



UPHONGOLO MUNICIPALITY

SUPPLY AND DELIVERY OF FIRE AND DISASTER UNIFORM FOR UPHONGOLO MUNICIPALITY.

TENDER NO: 718/09/23

SUPPLY AND DELIVERY OF FIRE AND DISASTER UNIFORM FOR UPHONGOLO MUNICIPALITY.

TABLE OF CONTENTS

1. Bid Advert
2. Bid Specifications and Pricing Schedule
3. Standard forms
4. General conditions of contract
5. Attachments:
 - 6.1. MBD 1. Invitation to Bid
 - 6.5. MBD 4. Declaration of Interest
 - 6.9. MBD 6.1. Points claimed (Specific goals)
 - 6.10 MBD 8 Declaration of bidders past supply chain.
Management practice
 - 6.11 MBD 9 Certificate of Independent Bid
Determination



UPHONGOLO MUNICIPALITY

Bids are hereby invited in terms of section 18(a) of the Uphongolo Municipality's Supply Chain Management Policy together with section 83 of the Municipal Systems Act, No.32 of 2000, as amended and read together with sections 110,111 and 112 of the Municipal Finance Management Act No.56 of 2003 for: **SUPPLY AND DELIVERY OF FIRE AND DISASTER UNIFORM FOR UPHONGOLO MUNICIPALITY,**

DESCRIPTION OF TENDER	DURATION	TENDER NUMBER	TENDER DOCUMENT	EVALUATION CRITERIA	CLOSING DATE AND TIME
SUPPLY AND DELIVERY OF FIRE AND DISASTER UNIFORM	ONCE-OFF	718/09/23	FROM MUNICIPAL WEBSITE	RETAINABLES AND SPECIFIC GOALS	16 October 2023 at 12H00

SUPPLY AND DELIVERY OF FIRE AND DISASTER UNIFORM FOR UPHONGOLO MUNICIPALITY

Bidders are hereby invited from suitably qualified and experienced service providers for the Supply and delivery of Fire and Disaster uniform for uPhongolo Municipality.

TENDER ENQUIRIES

All Technical enquires should be directed to Mr BXC Dladla the director community services via email address or telephone during office hours: dladlax@uphongolo.gov.za, 034 314 1223/105 and all Supply Chain Management enquiries should be directed to Mr. MS Mtshali the SCM Manager via email address or telephone during office hours: musawenkosim@uphongolo.gov.za on 034 413 1223/120.

SUBMISSION OF TENDER DOCUMENT

Tenders must be enclosed in a sealed envelope, addressed to the Municipal Manager, UPhongolo Municipality and clearly marked: **BID NUMBER, 718/09/23 (SUPPLY AND DELIVERY OF FIRE AND DISASTER UNIFORM)** and the bidders name and details. Bids must be deposited in the tender box at the office of UPhongolo Municipality on the 61 Martin street, uPhongolo 3170 on or before 12h00 on the closing date and no late or faxed tenders will be considered. UPhongolo Municipality does not bind itself to accept the lowest of any tender and reserves the right to accept the whole or any part of the tender.

Mr MB Khali
Municipal Manager

**UPHONGLOMUNICIPALITY**

TENDER NO: 718/09/23

SUPPLY AND DELIVERY OF FIRE AND DISASTER UNIFORM FOR UPHONGOLO MUNICIPALITY.

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)					
BID NUMBER:	718/09/23	CLOSING DATE:16 October 2023		CLOSING TIME:	12pm
DESCRIPTION	SUPPLY AND DELIVERY OF FIRE AND DISASTER UNIFORM FOR UPHONGOLO MUNICIPALITY				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT 61 Martin Street, uPhongolo 3170 Municipal Reception.

SUPPLIER INFORMATION				
NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:

B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]			
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R
SIGNATURE OF BIDDER	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT		CONTACT PERSON	
CONTACT PERSON		TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS			

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p>
2. TAX COMPLIANCE REQUIREMENTS
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.</p> <p>2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS
<p>3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</p>

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

NOTE TO BIDDERS ON BID CONDITIONS:

- The Supply Chain Management Policy of UPhongolo Municipality will apply. The Council reserves the right not to accept the lowest bid or any bid and reserves the right to accept the whole or part of the bid, or to reject all bids and cancel the notice to bid;
- Bids that are submitted late, incomplete, unsigned or by facsimile, electronically or not completed in black ink will be rejected and not accepted for further evaluation;
- Council reserves the right to inspect the business premises to ensure that they meet with all relevant requirements of the company;
- Members or Directors of Companies or Service Providers who are state employees are not allowed to bid or quote;
- Unsuccessful bidders will be informed of the tender outcome through the Municipal website. Aggrieved unsuccessful bidders will be allowed to lodge, within fourteen (14) days of the decision or action, a written objection or complaint to the Office of the Municipal Manager through email, mm@uPhongolo.gov.za. Complaints or objections received after fourteen (14) days of the date of the notice **will not** be entertained; and
- Bids submitted are to be valid for a period of **90 days**.

BASIS OF EVALUATION AND ADJUDICATION

The committees must agree to the promotion of competitiveness, fairness, transparency and cost-benefit analysis when determining the basis of evaluation for this project.

First stage: - Compliance, Specific goals;

Mandatory Returnable Document

Compliance: Checking of the following,

- Registration with National Treasury Central Database (summary report),
- SARS Pin Issue Certificate,
- CIPRO registered (Certified copy of business registration Certificate),
- Original or Certified Copy of BBBEE Certificate,
- Certified ID Copies of business entity owners
- Company profile with the contactable references
- Statement of rates and other municipal taxes for entity and its owners
- tender document is full completed

EVALUATION

PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT (PPPF ACT) POINTS TO BE CLAIMED AS FOLLOWS:

Specific goals

The specific goals allocated points in terms of this quote	80/20	Documents required for verification
Specific goal 1 – Ownership – maximum points = 10		
Company owned more than 100% black people	10	ID copy of director/Owner and detailed CSD
Company owned more than 51% black people	6	ID copy of director/Owner and detailed CSD
Company owned more than 25% black people	4	ID copy of director/Owner and detailed CSD
Specific goal 2 – BBBEE Certificate - maximum points = 4		
BBBEE Certificate Level 1	4	BBBEE Certificate or Certified Sworn Affidavit
BBBEE Certificate Level 2	2	BBBEE Certificate or Certified Sworn Affidavit
BBBEE Certificate Level 3	1	BBBEE Certificate or Certified Sworn Affidavit
Specific goal 3 – RDP Goals		
Companies falls under the SMME Category – maximum points = 6		
1. Enterprise Located within uPhongolo Local Municipality	6	CSD report or bill of property rates or valid lease agreement or proof of residence
1. Enterprise Located within Kwa-Zulu Natal	4	CSD report or bill of property rates or valid lease agreement or proof of residence
2. Enterprise Located within South Africa	2	CSD report or bill of property rates or valid lease agreement or proof of residence
Total points	20	

Second stage: - Preferential Point System (80:20); 80 for price and 20 for specific goals.

NB!!!

ALL COPIES OF QUALIFICATIONS AND PERMITS MUST BE CERTIFIED FAILURE TO DO SO WILL RESULT IN POINTS NOT BEING ALLOCATED.

FUNCTIONALITY/ PRE-QUALIFICATION POINTS FOR BID EVALUATION

Bidders will first be evaluated on the following point scoring criteria and be subjected to a further evaluation thereafter; bidders will be further evaluated on the targeted procurement / preferential points.

Bidders, who do not score more than 60% upon the pre-qualification, will not be considered for a further evaluation.

Bidders are to submit documentary proof and the page reference number in support of the description of items above as part of the bid document.

Points allocated column is for Municipal Official use only.

Key aspect of criterion	Basis for points allocation	Score	Max. Points	Verification Method
Company Experience	At least more than 5 years' relevant experience, attach appointment letters/ orders.	50	50	Appointment Letters/ Orders. FAILURE TO SUBMIT REQUIREMENTS WILL RESULT IN NO SCORE BEING GIVEN
	At least 4-5 years' relevant experience, attach appointment letters/ orders.	30		
	At least 1-3 years' relevant experience, attach appointment letters/ orders.	20		
Experience of Key Personnel	1. Store Manager:		50	Attach CV's and relevant qualifications. CERTIFICATION ON DOCUMENTS MUST NOT BE OLDER THAN 3 MONTHS. FAILURE TO ADHERE TO THE ABOVE REQUIREMENTS WILL RESULT IN NO SCORE BEING GIVEN
	At least more than 5 years' relevant experience, attach proof of appointments.	20		
	At least 4-5 years' relevant experience, attach proof of appointments.	15		
	At least 1-3 years' relevant experience, attach proof of appointment.	10		
	2. Store Supervisor:			
	At least more than 5 years' relevant experience, attach proof of appointments.	10		
	At least 4-5 years' relevant experience, attach proof of appointments.	7		
	At least 1-3 years' relevant experience, attach proof of appointments.	3		

Total points **100**

SCOPE OF WORK/ BID SPECIFICATION

UNIFORM FOR UPONGOLO FIRE AND DISASTER DEPARTMENT

DESCRIPTION	QUANTITY
Navy blue combat fatigue trousers/ fire fighter cargo pants with crossed axes reflective tape attached below the knees	4 per person
Navy blue long sleeve combat fatigue shirt inclusive of: uPhongolo fire and disaster badge on the left chest and both shoulders/ initials and surname on the right chest (red lettering)/ with crossed axes reflective tape on right and left sleeves	2 per person
Navy blue short-sleeve combat fatigue shirt inclusive of: uPhongolo fire and disaster badge on the left chest and both shoulders/ initials and surname on the right chest (red lettering)/ with crossed axes reflective tape attached above cuffs on right and left sleeves	2 per person
Navy blue short-sleeve t-shirt/ golfers inclusive: uPhongolo fire and disaster badge on the left chest and both shoulders/ embroidered nametag initials and surname on the right chest (red lettering)	4 per person
Navy blue outer wear/ coverall/ overalls/ jumpsuits inclusive of: uPhongolo fire and disaster badge on the left chest and both shoulders and on the back with uPhongolo Municipality name on the back above the badge/embroided nametag initials and surname on the right chest (red lettering)/ with crossed axes reflective tape on right and left sleeves with detachable sleeves/ crossed axes reflective tape attached below the knees	1 per person
Navy blue combat fatigue baseball cap inclusive of: uPhongolo fire and disaster badge attached centre of cap	4 per person
Navy blue beanies for winter inclusive of: uPhongolo fire and disaster badge attached centre of beanies	4 per person
Black SWAT original fire fighter operational boots	1 per person
Navy blue long wool blend opt-fresh socks	4 per person
Reflective vest with detachable sleeves	1 per person
Round neck t-shirts with uPhongolo fire and disaster badge on the left chest	4 per person
Navy blue jersey inclusive of: uPhongolo fire and disaster badge on the left chest and both shoulders/ initials and surname on the right chest (red lettering)	1 per person
Navy blue jacket inclusive of: uPhongolo fire and disaster badge on the left chest and both shoulders/ initials and surname on the right chest (red lettering)	1 per person
Navy blue and yellow fire fighter responder wetton rain gear jacket/ two in one and long inclusive of: uPhongolo fire and disaster badge on the left chest and both shoulders/ initials and surname on the right chest (red lettering)	1 per person
Fire fighter rain wear reflective suits	1 per person
Canvas belt with fire badge	1 per person

UNIFORM SIZES

Uniform description	B.J NGOBE SE	F.M XAB A	Z.E MAZIY A	V.W MAKHUNG A	S.V THABED E	N NGEM A	N.T NDLANG AMANDL A	N.P NTSHANGA SE	M.L MSEZAN E
Combat trouser	40	40	30	30	30	40	40	40	40
Combat short sleeve shirt	XL	Larg e	SMALL	SMALL	SMALL	LARGE	LARGE	MEDIUM	XL
Combat long sleeve shirt	XL	Larg e	SMALL	SMALL	SMALL	LARGE	LARGE	MEDIUM	XL
Golf t-shirt	XL	Larg e	SMALL	SMALL	SMALL	LARGE	MEDIUM	MEDIUM	XL
Round neck t-shirt	XL	Larg e	SMALL	SMALL	SMALL	LARGE	MEDIUM	MEDIUM	XL
Jersey	XL	Larg e	SMALL	SMALL	SMALL	LARGE	MEDIUM	MEDIUM	XL
Jacket	XL	Larg e	SMALL	SMALL	SMALL	LARGE	LARGE	MEDIUM	XL
Fire fighter responder rain gear/jacket	XL	Larg e	SMALL	SMALL	SMALL	LARGE	LARGE	MEDIUM	XL
Reflective jacket	XL	Larg e	SMALL	SMALL	SMALL	LARGE	LARGE	MEDIUM	XL
Jumpsuits/overall	40/L	40/L	30/S	30/S	30/S	40/L	40/L	40/L	40/L
Canvas/we bbing belt	XL	Larg e	SMALL	SMALL	SMALL	LARGE	LARGE	LARGE	LARGE
Tactical/ operational Boots	10	9	6	7	6	7	6	6	6
Rain suits	XL	Larg e	SMALL	SMALL	SMALL	LARGE	XL	MEDIUM	LARGE
Socks	SIZE FIT ALL	SFA		SFA	SFA	SFA	SFA	SFA	SFA
Jersey	XL	Larg e	SMALL	SMALL	SMALL	LARGE	MEDIUM	MEDIUM	LARGE
Jacket	XL	Larg e	SMALL	SMALL	SMALL	LARGE	LARGE	MEDIUM	LARGE
Baseball cap	SFA	SFA	SFA	SFA	SFA	SFA	SFA	SFA	SFA
Beanies	SFA	SFA	SFA	SFA	SFA	SFA	SFA	SFA	SFA
Fireman Ranks	SFA	SFA	SFA	SFA	SFA	SFA	SFA	SFA	SFA

UPHONGOLO FIRE AND DISASTER DEPARTMENT UNIFORM

DESCRIPTION OF THE UNIFORM (PROTECTIVE CLOTHING)	QUANTITY
Structural fire suit inclusive of: uPhongolo fire and disaster badge on the back with uPhongolo Municipality name above the badge	9
Fire fighting gloves	12
Rescue gloves	12
Flash hoods	12
Fire fighting helmet	9
Fire fighting boots	9
Rescue torches	9

FIRE AND DISASTER PROTECTIVE CLOTHING SIZES

Uniform description	B.J NGOBE SE	F.M XAB A	Z.E MAZIY A	V.W MAKHUNG A	S.V THABED E	N NGEM A	N.T NDLANG AMANDL A	N.P NTSHANGA SE	M.L MSEZAN E
Structural fire suit/PPE	XL	XL	SMALL	SMALL	SMALL		LARGE	LARGE	LARGE
Fire fighting boots	10	9	6	8	6		6	6	6
Fire fighting helmet	SFA	SFA	SFA	SFA	SFA	SFA	SFA	SFA	SFA
Flash hoods	SFA	SFA	SFA	SFA	SFA	SFA	SFA	SFA	SFA
Rescue gloves	XL	Larg e	SMALL	SMALL	SMALL		SMALL	SMALL	MEDIUM
Fireman gloves	XL	Larg e	SMALL	SMALL	SMALL		SMALL	SMALL	MEDIUM

Pricing schedule

Please attach your quote with prices

Failure to comply with the above-stated requirements may result in a disqualification of your proposal.

Comments if any:

Bidder may attach the detailed pricing schedule

1. COMMUNICATION AND REPORTING

The successful bidder(s) will report to the UPhongolo Accounting Officer in relation to assignments in accordance with agreed terms as would be documented on the subsequent service level agreements or contracts. 6.2 Particular projects will be initiated by means of written instructions to the successful bidders on competitive basis, backed by verbal briefings where necessary.

2. DETAILS OF SERVICE PROVIDER'S BIDS

Prospective service provider must provide information in the under-mentioned sequence and in not more than 10 (ten) pages:

Company/Individual profile.

3. CONDITIONS

Bid may be submitted for any or all of the categories indicated in the scope above. Responses should, however, clearly indicate which category the bidder is responding to and include the following:

- a. A response to each of the elements in the evaluation matrix of not more than ten (10) pages per element including annexure(s), if any.
- b. Where an entity forms a joint venture or a consortium with (an) other entities(y), the parties to this agreement must express in the bid proposal what aspect of the scope of work each party would be adding value to and what percentage each party will receive in terms of the proceeds flowing from any assignment.
- c. The bidders are required to ensure that the individual directors and technical staff/financial management specialist experience is clearly documented in the bid.
- d. It is further imperative that the bidder ensures that the curriculum vitae of individual resources is not included in other bidder proposals. Should a duplication of curriculum vitae be identified across proposals, such curriculum vitae will be disregarded for both bidders during evaluation. "Request for permission from the resource to use their CV's"
- e. Request permission from resource for cv
- f. Proposals should also clearly indicate how bidders intend to transfer skills to the UPhongolo financial management and Municipal officials. This should particularly indicate how this was done in previous assignments.
- g. As and when assignments are agreed upon, the UPhongolo Municipality will stipulate the rates to be paid per consultant in terms of experience, preferable separate between trainee, junior, intermediate, and senior consultants. The Bidder is required to specifically indicate its acceptance of this condition.
- g. The bidder's staff complement must address the demographics of the country in line with government policies, and must provide evidence that it is complying with transformation in terms of Broad Based Black Economic Empowerment Act (B-BBEE)
- h. Payment will only be made upon approved deliverables. The Consultant should note that no payment will be made should the Municipality not be satisfied with the standard of deliverables.
- i. The successful bidder(s) will enter into a contractual agreement(s) with the UPhongolo Municipality confirming the appointment on the list of service providers.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS

(NOT TO BE RE-TYPED)

NB!!!! Please attach copies of the following documents. Failure to provide the following duly completed and up to date documents and certified where applicable will lead to automatic disqualification.

- **Company registration documents.**
- **ID documents of directors/owners/members/shareholders.**
- **TAX/VAT pin from SARS**
- **BBBEE Certificate / Letter of accreditation/Affidavit from (SAPS)**
- **Past experience**
- **Joint Venture agreement if any**
- **CSD summary report**

STANDARD FORMS

THIS BID IS SUBJECT TO THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT THIS BID WILL BE EVALUATED AND ADJUDICATED ACCORDING TO THE FOLLOWING CRITERIA:

- 1.Relevant specifications
- 2.Value for money
- 3.Capability to execute the contract
- 4.PPPFA & associated regulations

NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE

**UPHONGOLO MUNICIPALITY
STANDARD FORM FOR TENDERS**

TENDER NO: 718/09/23

Closing Date: 16 October 2023

Closing Time: 12:00

BIDDERS DETAILS

THE FOLLOWING PARTICULARS MUST BE FURNISHED AND SIGNED

(FAILURE TO DO SO WILL RESULT IN YOUR BID BEING DISQUALIFIED)

Name of Bidder

Postal Address

_____ Postal Code

Street Address

_____ Postal Code

Telephone Number

Code ____ Number _____

Cellphone number

Facsimile Number

Code ____ Number _____

Signature of bidder /

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 of 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 authorized 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
- e) provincial public entity or constitutional institution within the meaning
- f) of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- g) a member of the accounting authority of any national or provincial
- h) public entity; or
- i) 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?

YES/NO

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

Signature

Date

Position

Name of Bidder

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

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

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

1. GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

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

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ Ps=80(1- \frac{Pt}{Pmin}-Pmin) & \text{or} & Ps=90(1- \frac{Pt}{Pmin}-Pmin) \end{array}$$

Where

Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ Ps=80(1+ \frac{Pt}{Pmax}-Pmax) & \text{or} & Ps=90(1+ \frac{Pt}{Pmax}-Pmax) \end{array}$$

Where

Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration Pmax =
Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

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

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

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

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the

tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct; ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

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

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

**DECLARATION OF BIDDER'S PAST SUPPLY CHAIN
MANAGEMENT PRACTICES**

1. This Municipal Bidding Document must form part of all bids invited.
2. This 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 of fraud or corruption during the past five years;
 - c. wilfully 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	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/ Authority of the institution that imposed the restriction after the <i>Audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>
4.1.1	If so, furnish particulars:		

4.2	Is the bidder or any of its directors listed on the Register of Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register of Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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"/>
4.5.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

_____ **CERTIFY THAT THE
INFORMATION FURNISHED ON THIS DECLARATION FORM IS 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

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). Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
reasonable
3. Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures of the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all 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 of municipal entity of has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person I 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 teen 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:

¹Includes 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 good 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 purpose 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 paragraph 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.

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

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

