



**HOUSING COMPANY TSHWANE**  
affordable housing solutions

<b>BID DESCRIPTION:</b>	<b>TENDER FOR SUPPLY AND INSTALL PRECAST ROAD BARRIER FOR THE TIMBERLANDS SITE FOR HOUSING COMPANY TSHWANE (HCT)</b>
<b>BID NUMBER</b>	<b>HCT 04/2022</b>
<b>CENTRAL SUPPLIER DATABASE NUMBER:</b>	
<b>NAME OF THE BIDDER</b>	
<b>POSTAL ADDRESS</b>	
<b>TELEPHONE NUMBER</b>	
<b>CELLPHONE NUMBER</b>	
<b>FAX NUMBER</b>	
<b>E-MAIL ADDRESS</b>	
<b>TCS PIN</b>	
<b>BID AMOUNT</b>	
<b>CLOSING DATE</b>	<b>06 JUNE 2022</b>
<b>CLOSING TIME</b>	<b>12:00</b>
<b>BID DOCUMENTS MUST BE DEPOSITED IN THE TENDER BOX SITUATED AT:</b>  Addressed to Supply Chain Management (TENDER BOX) 1 <sup>st</sup> Floor, SKG Tower Building (ABSA Building) 310 Pretorius Street Pretoria 0001	
<b>BIDDERS MUST INITIAL EACH PAGE</b>	



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**MBD 1**

## **INVITATION TO BID – PART A**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE HOUSING COMPANY TSHWANE NPC**

**BID NUMBER: HCT 04/2022 CLOSING DATE: 06 JUNE 2022 CLOSING TIME: 12:00**

**DESCRIPTION: REQUEST FOR PROPOSAL (RFP) IS TO APPOINT A SUITABLE REGISTERED COMPANY THAT WOULD SUPPLY AND INSTALL PRECAST ROAD BARRIER FOR THE TIMBERLANDS SITE FOR HOUSING COMPANY TSHWANE (HCT)**

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**The successful bidder will be required to fill in and sign a written Contract Form (MBD 7).**

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BID DOCUMENTS MAY BE POSTED TO:  
Or DEPOSITED IN THE BID BOX SITUATED AT

**(STREET ADDRESS)**

1<sup>st</sup> Floor, SKG Tower Building (ABSA BUILDING)  
310 Pretorius Street  
Pretoria  
0001

**Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration. All bids must be submitted in a sealed envelope clearly indicating the name of the bidder, bid number and description. A two-envelope procedure will not be followed.**

**Submit only one signed original tender offer.**

The bid box is generally open during working hours i.e., 08:00 – 16:00 Monday to Friday.

**ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS - (NOT TO BE RE-TYPED)**

**THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT**



THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

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

HAS A VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED / SARS Pin? **(MBD 2) YES or NO**

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? **(MBD 6.1) YES or NO** IF YES,

WHO WAS THE CERTIFICATE ISSUED BY?

**(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, I SERVICES I WORKS OFFERED?

**YES, or NO?**

[IF YES ENCLOSE PROOF]

ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS/SERVICES/WORKS OFFERED? **YES or NO?**

[IF YES, ANSWER PART B; 3]

SIGNATURE OF BIDDER.....

DATE .....

CAPACITY UNDER WHICH THIS BID IS

SIGNED.....

TOTAL BID PRICE.....

TOTAL NUMBER OF ITEMS OFFERED .....



**HOUSING COMPANY TSHWANE**  
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<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
<b>DEPARTMENT</b>	SCM	<b>DEPARTMENT</b>	SCM OFFICE
<b>CONTACT PERSON</b>	Mrs Phumudzo Ademoye	<b>CONTACT PERSON</b>	Mr Mongi Mbambo
<b>TELEPHONE NUMBER</b>	012 358 5236	<b>TELEPHONE NUMBER</b>	012 358 7129
<b>FASCIMILE NUMBER</b>	N/A	<b>FASCIMILE NUMBER</b>	N/A
<b>EMAIL ADDRESS</b>	Phumudzoa@TSHWANE.GOV.ZA	<b>EMAIL ADDRESS</b>	thabanim@TSHWANE.GOV.ZA

**PART B**  
**TERMS AND CONDITIONS FOR**  
**BIDDING**

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
<b>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE</b>
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>



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

**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.**

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:.....

## IMPORTANT NOTICE

- Bidders are reminded that the form of bid (section 2) must be completed in full and signed.
- Bidders are reminded that for any and all alterations in the form of Bid must be signed in full by the bidder's authorized signatory and an accompanying letter on the bidder's official letterhead will indicate such alterations.
- Proposals might be opened in public with consideration of COVID-19 social distancing.
- No submissions transmitted by Fax or other electronic means will be accepted.
- Valid tax compliant verification pin number issued by SARS.
- Failure to submit samples, if requested will result in a disqualification of the bid
- The bid document is to be completed in black ink and in full. It is not to be re-typed at all.
- The bid document is to be submitted in full in the same order as issued, with all the sections attached.
- In bids where Consortiums and joint ventures are involved, an agreement endorsed with signatures of all parties involved must be submitted.
- The Housing Company Tshwane does not take any responsibilities for Bids/Proposals dropped in the wrong box.

**Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.**



## **1. INTRODUCTION**

Housing Company Tshwane (HCT) is a Non-Profit Company which intends to appoint a suitable qualified service provider to install “Pre-Cast Road Barrier at its Timberlands site.

## **2. BACKGROUND**

The Housing Company Tshwane was established by the City of Tshwane in 2001 as a Municipal Entity responsible for the development and management of institutional/rental housing in and around the inner-city areas of Tshwane Metropolitan area. The establishment of the HCT was aimed at changing the way rental housing would be developed and managed in Tshwane, thus contributing to the achievement of specific development objectives of the City of Tshwane as the sole shareholder.

The high-level plan from the shareholder’s perspective was to use the company as the delivery agent for affordable rental accommodation that responds to community and shareholder’s needs, as well as using the company as a catalyst for urban regeneration in a rapidly expanding city.

The HCT currently has a vacant land/site namely, Timberlands that is earmarked for housing development and as such the site will need to be secured with a “Pre-Cast Concrete Barrier” in order to create an effective barrier for illegal parking of vehicles. HCT seeks to employ a suitable qualified service provider to supply and install temporary “Pre-cast Concrete Barrier” at its Timberlands site.

## **3. OBJECTIVE ASSIGNMENT**

HCT’s objective is to secure Timberlands site in order to create an effective barrier for illegal parking vehicles.



#### 4. SCOPE OF WORK

HCT seeks to appoint a suitable qualified service provider to supply and install “Pre-Cast Concrete Barrier” at its Timberlands site.

##### PART 1 – GENERAL

###### 1.1 Scope

- a) This specification covers material requirements and installation of Pre-Cast Concrete Barrier estimated +/- 220 meters for the project: Timberlands Social Housing Project. The site is located at Erf 1118, 447 Johannes Ramokhoase Street, Arcadia. GPS: 25°44'35.22S, 28°12'01.65" E.

###### 1.2 Work Included

- a) Supply and Install Pre-Cast Concrete Barrier (810cm height x 2000cm Width).

##### PART 2 – PRODUCTS AND PRICE

PRODUCT	Price per Barrier
Supply and Install Precast Concrete Barrier (810cm height x 2000cm with) accordance with SANS 51317-2:2009	

#### 5. EVALUATION CRITERIA

The evaluation system comprises of 3 stages:

##### 5.1. Stage 1: Administrative Compliance

All interested bidders must possess the following information in order to pass through stage one of the bid:

1. CSD registration report/ MAAA Number
2. SARS Tax Pin/Tax clearance
3. CIPC, Company registration documents
4. Municipal account, the statement of account for your lease, proof of residence and or letter / affidavit from your council. If you are not the account holder, please make sure that the affidavit is written by the account holder and the account holder must indicate that she/he is aware / had given permission for you to utilize his/her address.
5. All MBD forms completed and signed. If the submission is done as a Joint Venture, all requested documents will be required for each individual company forming the JV. In the case of a JV, an original JV Authority of Signatory as well as a JV agreement must be submitted.

## 5.2. Stage 2: TECHNICAL EVALUATION

One Hundred (100) points is allocated for the technical as shown below. In order to be considered for appointment into the panel, the service provider must score a minimum of 70 points.

Functionality Criteria	Weights
<b>Company References:</b> Provide three (3) positive company contactable references that are not older than three years. Evidence of prior experience in installing Pre-Cast Concrete Barrier	<b>Maximum 40 points</b>
3 Positive References provided = 40 points	
2 Positive References provided = 20 points	
1 Positive References provided = 10 points	
<b>Company years of experience</b>	<b>Maximum 30 points</b>
>more than 5 years of experience = 30 Points < 2 years of experience = 20 points 1 years or below years of experience = 10 points	
<b>Local Infrastructure</b>	<b>Maximum 15 points</b>
For local business, proof of a municipal account is required to evaluate this criterion. <ul style="list-style-type: none"> <li>• City of Tshwane - 15 Points</li> <li>• Gauteng - 10 Points</li> <li>• Other - 05 Points</li> </ul> Up to date municipal account not older than 3 months and should not be in arrears of over 90 days or a certified statement of your lease agreement. If you are not the account holder, please make sure that an affidavit is written by the account holder indicating that they are aware and have given you permission to utilize their address/premises	
<b>Women ownership</b>	<b>Maximum 15 Points</b>
➤ 51% Women Ownership = 15 points	
<b>TOTAL POINTS FOR FUNCTIONALITY</b>	<b>100 POINTS</b>

**NB: No tender will be evaluated further to stage 3 if it fails to score the minimum 70 points required.**

#### 4.3 Stage 3: FINANCIAL EVALUATION

##### STAGE 3: 80/20 EVALUATION CRITERIA

80 points are for price

20 points are for BBBEE

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Kindly attach the following documents to your bid and tick the applicable box:

Item No	Document	tick
1.	Company registration	
2.	SARS TAX pin/Tax clearance	
3.	Valid B-BBEE certificate/Sworn Affidavit	
4.	Company Profile	
5.	Registration with relevant legal bodies or authority	
6.	Proof of municipal account /lease agreement and invoice not older than 3 months	

#### 5 TERMINATION OF CONTRACT

Notwithstanding anything contained in this agreement, Housing Company Tshwane reserves the right to terminate this contract by giving three (3) month's written notice to this effect.

#### 6 ADDITIONAL CONDITIONS OF TENDER

- Tender documents must be completed in black ink
- The lowest or any Bid will not necessarily be accepted, and the Housing Company Tshwane reserves the right to accept the whole or any portion of a tender.
- Bids will be valid for ninety (90) days after the closing date.
- Tenders will be received until the **06 June 2022**, must be enclosed in sealed envelopes, bearing the title of the bid, closing time and due date:

## 7 MBD Forms

### MBD 2

#### TAX CLEARANCE CERTIFICATE REQUIREMENTS

**It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.**

- 1 In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
- 2 SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
- 3 The valid Tax Clearance Certificate/ SARS Pin must be submitted together with the bid. Failure to submit a valid Tax Clearance Certificate/SARS Pin may result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
- 4 In bids where Consortia / Joint Ventures / Sub-contractors are involved; each party must submit a separate Tax Clearance Certificate/ SARS pin.
- 5 Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website [www.sars.gov.za](http://www.sars.gov.za).
- 6 Applications for the Tax Clearance Certificates may also be made via e-filing. In order to use this provision, taxpayers will need to register with SARS as filers through the website [www.sars.gov.za](http://www.sars.gov.za).

**SARS Pin .....**

#### **Consortia/Joint Ventures/sub-contractor**

**Company Name.....**

**Company Name.....**

**SARS Pin Number .....**

**SARS Pin Number.....**

**Company Name .....**

**SARS Pin Number .....**

**MBD 3.3**

**PRICING SCHEDULE**

**ATTACH OWN PRICING SCHEDULE**

NAME OF BIDDER: .....

BID NO.: .....

CLOSING TIME .....

CLOSING DATE.....

OFFER TO BE VALID FOR ...**90**...DAYS FROM THE CLOSING DATE OF BID.

ITEM	DESCRIPTION	BID PRICE IN RSA
CURRENCY NO		** (ALL APPLICABLE
TAXES INCLUDED		

1. The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.  
R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION	HOURLY RATE	DAILY RATE
.....	R.....	.....
.....	R.....	.....
.....	R.....	.....
.....	R.....	.....
.....	R.....	.....
.....	R.....	.....

**5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT**

.....	R.....	.....days
.....	R.....	.....days
.....	R.....	.....days
.....	R.....	.....days

5.1 Travel expenses (specify, for example rate/km and total km, class of air travel, etc.). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
---------------------------------------	------	----------	--------

.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

TOTAL: R.....

\*\* "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

5.2 Other expenses, for example accommodation (specify, eg. Three-star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
---------------------------------------	------	----------	--------

.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

TOTAL: R.....



6. Period required for commencement with project after acceptance of bid  
.....

7. Estimated man-days for completion of project.....

8. Are the rates quoted firm for the full period of contract? **\*YES/NO**

9. If not firm for the full period, provide details of the basis on which adjustments  
will be applied for, for example consumer price index.  
.....  
.....

## 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 favoritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorized representative declare their position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest.

**3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

3.1 **Full Name:** .....

3.2 **Identity Number:** .....

3.3 **Company Registration Number:** .....

3.4 **Tax Reference Number:** .....

3.5 **VAT Registration Number:** .....

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

3.6.1 If so, furnish particulars.

.....

.....

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

3.7.1 If so, furnish particulars.

.....

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

(a) *a member of –*

(i) *any municipal council;*

(ii) *any provincial legislature; or*

(iii) *the national Assembly or the national Council of provinces;*

(b) *a member of the board of directors of any municipal entity;*

(c) *an official of any municipality or municipal entity;*

(d) *an employee of any national or provincial department, national or provincial*



*public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);*

- (e) *a member of the accounting authority of any national or provincial public entity; or*
- (f) *an employee of Parliament or a provincial legislature.*

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

**YES / NO**

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

**3.8.1** If so, furnish particulars.

.....  
.....

**3.9** Are you, aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?

**YES / NO**

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?

**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**

If so, furnish particulars.

.....  
.....

**3.11** Are any spouses, 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:**

.....

.....

## MBD 6.1

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

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

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

#### 1. GENERAL CONDITIONS

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

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

1.2 The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the..... system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

1.3.1 The maximum points for this bid are allocated as follows:

#### POINTS

1.3.1.1 PRICE .....

1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION .....

**Total points for Price and B-BBEE must not exceed 100**

- 1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) 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**

- 2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad -Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad- Based Black Economic Empowerment Act;
- 2.4 **“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 services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** 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;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with annual total revenue of R5 million or less

- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at  
The time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad- Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

### **3. ADJUDICATION USING A POINT SYSTEM**

3.1 The bidder obtaining the highest number of total points will be awarded the contract.

3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.

3.3 Points scored must be rounded off to the nearest 2 decimal places.

3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.

3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.

3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

## **1. POINTS AWARDED FOR PRICE**

### **4.1 THE 80/10 PREFERENCE POINT SYSTEMS**

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

#### **80/20 Preference System:**

$$P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

Where

- $P_s$  = Points scored for comparative price of bid under consideration
- $P_t$  = Comparative price of bid under consideration
- $P_{min}$  = Comparative price of lowest acceptable bid

### Points awarded for B-BBEE Status Level of Contribution

- 1.1. in terms of Regulation 5 (2) and 6 (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>B-BBEE Status Level of Contributor</b>	<b>Number of points (80/20 system)</b>
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

- 1.2. Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 1.3. Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 1.4. A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 1.5. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B- BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 1.6. Tertiary institutions and public entities will be required to submit their B-BBEE

status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

- 1.7. A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 1.8. A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

## 2. BID DECLARATION

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

### 3. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5

- 3.1. B-BBEE Status Level of Contribution: ..... = .....(maximum of 20 points)

**(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).**

## 4. SUB-CONTRACTING

- 8.1 Will any portion of the contract be sub-contracted? **YES / NO** (delete which is not applicable)

- 8.1.1 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? YES / NO (delete which is not applicable)





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**9 DECLARATION WITH REGARD TO COMPANY/FIRM**

- 9.1 Name of firm :
- 9.2 VAT registration number : .....
- 9.3 Company registration number: .....
- 9.4 TYPE OF COMPANY/ FIRM

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

**[TICK APPLICABLE BOX]**

**9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....

**9.6 COMPANY CLASSIFICATION**

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

**[TICK APPLICABLE BOX]**

**9.7 MUNICIPAL INFORMATION**

Municipality where business is situated .....

Registered Account Number .....

Stand Number .....

**9.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?**

.....

- 9.9 I/we, the undersigned, who is / are duly authorized to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 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 paragraph 7, 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 contribution 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 favorable arrangements due to such cancellation;
  - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution

**WITNESSES:**

1. ....

2. ....

DATE:.....

.....  
**SIGNATURE(S) OF BIDDER(S)**

**CONTRACT FORM - RENDERING OF SERVICES**

**THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.**

**PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)**

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution) .....in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number .....at the price/s quoted. My offer/s remains binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Filled in task directive/proposal;
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
    - Declaration of interest;
    - Declaration of bidder's past SCM practices;
    - Certificate of Independent Bid Determination;
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)

3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that  
the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

6. I confirm that I am duly authorized to sign this contract. NAME (PRINT)

.....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

**WITNESSES**

1 .....

2 .....

DATE:.....

**CONTRACT FORM - RENDERING OF**

**SERVICES PART 2 (TO BE FILLED IN BY THE**

**PURCHASER)**

1. I... .....in my capacity  
as... ..... Accept your bid under reference number  
.....dated... .....for the rendering of services indicated hereunder  
and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the  
terms and conditions of the contract, within 30 (thirty) days after receipt of an  
invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETI ON DATE	B-BBEE STATUS LEVEL OF CONTRIBUTI ON	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)



4. I confirm that I am duly authorized to sign this contract.

SIGNED AT ..... ON .....

NAME (PRINT) .....

SIGNATURE.....

**OFFICIAL STAMP**

--

**WITNESSES**

**1** .....

**2** .....

**DATE:** .....

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

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions 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 disregarded if that bidder, or any of its directors have-
  - a. abused the institution's supply chain management system;
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. Failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? <b>(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).</b>  The Database of Restricted Suppliers now resides on the National Treasury's website ( <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> ) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:	<input type="checkbox"/>	<input type="checkbox"/>
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)? <b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		



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4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of 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:		
4.4	Was any contract between the bidder and any 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"/>
4.4.1	If so, furnish particulars:		

**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 Standard Bidding Document (MBD) must form part of all bids<sup>1</sup> invite 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.
  2. Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
    - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
    - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
  3. This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
  4. 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>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.**
- <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.**



## **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and

Description) in response to the invitation for the bid made

by:

---

(Name of Institution)

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

I certify, on behalf \_\_\_\_\_ that:  
of:

(Name of  
Bidder)

I have read and I understand the contents of this Certificate;

1. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
2. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
3. 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;
4. 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
5. 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.
6. 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.
7. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications



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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

<b>3. List of Administration Documents</b>		<b>Tenderer's tick box <math>\checkmark</math> if done</b>
<b>3.1.</b>	Status of Concern Submitting Tender	
<b>3.2.</b>	Declaration of authority	
<b>3.3.</b>	Compulsory Enterprise Questionnaire	
<b>3.4.</b>	Schedule of work satisfactorily carried out by the tenderer	
<b>3.5.</b>	Confirmation of Receipt of Addenda to Tender Documents	
<b>3.6.</b>	Proposed Amendments	

### **3.1. STATUS OF CONCERN SUBMITTING TENDER**

#### **1. General**

State whether the tenderer is a company, a closed corporation, a partnership, a sole practitioner or a joint venture:

**(Mark the appropriate option below)**

Public Company	<input type="checkbox"/>
Private Company	<input type="checkbox"/>
Closed Corporation	<input type="checkbox"/>
Partnership	<input type="checkbox"/>
Sole Proprietary	<input type="checkbox"/>
Joint Venture	<input type="checkbox"/>
Co-operative	<input type="checkbox"/>

## 2. Information to be Provided

If the Tendering Entity is a:		Documentation to be submitted with the tender
1	<u>Closed Corporation</u> , incorporated under the Close Corporation Act, 1984, Act 69 of 1984.	CIPRO CK1 or CK2 (Copies of the founding statement) and list of members.
2	<u>Private Company</u> incorporated with share capital, under the companies Act, 1973, Act 61 of 1973. (Including Companies incorporated under Art 53 (b)).	Copies of: i) CIPRO CM 1 - Certificate of Incorporation ii) CIPRO CM 29 – Contents of Register of Directors, Auditors and Officers iii) Shareholders Certificates of all Members of the Company.
3	<u>Private Company</u> incorporated with share capital, under the companies Act, 1973, Act 61 of 1973 in which any, or all, <u>shares are held by another</u> Closed Corporation or company with, or without, share capital.	Copies of documents referred to in 1 and/or 2 above in respect of all such Closed Corporations and/or Companies.
4	<u>Public Company</u> incorporated with share capital, under the companies Act, 1973, Act 61 of 1973 (Including Companies incorporated under Art 21).	A signed statement of the Company's Secretary confirming that the Company is a public Company. Copy of CM 29.

If the Tendering Entity is a:		Documentation to be submitted with the tender
5	Sole Proprietary or a Partnership.	Copy of the Identity Document of: 1. Such Sole Proprietary, or 2. Each of the Partners in the Partnership Copy of the Partnership agreement.
6	Co-operative.	CIPRO CR2 - Copies of Company registration document. (The percentage of work to be done by each partner must clearly be indicated on Form RDB1 (or RDB2 as applicable) of the tender document: MBD6.1 Preference Points Claim Form in terms of the Preferential Procurement Regulations 2001).



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<b>7</b>	Joint Venture.	All the documents (as described above) as applicable to each partner in the JV as well as a copy of the Joint Venture agreement. (The percentage of work to be done by each partner of the joint venture must clearly be indicated in the Joint Venture Agreement).
----------	----------------	---

**Note:**

6. If the shares are held in trust provide a copy of the Deed of Trust (only the front page and pages listing the trustees and beneficiaries are required) as well as the Letter of Authority as issued by the Master of the Supreme Court, wherein trustees have been duly appointed and authorized, must be provided.
7. Include a copy of the Certificate of Change of Name (CM9) if applicable.
8. **Registered For Vat Purposes In Terms Of The Value-Added Tax Act, (Act No. 89 of 1991)**

**(Make an X in the appropriate space below)**

Yes  
No


**REGISTRATION NO:** .....

**3.2. DECLARATION OF AUTHORITY**

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category.

<b>A Company</b>	<b>B Partnership</b>	<b>C Joint Venture</b>	<b>D Sole Proprietor</b>	<b>E Close Corporation</b>

## 1. Certificate for Company

I....., chairperson of the board of directors of .....  
....., hereby confirm that by resolution of the board (copy attached) taken on ..... 20....., Mr. /Ms.

.....

acting in the capacity of ..... (Position in the Enterprise), and who will sign as

follows.....be, and is hereby, authorized to sign the Bid/Tender, and any and

all documents and/or correspondence in connection with this tender and any contract resulting from it on behalf of the company.

**As witnesses:**

Chairman:

1

Date :

	NAME	CAPACITY	SIGNATURE
1			
2			
3			
4			
5			
6			

## Certificate for Partnership

### NOTE:

1. Delete which is not applicable
2. NB: This resolution must be signed by all the Directors/Members/Partners of the Bidding Enterprise
3. Should the number of Directors/Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

We, the undersigned, being the key partners in the business trading as .....hereby authorize \*Mr./Ms.,  
.....

acting in the capacity of ..... (Position in the Enterprise), and who

will sign as follows: .....be, and is hereby, authorized to sign the



Bid/Tender, and any and all documents and/or correspondence in connection with this tender and any contract resulting from it on behalf of the company.

NAME	ADDRESS	SIGNATURE	DATE

**NOTE:**

4. \*Delete which is not applicable
5. NB: This resolution must be signed by all the Directors/Members/Partners of the Bidding Enterprise
6. Should the number of Directors/Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

## 2. Certificate for Joint Venture and Consortia

We, the undersigned, are submitting this tender offer in a Joint Venture / Consortium and hereby authorize \*Mr. /Ms., ..... acting in the capacity of lead partner, and who

will sign as follows..... be, and is hereby, authorized to sign the

Bid/Tender, and any and all documents and/or correspondence in connection with this tender and any contract resulting from it on behalf of the company.



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This authorization is evidenced by the attached power of attorney signed by legally authorized signatories of all the partners to the Joint Venture / Consortium.

NAME OF FIRM	Lead Partner (X)	ADDRESS	% of Contract Value	AUTHORISING SIGNATURE, NAME & CAPACITY

### 3. Certificate for Sole Proprietor

I,..... hereby confirm that I am the sole owner of the business trading

as .....

**As witnesses:**

1 .....

**Signature: Sole owner** \_\_\_\_\_

2 .....

**Date:** .....



#### 4. Certificate for Close Corporation

We, the undersigned, being the key members in the business trading as .....

..... hereby authorize \*Mr. /Mrs. ....

acting in the capacity of....., (Position in the Enterprise), and who will sign as follows:

.....be, and is hereby, authorized to sign the Bid/Tender, and any and all documents and/or correspondence in connection with this tender and any contract resulting from it on behalf of the company.

NAME	ADDRESS	SIGNATURE	DATE

**NOTE:**

7. \*Delete which is not applicable

8. NB: This resolution must be signed by all the Directors/Members/Partners of the Bidding Enterprise

9. Should the number of Directors/Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

### 3.3. COMPULSORY ENTERPRISE QUESTIONNAIRE

The following particulars must be furnished. In the case of a joint venture, **separate** enterprise questionnaires in respect of each partner must be completed and submitted.

**Section 1: Name of enterprise:**

.....

**Section 2: VAT registration number, if any:**

.....

**Section 3: CIDB registration number, if any:**

.....

**Section 4: Particulars of sole proprietors and partners in partnerships**

	Name*	Identity number*	Personal income tax number*	

\* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

**Section 5: Particulars of companies and close corporations**

Company registration number

.....

Close corporation number

.....

Tax reference number

.....

### Section 6: Record of service of the state

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

1. a member of any municipal council 2. a member of any provincial legislature 3. a member of the National Assembly or the National Council of Province	4. an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)
5. a member of the board of directors of any municipal entity	6. a member of an accounting authority of any national or provincial public entity
7. an official of any municipality or municipal entity	8. an employee of Parliament or a provincial legislature

**If any of the above boxes are marked, disclose the following:**

Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		current	Within last 12 months

### Section 7: Record of spouses, children and parents in the service of the state

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:

<div>8. a member of any municipal council</div> <div>9. a member of any provincial legislature</div> <div>10. a member of the National Assembly or the National Council of Province</div>		<div>12.an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)</div>	
<div>11. a member of the board of directors of any municipal entity</div>		<div>14.a member of an accounting authority of any national or provincial public entity</div>	
<div>12. an official of any municipality or municipal entity</div>		<div>16.an employee of Parliament or a provincial legislature</div>	
Name of spouse, child or parent	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		current	Within last 12 months



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The undersigned, who warrants that he/she is duly authorized to do so on behalf of the enterprise:

12. authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
13. confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004.
15. confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
16. confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
17. Confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

*The undersigned, who warrants that he / she is duly authorized to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.*

**Signed** ..... **Date** .....

**Name** ..... **Position** .....

**Tenderer** .....



***(Organs of State include any Local, Provincial or National Government Authority)***

The following is a statement of similar work successfully executed by myself/ourselves:

[illegible]

*The undersigned, who warrants that he / she is duly authorized to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.*

**Tenderer** .....



**HOUSING COMPANY TSHWANE**  
affordable housing solutions

### 3.5. RECORD OF ADDENDA TO TENDER DOCUMENTS

We confirm that the following communications were received from the Employer before the submission of this tender offer, amending or amplifying the tender documents, have been taken into account in this tender offer :

No.	Date	Title or Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10		

Attach additional pages if more space is required.

*The undersigned, who warrants that he / she is duly authorized to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.*

Signed ..... Date .....

Name ..... Position .....

Tenderer .....

### 3.6. PROPOSED AMENDMENTS





The Tenderer should record any deviations or qualifications he may wish HOUSING COMPANY TSHWANE to make to the tender documents in this Returnable Schedule. Alternatively, a tenderer may state such deviations and qualifications in **a covering letter to his tender and reference such letter in this schedule.**

The Tenderer's attention is drawn to clause 3.8 of the Standard Conditions of Tender referenced in the Tender Data regarding the Employer's handling of material deviations and qualifications.

PAGE	CLAUSE OR ITEM	PROPOSAL

*The undersigned, who warrants that he / she is duly authorized to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.*

**Signed** ..... **Date** .....

**Name** ..... **Position** .....

**Tenderer** .....