

#### 1.2.11 Samples

Samples are to be provided to the Municipality with the tender document.

#### 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 Tender

- (a) The tender must be placed in a sealed envelope, or envelopes when the two-envelope system is specified, clearly marked with the tender number, title as well as closing date and
- placed in the tender box on the Upstairs of the Finance Directorate in High Street, Grahamstown by no later than 12<sup>th</sup> November 2021 @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 Tender

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

#### 1.2.15 Contact with Municipality after Tender 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 Tenders Received

- (a) Tenders will be opened on the closing date immediately after the closing time specified in the tender 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 tenders 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

Tenders will be evaluated in terms of their responsiveness to the tender 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 tender 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 tender.
- (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 tender.

#### 1.2.23 Enquiries

Enquiries in connection with this RFQ, prior to the tender closure date, may be addressed to Project Manager Ms B Soyizaphi email address: <u>bsoyizaphi@makana.gov.za,tel:046</u> 603 6136 and Ms T Mvane email <u>tmvane@makana.gov.za</u> 046 603 6222 & Mr Ayabonga Bushula email, abushula@makana.gov.za

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# **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.	
	gulations: "in the service of the state" means to be – a member of –	
;)	any municipal council; (ii) any provincial legislature; or (iii) the national Assembly or the national Council of provinces;	
or m (d) mea (e) (f)	<ul> <li>(iii) the national Assembly or the national Council of provinces;</li> <li>a member of the board of directors of any</li> <li>icipal entity; (c) an official of any municipality</li> <li>unicipal entity;</li> <li>an employee of any national or provincial department, national or provincial ning of the Public Finance</li> <li>Management Act, 1999 (Act No.1 of 1999);</li> <li>a member of the accounting authority of any national or provincial public enal an employee of Parliament or a provincial legislature.</li> <li>Do you, have any relationship (family, friend, other) with persons in the servic evaluation and or adjudication of this bid?</li> </ul>	tity; or
3.8.1	If so, furnish particulars.	
3.9	Are you, aware of any relationship (family, friend, other) betwee the state who may be involved with the evaluation and or adjud	
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

.....

3.11Are 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 DECORRECT.	ECLARATION FORM (MBD 4) IS
I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS	S DECLARATION PROVE TO BE
FALSE.	
Signature	Date
Position	Name of Bidder



MBD 6.1

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

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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

- 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

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

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

4.1 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

#### 5. BID DECLARATION

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

# 6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

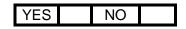
6.1 B-BBEE Status Level of Contributor: . = ......(maximum of 10 or 20 points)

(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.

#### 7. SUB-CONTRACTING

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

#### (Tick applicable box)



#### 7.1.1 If yes, indicate:

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

Designated Group: An EME or QSE which is at last 51% owned	EME	QSE
by:	$\checkmark$	$\checkmark$
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
	<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>
8.5	DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

8.6 COMPANY CLASSIFICATION

(*k*) **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

#### 9. POINTS AWARDED FOR PRICE

#### 9.1 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

 $Ps = 80 \left(1 - \frac{Pt - P\min}{P\min}\right) \quad \text{or} \quad Ps = 90 \left(1 - \frac{Pt - P\min}{P\min}\right)$ Where Ps = Points scored for price of bid under considerationPt = Price of bid under considerationPmin = Price of lowest acceptable bid

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

10.1 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

#### 11. BID DECLARATION

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

#### 12. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

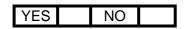
12.1 B-BBEE Status Level of Contributor: . = ......(maximum of 10 or 20 points)

(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.

#### 13. SUB-CONTRACTING

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

#### (Tick applicable box)



13.1.1 If yes, indicate:

- vi) What percentage of the contract will be subcontracted.....%
- vii) The name of the sub-contractor.....
- viii) The B-BBEE status level of the sub-contractor.....
- ix) Whether the sub-contractor is an EME or QSE

(Tick applicable box)				
YES		NO		

x) 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 last 51% owned	EME	QSE
by:	$\checkmark$	
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		

14.	DECLARATION WITH REGARD TO COMPANY/FIRM
14.1	Name company/firm:
14.2	VAT registration number:
14.3	Company registration number:
14.4	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>
14.5	DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

[TICK APPLICABLE BOX]

#### 14.7 MUNICIPAL INFORMATION

Municipality where business is situated:
Registered Account Number:
Stand Number:

- 14.8 Total number of years the company/firm has been in business:.....
- 14.9 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	SIGNATURE(S) OF BIDDERS(S)
2	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 se	rvices, w	orks or	<u>goods</u>	Stipulated	<u>minimun</u>	n threshold
Sur	Uniform(-textile				<u>ad oxaminatio</u>	100 <u></u>	%
Sui						i) —	100_%
						_	%
3.	Does any porti have any impo (Tick applicable box	rted cont	-	or service	es offered		
	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 <u>www.reservebank.co.za</u>

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)

	RESPECT OF BID NO.	
ISS	<b>UED BY</b> : (Procurement Authority / Name of Institution):	
NB		
1	The obligation to complete, duly sign and submit this declaration transferred to an external authorized representative, auditor or an party acting on behalf of the bidder.	
2	Guidance on the Calculation of Local Content together with Le Declaration Templates (Annex C, D and E) is accent http://www.thdti.gov.za/industrial development/ip.jsp. Bidders complete Declaration D. After completing Declaration D, bid complete Declaration E and then consolidate the information on D Declaration C should be submitted with the bid document closing date and time of the bid in order to substantiate the made in paragraph (c) below. Declarations D and E should be bidders for verification purposes for a period of at least 5 years. The bidder is required to continuously update Declarations C, D and actual values for the duration of the contract.	cessible on should first dders should beclaration C. ation at the e declaration e kept by the ne successful
nan do l of	ne undersigned, nes), hereby declare, in my capacity as der entity), the following:	
(a)	The facts contained herein are within my own personal knowledge	е.
(b)	I have satisfied myself that:	
	(i) the goods/services/works to be delivered in terms of the abo bid comply with the minimum local content requirements as the bid, and as measured in terms of SATS 1286:2011; and	s specified in
(c)	The local content percentage (%) indicated below has been calc the formula given in clause 3 of SATS 1286:2011, the rates indicated in paragraph 4.1 above and the information contained in D and E which has been consolidated in Declaration C:	of exchange
Bi	d price, excluding VAT (y)	R
In	nported content (x), as calculated in terms of SATS 1286:2011	R
	tipulated minimum threshold for local content (paragraph 3 above) ocal content %, as calculated in terms of SATS 1286:2011	

(d)	) I accept that the Procurement Authority / Institution has the right to request tha the local content be verified in terms of the requirements of SATS 1286:2011.	
(e)	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.

<b>Item</b> 4.1	Question 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</i>	Yes Yes	No No
4.1.1	<i>partem</i> rule was applied). 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	No
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	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	Yes	No
	/ municipal entity, that is in arrears for more than three months?		
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	Yes	No
	failure to perform on or comply with the contract?		
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





# CERTIFICATE OF INDEPENDENT BID DETERMINATION

MBD 9

- 1. This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> 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).<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.
  - 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 bidrigging.
  - 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD9) must be completed and submitted with the bid:
  - <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.





MBD 9

#### **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 consortium<sup>3</sup> 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.





#### MBD 9

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

# SCOPE OF WORK

Describe, in specific terms, what items will be procured and under what conditions:

The scope covers Supply and delivery of Protective Clothing. Specification details as per attached tender document.

# OVERALL

Labelling:

Blue for water Section (reticulation):

- Water at the back (in red)
- MM( at the back pocket of the bottom)
- A pocket on the L.H.S with a Makana logo.
- Reflector stripes around elbows on the top and on the knees of the trouser

Navy-blue jean for Water Treatment Works section:

- Water or Sanitation at the back (in black / red)
- MM (at the back pocket of the bottom)
- A pocket on the L.H.S with Makana logo
- Reflector stripes around elbows on the top and on the knees of the trouser

Safety equipment to be as per the specification attached.

# SAFETY BOOTS

The scope covers Supply and delivery of Safety Boots. Specification details as below:

Sizes: 4 – 10

Colour: Black for Men and Women

SABS approved safety shoe with genuine leather upper and dual density PU sole. To have a steel toecap with impact protection of 200 joules and heat resistant up to 90°C.

- Anti-static removable inner sole
- Water and Oil resistant
- Slip resistant
- Shock resistant

# RAIN BOOTS

- PVC Black
- No Steel cop men and women
- Sample picture with a brand name to be provided

#### **RAIN SUIT**

- Sized to wear comfortably over other garments
- Packed in a self-fabric pouch with zip opening
- The fabric is polyester PVC 180 g/m2
- Double-needle stitched throughout with internal heat sealed taped seams for extra strength and water resistance
- 50mm silver reflective tape (EN 20471 Class ii), around the torso, arms and legs

# NB: Please provide sample pictures

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.

Signed:		
BUSINESS DETAILS:		AS WITNESSES:
Name	:	
Address	:	
Telephone No:		Fax No:



# **PRICING SCHEDULE**

Bidder must price for all items. Bidder price must be inclusive of all costs relevant including VAT where applicable

QUANTI TY	DESCRIPTION	Price per Item
	OVERALL <ul> <li>Price per Item</li> </ul>	
	SAFETY BOOTS <ul> <li>Price per Item</li> </ul>	
	RAIN BOOTS <ul> <li>Price per Item</li> </ul>	
	RAIN SUIT Price Per Item	
	TOTAL VAT INCLUSIVE	

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.

Signed:		
BUSINESS DETAILS:		AS WITNESSES:
Name	:	
Address	:	
Telephone No:		Fax No: