

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE



SEKHUKHUNE
District Municipality

Private Bag X8611 Groblersdal 0470, 3 West Street Groblersdal 0470

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E-Mail : sekinfo@sekhukhune.co.za

BID NUMBER	SK8/3/1-44/2022/2023
PROJECT NAME	APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT PROJECT LIFE CYCLE FOR PERIOD 36 MONTHS
Registered Name of Bidder:	
Trading Name of Bidder:	
Registration No. of Entity:	
Postal address of Bidder:	
Contact Person:	
Tel. No:	E-mail Address:
Cell No.	Fax No:
Company Professional Body Affiliation	
Professional affiliation reference number	
Tender Amount	

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE
SEKHUKHUNE DISTRICT MUNICIPALITY

LIMPOPO PROVINCE

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE

DESCRIPTION		COLOUR
<u>PORTION 1: TENDER</u>		
PART T1	TENDERING PROCEDURES	
	T1.1 TENDER NOTICE AND INVITATION TO TENDER	White
	T1.2 TENDER DATA	Pink
	T1.3 STANDARD CONDITIONS OF TENDER	Pink
PART T2	RETURNABLE DOCUMENTS	
	T2.1 LIST OF RETURNABLE DOCUMENTS	Yellow
	T2.2 RETURNABLE SCHEDULES	Yellow
<u>PORTION 2: CONTRACT</u>		
PART C1	AGREEMENTS AND CONTRACT DATA	
	C1.1 FORM OF OFFER AND ACCEPTANCE	Yellow
	C1.2 CONTRACT DATA	Yellow
	C1.4 SAFETY AGREEMENT	Yellow
PART C2	PRICING DATA	
	C2.1 PRICE INSTRUCTIONS	Yellow
	C2.2 BILL OF QUANTITIES	Yellow
<u>PORTION 3: SCOPE OF WORK</u>		
PART C3	SCOPE OF WORK	

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DESCRIPTION		COLOUR
	C3.1 DESCRIPTION OF THE WORKS	Pale Blue
	C3.2 ENGINEERING	Pale Blue
	C3.5 MANAGEMENT DELIVERABLE OUTCOME	Pale Blue
	C3.6 PARTICULAR SPECIFICATIONS AND ADDITIONS TO THE STANDARD SPECIFICATIONS	Pale Blue

NOTE:

The Service Provider shall be deemed to have satisfied himself/herself/themselves as to all the conditions and circumstances affecting this tender, including the physical aspects of working areas, and by the submission of a tender, will confirm acceptance of the conditions and circumstances applicable to any subsequent contract.

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SEKHUKHUNE DISTRICT MUNICIPALITY**

LIMPOPO PROVINCE

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS TO PROVIDE MUNICIPAL
INFRASTRUCTURE PLANNING IN WATER SUPPLY AND SEWERAGE SYSTEMS IN ORDER TO
SERVICE HUMAN SETTLEMENT**

PART T1: TENDERING PROCEDURES

T1.1 TENDER NOTICE AND INVITATION TO TENDER

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PSP	Witness 1	Witness 2	Employer	Witness 1	Witness 2	

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE

INVITATION TO BID

MBD1

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SEKHUKHUNE DISTRICT MUNICIPALITY					
BID NUMBER:	SK8/3/1-44/2022/23	CLOSING DATE:	14 November 2022	CLOSING TIME:	10h00
DESCRIPTION	APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE THE PANEL WILL BE VALID FOR 36 MONTHS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT					
AB Sikhosana Fire Station (Groblersdal Fire Station) R33 Groblersdal 0470					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Mr. Voster Masemola		CONTACT PERSON	Mr. Karabo Ramadje	
TELEPHONE NUMBER	013 262 7300		TELEPHONE NUMBER	013 262 7535/7521	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	masemolav@sekhukhune.gov.za		E-MAIL ADDRESS	ramadje@sekhukhune.gov.za mabiletjai@sekhukhune.gov.za	
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					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
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		[TICK APPLICABLE BOX] <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 THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?					<input type="checkbox"/> YES
<input type="checkbox"/> NO					

<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto;"></div>	<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto;"></div>	<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto;"></div>	<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto;"></div>	<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto;"></div>	<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto;"></div>
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DOES THE ENTITY HAVE A BRANCH IN THE RSA?

☐ YES☐ NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

☐YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

☐ YES☐ NO

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 BELOW.

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PART B

TERMS AND CONDITIONS FOR BIDDING

BID SUBMISSION:

BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT Third Edition 2015 (GCC 2015) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).

TAX COMPLIANCE REQUIREMENTS

BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.

APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.

BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.

IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS WILL RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company resolution)

DATE:

Bid documents are obtainable from the Supply Chain Management Office, Bareki Mall. No compulsory briefing sessions will be held. Documents will be sent by email for free. Bids must be completed in accordance with the conditions attached to the Bid documents and must be sealed and endorsed:

Contract (Specify Bid Number: Example SK8/3/). Bids will be submitted to supply chain offices

The Council reserves the right to accept or reject any Bid or part thereof:

Municipal Manager: Ms. Maureen Ntshudisane

LIMPOPO PROVINCE

Corner van Riebeeck and Chris Wiid street

Groblersdal

0470



PSP



Witness 1



Witness 2



Employer



Witness 1



Witness 2

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T1.2 TENDER DATA

The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the standard conditions of tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

The Additional Conditions of Tender are:

Reference	Tender Data
F.1.5.1	Sekhukhune District Municipality may, prior to the award of the tender, cancel a tender if- due to changed circumstances, there is no longer a need for the services, works or goods requested; or funds are no longer available to cover the total envisaged expenditure; or no acceptable tenders are received.
F.2.1	<p>ONLY those tenderers who satisfy the following ELIGIBILITY CRITERIA and who provide the required evidence in their tender submission are eligible to submit tenders and have their tenders evaluated:</p> <ol style="list-style-type: none"> 1. In case of Joint Venture/ Consortium submission, Joint Venture agreement signed by all parties must be submitted. 2. Is registered in terms of the Companies Act, 2008 (Act 71 of 2008) or Close Corporation Act, 1984, (Act No. 69 of 1984) or, if a partnership, has a partnership agreement in place that enables the partnership to automatically continue to function in the event of a death or withdrawal of one of the partners. 3. In case of subsidiary arrangement there must be a proof of registration with the CIPC for the subsidiary. 4. Approach paper and methodology to achieve the project goal submitted. 5. Company profile submitted 6. CVs of key personnel where required as outlined in F.3.11.9 Tables 5.1, 5.3 and 6. 7. Copies of Certificates(s) / academic record of relevant formal qualifications for all key personnel (as outlined in F.3.11.9 – Table 6. For Foreign Qualifications, South African Qualification Authority (SAQA) evaluation must be submitted in hard copies. 8. Professional Registration Certificates for key personnel where required as outlined in F.3.11.9 Tables 6. 9. The tendering entity has professional indemnity insurance cover issued by a reputable South African insurer in an amount of not less than R 5 million in respect of a claim without limiting to the number of claims or show documentary evidence insurance cover of having applied for such cover.
F.2.2.1	The employer will not compensate the Bidder for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer complies with requirements.

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F2.3.1.	If a Bidder finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the SDM (other than minor clerical matters), the Bidder must promptly notify the municipality in writing (by e-mail to the address masemolav@sekhukhune.gov.za of such discrepancy, ambiguity, error or inconsistency in order to afford the SDM an opportunity to consider what corrective action is necessary (if any).
F.2.3.2	Any actual discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the SDM will, if possible, be corrected and provided to all Bidders without attribution to the Bidder who provided the written notice
F.2.8	Request clarification of the tender documents, if necessary, by notifying the SCM at least five working days before the closing time stated in the tender data.
F.2.11	Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the Bidder. All signatories to the tender offer shall initial all such alterations.
F2.12	<p>*No alternative tender offers will be considered</p> <p>If Bidder wishes to submit an alternative tender offer, the only criteria permitted for such alternative tender offer is that it demonstrably satisfies the Employer's standards and requirements, the details of which may be obtained from the Employer's Agent.</p> <p>Calculations, drawings and all other pertinent technical information and characteristics as well as modified or proposed Pricing Data must be submitted with the alternative tender offer to enable the Employer to evaluate the efficacy of the alternative and its principal elements, to take a view on the degree to which the alternative complies with the Employer's standards and requirements and to evaluate the acceptability of the pricing proposals. Calculations must be set out in a clear and logical sequence and must clearly reflect all design assumptions. Pricing Data must reflect all assumptions in the development of the pricing proposal.</p> <p>Acceptance of an alternative tender offer will mean acceptance in principle of the offer. It will be an obligation of the contract for the Bidder, in the event that the alternative is accepted, to accept full responsibility and liability that the alternative offer complies in all respects with the Employer's standards and requirements.</p> <p>The modified Pricing Data must include an amount equal to 5% of the amount tendered for the alternative offer to cover the Employer's costs of confirming the acceptability of the detailed design before it is constructed.</p>
F.2.13.3	Parts of each tender offer communicated on paper shall be submitted as original and no copies will be necessary.
F.2.13.5	<p>The employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:</p> <p>Location of tender box: AB Sikhosana Fire Station (Groblersdal Fire Station) Physical address: R33 Groblersdal Identification details: <i>Contract number, title of tender and the closing date and time of the tender</i> Postal address: Sekhukhune District Municipality, Riebeeck and Chris Wiid Street Groblersdal 0470</p>

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F.2.13.14	Tender offers, which do not provide all the data or information requested completely and, in the form, required, may be regarded by the employer as non-responsive.
F.2.15	The closing time for submission of tender offers is as stated in the Tender Notice and Invitation to Tender.
F.2.16	Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.
F.2.17	The tender offer validity period is <u>90 days</u>
F.2.17.1	CONTRACT PERIOD The bidder will be within the panel of SOCIAL FACILITATORS for a period of three (3) years or 36 months counting from the date of signed contract
F.2.17.2	ALLOCATION OF WORK: Work will be allocated on as and when required basis. No work can be guaranteed under this contract. An equal distribution of work cannot be guaranteed as it is not known upfront how many due diligence or verification of services will be required by SDM per field
F.2.18	The Bidder shall, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the labour-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements.
F.2.23	The Bidder is required to submit with his tender a valid Tax Clearance Certificate/PIN issued by the South African Revenue Services.
F.3.1.1.1	Whilst all due care has been taken in connection with the preparation of this RFP, the SDM makes no representations or warranties that the content in this RFP or any information communicated to or provided to Bidders during the Tendering Process is, or will be, accurate, current or complete. The SDM, and its officers, employees and advisors will not be liable with respect to any information communicated which is not accurate, current or complete
F.3.1.1.2	Bidders may not seek or obtain the assistance of employees, contractors or advisors of the SDM in the preparation of their tender responses, except where contractors or advisors are participating in the tender in which case the Bidder must disclose such participation in its tender by declaring their possible interest or conflict in the relevant SBD 4 form.
F.3.4	Tenders will be opened immediately after the closing time of tenders at Sekhukhune District Municipality

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F.3.11	<p>Evaluation of Tenders</p> <p>The Bidders notice is drawn to the fact that the evaluation, adjudication and awarding of this tender will be in terms of the Supply Chain Management Policy. Clause 36.5 of the Supply Management Policy which entails balance between financial offer and functionality.</p> <p>The following steps will be followed in evaluation:</p> <p>Stage 1: Responsiveness Evaluation: Determination of whether or not tender offers are complete. Determination of whether or not tender offers are responsive. Determination of the reasonableness of tender offers.</p> <p>Stage 2: Functional Evaluation: Awarding of points for functionality. Determination of expertise and experience of bidders.</p> <p>Stage 3: Financial and Preferential Evaluation: Confirmation of the eligibility of preferential points claimed by bidders.</p> <p>Stage 4: Risk Analysis & Objective Criteria: Ranking of bidders according to the total points Performance of risk analysis by checking the capacity of the bidders Apply objective criteria if applicable</p>
F.3.11.1.	<p>Tender offers will only be accepted if:</p> <p>the Bidder has in his or her possession an original valid Tax Clearance Certificate issued by the South African Revenue Services or has made arrangements to meet outstanding tax obligations;</p> <p>the Bidder is registered with the Construction Industry Development Board in an appropriate contractor grading designation;</p> <p>the Bidder or any of its directors is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;</p> <p>the Bidder has not:</p> <p>abused the Employer's Supply Chain Management System; or</p> <p>ii) failed to perform on any previous contract and has been given a written notice to this effect; and</p> <p>e) has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the Bidder's ability to perform the contract in the best interests of the employer or potentially compromise the tender process.</p>
F.3.11.2	<p>The procedure for the evaluation of responsive tenders is Method 1.</p>
F.3.11.3	<p>The procedure for the evaluation of responsive tenders is Methods 2: Financial offer and preference</p>
F.3.11.9	<p>Functional Evaluation</p> <p>Elimination factors include non-compliance with key requirements specified for the following:</p>

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TABLE 1		
CRITERIA	SUB - CRITERIA points	WEIGHTING
QUALIFICATION OF SOCIAL FACILITATOR	National Diploma and above – 30	30
	N6 = 20	
	N5= 15	
	N4 – 10	
EXPERIENCE OF THE SOCIAL FACILITATOR	5 YEARS and above - 20	20
	3 to 4 YEARS - 10	
	2 to 3 years – 7	
SUBMIT METHODOLOGY	Demonstrate the following competencies: Show, explain, discuss and analyse the relationship between society and environment Explain and apply environmental legal principles, rights, duties and responsibilities in a specific work context (15) Apply facilitation processes to deal with an environmental risk in a local community (15) EPWP data tool (5) PSC and CLO role and training (5)	40
PROVIDE PROOF OF PROJECTS PERFORMED	Two project = 10 (provide POE or reference letter) One project = 5 (provide POE or reference letter)	10
TOTAL		100
A company must obtain a minimum of 70 points out of the 100 points above to be considered for evaluation on pricing and BBBEE		

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T1.3 STANDARD CONDITIONS OF TENDER

F1 General

F1.1 Actions

F1.1.1 The employer and each Bidder submitting a tender offer shall comply with these conditions of tender. In their dealings with each other, they shall discharge their duties and obligations as set out in F.2 and F.3, timeously and with integrity, and behave equitably, honestly and transparently, comply with all legal obligations and not engage in anticompetitive practices.

F.1.1.2. The employer and the Bidder and all their agents and employees involved in the tender process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Bidders shall declare any potential conflict of interest in their tender submissions. Employees, agents and advisors of the employer shall declare any conflict of interest to whoever is responsible for overseeing the procurement process at the start of any deliberations relating to the procurement process or as soon as they become aware of such conflict and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate.

Note: 1) A conflict of interest may arise due to a conflict of roles which might provide an incentive for improper acts in some circumstances. A conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly in his or her position even if no improper acts result.

2) Conflicts of interest in respect of those engaged in the procurement process include direct, indirect or family interests in the tender or outcome of the procurement process and any personal bias, inclination, obligation, allegiance or loyalty which would in any way affect any decisions taken.

F.1.2 Tender Documents

The documents issued by the employer for the purpose of a tender offer are listed in the tender data.

F.1.3 Interpretation

F.1.3.1 The tender data and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these conditions of tender.

F.1.3.2 These conditions of tender, the tender data and tender schedules which are only required for tender evaluation purposes, shall not form part of any contract arising from the invitation to tender.

F.1.3.3 For the purposes of these conditions for the calling for expressions of interest, the following definitions apply:

- a) **comparative offer** means the Bidder's financial offer after the factors of non-firm prices, all unconditional discounts and any other tendered parameters that will affect the value of the financial offer have been taken into consideration
- b) **corrupt practice** means the offering, giving, receiving or soliciting of anything of value to influence the action of the employer or his staff or agents in the tender process; and
- c) **fraudulent practice** means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels

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d) **quality (functionality)** means the totality of features and characteristics of a product or service that bear on its ability to satisfy stated or implied needs

F.1.4 Communication and employer's agent

Each communication between the employer and a Bidder shall be to or from the employer's representative and also be documented in a form of email or relevant media tools for purpose of records. Writing shall be in the English language. The employer shall not take any responsibility for non-receipt of communications from or by a Bidder. The name and contact details of the employer's representative are stated in the tender data.

F.1.5 The employer's right to accept or reject any tender offer

F.1.5.1 The employer may accept or reject any variation, deviation, tender offer, or alternative tender offer, and may cancel the tender process and reject all tender offers at any time before the formation of a contract. The employer shall not accept or incur any liability to a Bidder for such cancellation and rejection but will give written reasons for such action upon written request to do so.

F.1.5.2 The employer may not subsequent to the cancellation or abandonment of a tender process or the rejection of all responsive tender offers re-issue a tender covering substantially the same scope of work within a period of six months unless only one tender was received and such tender was returned unopened to the Bidder.

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APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**F.2 Bidder's obligations****F.2.1 Eligibility**

Submit a tender offer only if the Bidder complies with the criteria stated in the tender data and the Bidder, or any of his principals, is not under any restriction to do business with employer.

F.2.2 Cost of tendering

F.2.2.1 Accept that, the employer will not compensate the Bidder for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer comply with requirements.

F.2.3 Check documents

Check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.

F.2.4 Confidentiality and copyright of documents

Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.

F.2.5 Reference documents

Obtain, as necessary for submitting a tender offer, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are not attached but which are incorporated into the tender documents by reference.

F.2.6 Acknowledge addenda

Acknowledge receipt of addenda to the tender documents, which the employer may issue, and if necessary, apply for an extension to the closing time stated in the tender data, in order to take the addenda into account.

F.2.7 Clarification meeting

Attend, where required, a clarification meeting at which Bidders may familiarize themselves with aspects of the proposed work, services or supply and raise questions. Details of the meeting(s) are stated in the tender data.

F.2.8 Seek clarification

Request clarification of the tender documents, if necessary, by notifying the employer at least five working days before the closing time stated in the tender data.

F.2.9 Insurance

The Bidder is advised to seek qualified advice regarding insurance.

F.2.10 Pricing the tender offer

PSP

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Witness 2

Employer

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F.2.10.1 Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except Value Added Tax (VAT), and other levies payable by the successful Bidder, such duties, taxes and levies being those applicable 14 days before the closing time stated in the tender data.

F.2.10.2 Show VAT payable by the employer separately as an addition to the tendered total of the prices.

F.2.10.3 Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data.

F.2.10.4 State the rates and prices in Rand unless instructed otherwise in the tender data. The conditions of contract identified in the contract data may provide for part payment in other currencies.

F.2.11 Alterations to documents

Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the Bidder. All signatories to the tender offer shall initial all such alterations. Erasures and the use of masking fluid are prohibited.

F.2.12 Alternative tender offers

F.2.12.1 Submit alternative tender offers only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted. The alternative tender offer is to be submitted with the main tender offer together with a schedule that compares the requirements of the tender documents with the alternative requirements the Bidder proposes.

F.2.12.2 Accept that an alternative tender offer may be based only on the criteria stated in the tender data or criteria otherwise acceptable to the employer.

F.2.13 Submitting a tender offer

F.2.13.1 Submit a tender offer to provide the whole of the works, services or supply identified in the contract data and described in the scope of works, unless stated otherwise in the tender data.

F.2.13.2 Return all returnable documents to the employer after completing them in their entirety, either electronically (if they were issued in electronic format) or by writing in black ink.

F.2.13.3 Submit the parts of the tender offer communicated on paper as an original plus the number of copies stated in the tender data, with an English translation of any documentation in a language other than English, and the parts communicated electronically in the same format as they were issued by the employer.

F.2.13.4 Sign the original and all copies of the tender offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the Bidder. Signatories for Bidders proposing to contract as joint ventures shall state which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer.

F.2.13.5 Seal the original and each copy of the tender offer as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside the employer's address and identification details stated in the tender data, as well as the Bidder's name and contact address.

F.2.13.6 Where a two-envelope system is required in terms of the tender data, place and seal the returnable documents listed in the tender data in an envelope marked "financial proposal" and place the remaining returnable documents in an envelope marked "technical proposal". Each envelope shall state

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on the outside the employer's address and identification details stated in the tender data, as well as the Bidder's name and contact address.

F.2.13.7 Seal the original tender offer and copy packages together in an outer package that states on the outside only the employer's address and identification details as stated in the tender data.

F.2.13.8 Accept that the employer shall not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and marked as stated.

F.2.14 Information and data to be completed in all respects

Accept that tender offers, which do not provide all the data or information requested completely and, in the form, required, may be regarded by the employer as non-responsive.

F.2.15 Closing time

F.2.15.1 Ensure that the employer receives the tender offer at the address specified in the tender data not later than the closing time stated in the tender data. Proof of posting shall not be accepted as proof of delivery. The employer shall not accept tender offers submitted by telegraph, telex, facsimile or e-mail, unless stated otherwise in the tender data.

F.2.15.2 Accept that, if the employer extends the closing time stated in the tender data for any reason, the requirements of these conditions of tender apply equally to the extended deadline.

F.2.16 Tender offer validity

F.2.16.1 Hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the tender data after the closing time stated in the tender data.

F.2.16.2 If requested by the employer, consider extending the validity period stated in the tender data for an agreed additional period.

F.2.17 Clarification of tender offer after submission

Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the total of the prices or substance of the tender offer is sought, offered, or permitted. The total of the prices stated by the Bidder shall be binding upon the Bidder.

Note: Sub-clause F.2.17 does not preclude the negotiation of the final terms of the contract with a preferred Bidder following a competitive selection process, should the Employer elect to do so.

F.2.18 Provide other material

F.2.18.1 Provide, on request by the employer, any other material that has a bearing on the tender offer, the Bidder's commercial position (including notarized joint venture agreements), preferencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the Bidder not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employer's request, the employer may regard the tender offer as non-responsive.

F.2.18.2 Dispose of samples of materials provided for evaluation by the employer, where required.

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Provide access during working hours to premises for inspections, tests and analysis as provided for in the tender data.

F.2.20 Submit securities, bonds, policies, etc.

If requested, submit for the employer's acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required in terms of the conditions of contract identified in the contract data.

F.2.21 Check final draft

Check the final draft of the contract provided by the employer within the time available for the employer to issue the contract.

F.2.22 Return of other tender documents

If so, instructed by the employer, return all retained tender documents within 28 days after the expiry of the validity period stated in the tender data.

F.2.23 Certificates

Include in the tender submission or provide the employer with any certificates as stated in the tender data.

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Respond to a request for clarification received up to five working days prior to the tender closing time stated in the Tender Data and notify all Bidders who drew procurement documents.

F.3.2 Issue Addenda

If necessary, issue addenda that may amend or amplify the tender documents to each Bidder during the period from the date of the Tender Notice until seven days before the tender closing time stated in the Tender Data. If, as a result a Bidder applies for an extension to the closing time stated in the Tender Data, the Employer may grant such extension and, will then notify it to all Bidders who drew documents.

F.3.3 Return late tender offers

Return tender offers received after the closing time stated in the Tender Data, unopened, (unless it is necessary to open a tender submission to obtain a forwarding address), to the Bidder concerned.

F.3.4 Opening of tender submissions

F.3.4.1 Unless the two-envelope system is to be followed, open valid tender submissions in the presence of Bidders' agents who choose to attend at the time and place stated in the tender data. Tender submissions for which acceptable reasons for withdrawal have been submitted will not be opened.

F.3.4.2 Announce at the opening held immediately after the opening of tender submissions, at a venue indicated in the tender data, the name of each Bidder whose tender offer is opened, the total of his prices, preferences claimed and time for completion, if any, for the main tender offer only.

F.3.4.3 Make available the record outlined in F.3.4.2 to all interested persons upon request.

F.3.5 Two-envelope system

F.3.5.1 Where stated in the tender data that a two-envelope system is to be followed, open only the technical proposal of valid tenders in the presence of Bidders' agents who choose to attend at the time and place stated in the tender data and announce the name of each Bidder whose technical proposal is opened.

F.3.5.2 Evaluate the quality of the technical proposals offered by Bidders, then advice Bidders who remain in contention for the award of the contract of the time and place when the financial proposals will be opened. Open only the financial proposals of Bidders, who score in the quality evaluation above the minimum number of points for quality stated in the tender data, and announce the score obtained for the technical proposals and the total price and any preferences claimed. Return unopened financial proposals to Bidders whose technical proposals failed to achieve the minimum number of points for quality.

F.3.6 Non-disclosure

Not disclose to Bidders, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of tender offers, the final evaluation price and recommendations for the award of a contract, until after the award of the contract to the successful Bidder.

F.3.7 Grounds for rejection and disqualification

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Determine whether there has been any effort by a Bidder to influence the processing of tender offers and instantly disqualify a Bidder (and his tender offer) if it is established that he engaged in corrupt or fraudulent practices.

F.3.8 Test for responsiveness

Determine, on opening and before detailed evaluation, whether each tender offer properly received:

- a) meets the requirements of these Conditions of Tender,
- b) has been properly and fully completed and signed, and
- c) is responsive to the other requirements of the tender documents.

A responsive tender is one that conforms to all the terms, conditions, and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would:

- detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work,
- change the Employer's or the Bidder's risks and responsibilities under the contract, or
- affect the competitive position of other Bidders presenting responsive tenders, if it were to be rectified.

Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.

F.3.9 Arithmetical errors

Check responsive tender offers for arithmetical errors, correcting them in the following manner:

- Where there is a discrepancy between the amounts in figures and in words, the amount in words shall govern.
- If bills of quantities (or schedule of rates) apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate will be corrected.
- Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the Bidder's addition of prices, the total of the prices shall govern and the Bidder will be asked to revise selected item prices (and their rates if a bills of quantities applies) to achieve the tendered total of the prices.

Consider the rejection of a tender offer if the Bidder does not correct or accept the correction of his arithmetical errors in the manner described above.

F.3.10 Clarification of a tender offer

Obtain clarification from a Bidder on any matter that could give rise to ambiguity in a contract arising from the tender offer.

F3.11 Evaluation of tender offers

F3.11.1 General

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Appoint an evaluation panel of not less than three persons. Reduce each responsive tender offer to a comparative offer and evaluate them using the tender evaluation methods and associated evaluation criteria and weightings that are specified in the tender data.

F3.11.2 Method 1: Financial offer

In the case of a financial offer:

Rank tender offers from the most favourable to the least favourable comparative offer.

Recommend the highest ranked Bidder for the award of the contract, unless there are compelling and justifiable reasons not to do so.

Re-rank all Bidders should there be compelling and justifiable reasons not to recommend the highest ranked Bidder and recommend the highest ranked Bidder, unless there are compelling and justifiable reasons not to do so and the process set out in this subclause is repeated.

F3.11.3 Methods 2: Financial offer and preference

In the case of a financial offer and preferences:

Score each tender in respect of the financial offer made and preferences claimed, if any, in accordance with the provisions of 3.11.7 and 3.11.8.

Calculate the total number of tender evaluation points (T_{EV}) in accordance with the following formula:

$$T_{EV} = N_{FO} + N_P$$

Where: N_{FO} is the number of tender evaluation points awarded for the financial offer made in accordance with 3.11.7;

N_P is the number of tender evaluation point awarded for preferences claimed in accordance with 3.11.8.

Rank tender offers from the highest number of tender evaluation points to the lowest.

Recommend the Bidder with the highest number of tender evaluation points for the award of the contract, unless there are compelling and justifiable reasons not to do so.

Rescore and re-rank all Bidders should there be compelling and justifiable reasons not to recommend the Bidder with the highest number of tender evaluation points, and recommend the Bidder with the highest number of tender evaluation points, unless there are compelling and justifiable reasons not to do so and the process set out in this subclause is repeated.

F3.11.4 Method 3: Financial offer and quality

In the case of a financial offer and quality:

Score each tender in respect of the financial offer made and the quality offered in accordance with the provisions of 3.11.7 and 3.11.9, rejecting all tender offers that fail to score the minimum number of points for quality stated in the tender data, if any.

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Calculate the total number of tender evaluation points (T_{EV}) in accordance with the following formula:

$$T_{EV} = N_{FO} + N_Q$$

Where: N_{FO} is the number of tender evaluation points awarded for the financial offer made in accordance with 3.11.7;

N_Q is the number of tender evaluation point awarded for preferences claimed in accordance with 3.11.9.

Rank tender offers from the highest number of tender evaluation points to the lowest.

Recommend the Bidder with the highest number of tender evaluation points for the award of the contract, unless there are compelling and justifiable reasons not to do so.

Rescore and re-rank all Bidders should there be compelling and justifiable reasons not to recommend the Bidder with the highest number of tender evaluation points and recommend the Bidder with the highest number of tender evaluation points, unless there are compelling and justifiable reasons not to do so and the process set out in this subclause is repeated.

F3.11.5 Method 4; Financial offer, quality and preferences

In the case of a financial offer, quality and preferences:

Score each tender in respect of the financial offer made, preference claimed, if any, and the quality offered in accordance with the provisions of 3.11.7 to 3.11.9, rejecting all tender offers that fail to score the minimum number of points for quality stated in the tender data, if any.

Calculate the total number of tender evaluation points (T_{EV}) in accordance with the following formula:

$$T_{EV} = N_{FO} + N_P + N_Q$$

Where: N_{FO} is the number of tender evaluation points awarded for the financial offer made in accordance with 3.11.7

N_P is the number of tender evaluation points awarded for preferences claimed in accordance with 3.11.8

N_Q is the number of tender evaluation points awarded for quality offered in accordance with 3.11.9.

Rank tender offers from the highest number of tender evaluation points to the lowest.

Recommend the Bidder with the highest number of tender evaluation points for the award of the contract, unless there are compelling and justifiable reasons not to do so.

Rescore and re-rank all Bidders should there be compelling and justifiable reasons not to recommend the Bidder with the highest number of tender evaluation points and recommend the Bidder with the highest number of tender evaluation points, unless there are compelling and justifiable reasons not to do so and the process set out in this subclause is repeated.

F3.11.6 Decimal places

Score financial offers, preferences and quality, as relevant, to two decimal places.

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Scoring Financial Offers

Score the financial offers of remaining responsive tender offers using the following formula:

$$N_{FO} = W_1 \times A$$

Where: N_{FO} is the number of tender evaluation points awarded for the financial offer.

W_1 is the maximum possible number of tender evaluation points awarded for the financial offer as stated in the Tender Data.

A is a number calculated using the formula and option described in Table 1 as stated in the Tender Data.

Table 1: Formulae for calculating the value of A

Formula	Comparison aimed at achieving	Option 1 ^a	Option 2 ^a
1	Highest price or discount	$A = \left(1 + \frac{(P - P_m)}{P_m} \right)$	$A = P / P_m$
2	Lowest price or percentage commission / fee	$A = \left(1 - \frac{(P - P_m)}{P_m} \right)$	$A = P_m / P$
P_m is the comparative offer of the most favourable comparative offer. P is the comparative offer of the tender offer under consideration.			

F3.11.8 Scoring preferences

Confirm that Bidders are eligible for the preferences claimed in accordance with the provisions of the tender data and reject all claims for preferences where Bidders are not eligible for such preferences.

Calculate the total number of tender evaluation points for preferences claimed in accordance with the provisions of the tender data.

F3.11.9 Scoring quality

Score each of the criteria and subcriteria for quality in accordance with the provisions of the Tender Data.

Calculate the total number of tender evaluation points for quality using the following formula:

$$N_Q = W_2 \times S_o / M_s$$

Where: S_o is the score for quality allocated to the submission under consideration;

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M_S is the maximum possible score for quality in respect of a submission; and

W_2 is the maximum possible number of tender evaluation points awarded for the quality as stated in the tender data.

F.3.12 Insurance provided by the employer

No insurance is provided by the employer

F.3.13 Acceptance of tender offer**F3.13.1 Tender Offers will only be accepted on condition that:**

the tender offer is signed by a person authorized to sign on behalf of the Bidder;

a valid Tax Clearance Certificate is included with his tender;

Bidder's declaration of compliance with the Occupational Health and Safety Act No. 85 of 1993 and the construction Regulations 2014 as well as the Bidder's health and safety plan, in included with his tender submission;

a Bidder who submitted a tender as a Joint Venture has included an acceptable Joint Venture agreement with his tender;

the Bidder or a competent authorized representative of the PSP who submitted the tender has attended the compulsory clarification meeting or site inspection;

The Bidder or any of its principals is not listed on the register of Tender Defaulters in terms of the Prevention and Combating of Corrupt activities Act of 2004 as a person prohibited from doing business with the public sector;

The Bidder has not abused the Employer's Supply chain Management System or has failed to perform on any previous contract and has been given a written notice to his effect;

The Bidder or any of its principals, directors or managers is not employed in the service of the State or any municipality. In the event that such principals are involved, official approval from the Executing Authority regarding carrying out remunerative work outside of the public service must be included in the tender submission.

The Employer is satisfied that the Bidder or any of his principals have not influenced the tender offer and acceptance by the following criteria:

having offered, promised or given a bribe or other gift or remuneration to any person in connection with the obtaining or execution of this contract;

having acted in a fraudulent or corrupt manner in obtaining or executing this contract;

having approached an officer or employee of the Employer or the employer's Agent with the objective of influencing the award of a contract in the Bidder's favour;

having entered into any agreement or arrangement, whether legally or not, with any other person, firm or company to refrain from tendering for his contract or as to the amount of the Tender to be submitted by either party;

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having disclosed to any other person, firm or company other than the Employer, the exact or approximate amount of his proposed Tender;

The Employer may, in addition to using any other legal remedies, repudiate the Tender offer and acceptance and declare the Contract invalid should it have been concluded already.

F.3.13.2 Notify the successful Bidder of the employer's acceptance of his tender offer by completing and returning one copy of the form of offer and acceptance before the expiry of the validity period stated in the tender data, or agreed additional period. Providing the form of offer and acceptance does not contain any qualifying statements, it will constitute the formation of a contract between the employer and the successful Bidder as described in the form of offer and acceptance.

F.3.14 Notice to unsuccessful Bidders

After the successful Bidder has acknowledged the employer's notice of acceptance, notify other Bidders that their tender offers have not been accepted.

F.3.15. Prepare contract documents

If necessary, revise documents that shall form part of the contract and that were issued by the employer as part of the tender documents to take account of:

- a) addenda issued during the tender period,
- b) inclusion of some of the returnable documents,
- c) other revisions agreed between the employer and the successful Bidder, and
- d) the schedule of deviations attached to the form of offer and acceptance, if any.

F.3.16 Issue final contract

Prepare and issue the final draft of contract documents to the successful Bidder for acceptance as soon as possible after the date of the employer's signing of the form of offer and acceptance (including the schedule of deviations, if any). Only those documents that the conditions of tender require the Bidder to submit, after acceptance by the employer, shall be included.

F.3.17 Complete adjudicator's contract

Unless alternative arrangements have been agreed or otherwise provided for in the contract, arrange for both parties to complete formalities for appointing the selected adjudicator at the same time as the main contract is signed.

F.3.18 Provide copies of the contracts

Provide to the successful Bidder the number of copies stated in the Tender Data of the signed copy of the contract as soon as possible after completion and signing of the form of offer and acceptance.

F.3.19 Provide written reasons for actions taken

Provide upon request written reasons to Bidders for any action that is taken in applying these conditions of tender, but withhold information which is not in the public interest to be divulged, which is considered to prejudice the legitimate commercial interests of Bidders or might prejudice fair competition between Bidders.

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END OF SECTION

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SEKHUKHUNE DISTRICT MUNICIPALITY

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T2.1 LIST OF RETURNABLE DOCUMENTS

The Bidder must complete the following returnable documents:

Clause referred to in Standard Conditions of Bid	Document
	<p>RETURNABLE DOCUMENTS</p> <p>The following certificates / information are to be provided with the Bid offer:</p> <ul style="list-style-type: none"> Valid tax clearance certificate or PIN issued by SARS (in terms of the Preferential Procurement Regulations, 2001 published in Government Gazette No 22549 dated 10 August 2001) or proof of arrangement made with SARS CSD Registration/CSD Summary Report (Compulsory) Copy of Certificate of Incorporation (if Bidder is a Company) Copy of Founding Statement (if Bidder is a Closed Corporation), Copy of Identity Document (if Bidder is a One-man concern), Copies of certified identification documents [of shareholders]; Company profile, including management structure; Joint venture agreement [if applicable]; Municipal rates (Compulsory) - Municipal statement for both Directors and Company not in arrears for more than 90 days in accordance with regulation 38. In case where the Company or Director is from rural areas where the rates are not paid, please attach proof from Local Authority indicating that he/she does not pay municipal rates, this must also be supported by an affidavit from SAPS All pages must be initialled. Authority for Signatory (Compulsory) Form of offer to be properly signed (Compulsory) Declaration of Interest (mbd4) (Compulsory) Certified B-BEE Status Level Certificate SANAS approved or Sworn affidavit for BBBEE Exempted Micro Enterprises as per bidder's correct turnover category (Required for evaluation) MBD 5 (required for evaluation) Documentation if Tender Exceeds R10 Million (<i>Compulsory if Applicable</i>) -If the bidder is required by law to prepare AFS for Auditing, the AFS for the past three years or since the establishment if Establishment during the past three years <p>Please complete all blank spaces on the forms, where not applicable indicate as such (n/a) note: failure to comply to the following submission will invalidate your bid</p>

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Part T2: Returnable Documents

Returnable Schedules

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FORM E: KEY PERSONNEL AND NON-LOCAL WORKERS TO BE EMPLOYED

The Bidder shall insert in the spaces below, the name of non-local key personnel and non-local workers to be engaged on the Contract.

CATEGORY OF EMPLOYEE	NAME OF EMPLOYEE	Academic Qualifications	YEARS EXPERIENCE

Signature of person authorised to sign the Bid:

Date:

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Part T2: Returnable Documents

Returnable Schedules

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FORM F: SCHEDULE OF WORK CARRIED OUT BY THE BIDDER

The Bidder shall list in the spaces provided below a completed list of **civil related contracts** of similar nature awarded to the Bidder. This information may be deemed to be material to the award of this Bid. Proof should be submitted with this Bid e.g. **Completion certificates or referral letters**

Description Nature of Work	Value (R) VAT excluded	Period work executed		Reference			
		Appointment Date	Completion Date	Name		Organisation	Tel no and email address
				Employer			
				Employer			
				Employer			
				Employer			
				Employer			
				Employer			
				Employer			

Signature of person authorized to sign the Bid:

Date:

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FORM H: FINANCIAL REFERENCES**DETAILS OF BIDDERS BANKING INFORMATION****Notes to bidder:**

The bidder shall attach to this form certified copy or an original letter from the bank confirming the bank account and details which is not older than three months. The bidder's banking details as they appear below shall be completed.

In the event that the bidder is a joint venture enterprise, details of all the members of the joint venture shall be similarly provided and attached to this form.

BANK NAME:			
ACCOUNT NAME: (e.g. ABC Civil Construction cc)			
ACCOUNT TYPE: (e.g. Savings, Cheque etc)			
ACCOUNT NO:			
ADDRESS OF BANK:			
CONTACT PERSON:			
BANK RATING			
TEL. NO. OF BANK / CONTACT:			
BANK STAMP			
HOW LONG HAS THIS ACCOUNT BEEN IN EXISTENCE:	0-6 months	<input type="checkbox"/>	(Tick which is appropriate)
		<input type="checkbox"/>	
	7-12 months	<input type="checkbox"/>	
	13-24 months	<input type="checkbox"/>	
	More than 24 months	<input type="checkbox"/>	

SIGNATURE ON BE HALF OF BIDDER:

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**APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN
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Signatories for companies must establish their authority by attaching to this form a copy of the relevant resolution by their Board of Directors, duly signed and dated.

An example is shown below:

"By resolution of the Board of Directors taken on2022

Prof.Dr./Mr./Mrs./Ms.

.....

Has been duly authorized to sign all documents in connection with contract No.

.....

And any contract which may arise there from on behalf of (block capitals)

.....

.....

SIGNED ON BEHALF OF THE COMPANY :

IN HIS CAPACITY AS:

DATE:

SIGNATURE OF SIGNATORY:

***PLEASE NOTE THAT, THIS IS JUST AN EXAMPLE OF AUTHORITY FOR SIGNATORY. YOU ARE
REQUIRED TO SUBMIT A COPY OF A RELEVANT RESOLUTION OF THE BOARD OF DIRECTORS.**

THIS APPLIES TO COMPANIES WITH MORE THAN ONE MEMBERS

**FAILURE TO SUBMIT A COPY OF A RELEVANT RESOLUTION OF THE BOARD OF DIRECTORS,
SHALL DISQUALIFY THE TENDER.**

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**FORM N: COMPANY INFORMATION FOR BIDS GREATER THAN R10 MILLION**

The Bidder is required by law to prepare annual financial statements for auditing, their audited annual financial statements:

for the past three years; or
since their establishment or established during the past three years.

Indicate whether these have been included in the Bid. Yes/No

Does the Bidder have any undisputed commitments for Municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days?

NO ☐ YES ☐

If so, state particulars:
.....
.....

Has any contracts been awarded to the Bidder by an organ of state during the past five years?

NO ☐ YES ☐

If so, state particulars:
.....
.....

Has there been any material non-compliance or dispute concerning the execution of such contract?

NO ☐ YES ☐

If so, state particulars:
.....
.....

Is any portion of the goods or services expected to be sourced out from outside the Republic?

NO ☐ YES ☐

If so, state what portion and whether any portion of payment from the Municipality is expected to be transferred out of the Republic.

.....
.....

Signature of Bidder:

Date:

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN
PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE****FORM O: MUNICIPAL RATES & CHARGES CLEARANCE CERTIFICATE
SCM 5**

IT IS A CONDITION OF BIDDING I.R.O. GOODS, WORKS AND SERVICES ABOVE A TRANSACTION VALUE OF R15 000 (VAT INC) THAT –

The rates and taxes as well as other charges (eg. water and electricity accounts) of the successful bidder must be in order, or that satisfactory arrangements have been made with the municipality concerned to meet his/her obligations in this regard.

The attached form “Application for a municipal tax rates & charges Clearance Certificate” in respect of bidders must be completed in all respects and submitted to the municipality where the bidder or his/her business is located.

The relevant municipality will then furnish the bidder with a “Clearance Certificate” that will be valid for a period of twelve (12) months from date of issue.

This Clearance Certificate must be obtained by the bidder at his/her own cost and submitted in the original together with the rest of the bid documents.

Failure to submit the original valid Clearance Certificate or incomplete SCM5 Form, may invalidate your bid.

In bids where consortia/joint ventures/sub-contractors are involved; each party must submit a separate Clearance Certificate.

Invoices will not be considered.

Rural service providers who do not have municipal accounts must submit proof of residence and payment of tribal obligations.

The SCM 5 form provided must be completed, signed and stamped by an official of a municipality where you are paying services.

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

APPLICATION FOR A TAX, RATES & OTHER MUNICIPAL CHARGES CLEARANCE CERTIFICATE
(I.R.O. BIDDERS) - **SCM 5**

Trade name (if any)

[illegible]

--	--	--	--	--	--	--	--	--

[illegible]

Name:

Residential Address:.....

Postal Address:.....

I,in my capacity as

.....

(full names)

(designation)

of the municipality of.....Hereby
certify that –

(name of municipality)

Tick appropriate bullet.

I have examined the municipal accounts of the above-named person/firm/company/close corporation and am satisfied that all his/her municipal accounts are up to date and fully paid.

I have examined the above-named municipal accounts and have found the said accounts to be in arrears.

I have examined the above-named municipal accounts and have found the said accounts being honored in terms satisfactory arrangement made with the Municipality.

Signature of official	MUNICIPAL STAMP
Municipality of	

Telephone No. CodeNumber

Date:/...../20...

1

PSP

11

Witness 1

Witness 2

11

Employer

11

Witness 1

7

Witness 2

**APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN
PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE****FORM P: TAX CLEARANCE REQUIREMENTS****MBD 2**

IT IS A CONDITION OF BIDDING THAT -

The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.

2. The attached form "Application for Tax Clearance Certificate (in respect of bidders)", must be completed in all respects and submitted to the Receiver of Revenue where the bidder is registered for tax purposes. The Receiver of Revenue will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of twelve (12) months from date of issue. This Tax Clearance Certificate must be submitted in the original together with the bid. Failure to submit the original and valid Tax Clearance Certificate may invalidate the bid.

3. In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificates are available at any Receiver's Office.

MBD2/ Application for tax Certificate...

--	--	--	--	--	--

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PSP

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Witness 1

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Witness 2

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Employer

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Witness 1

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Witness 2

APPLICATION FOR TAX CLEARANCE CERTIFICATE (IN RESPECT OF BIDDERS)

2. Trade name:

3. Identification number:

[illegible]

4. Company / Close Corporation registration number:

--	--	--	--	--	--	--	--	--

5. Income tax reference number:

[illegible]

6. VAT registration number (if applicable):

[illegible]

7. PAYE employer's registration number (if applicable):

[illegible]

Signature of contact person requiring Tax Clearance Certificate:

Name:

Telephone number: Code:..... Number:

Address:

DATE: 20____ / ____ / ____

PLEASE NOTE THAT THE COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE (SARS) WILL NOT EXERCISE HIS DISCRETIONARY POWERS IN FAVOUR OF ANY PERSON WITH REGARD TO ANY INTEREST, PENALTIES AND / OR ADDITIONAL TAX LEVIABLE DUE TO THE LATE- OR UNDERPAYMENT OF TAXES, DUTIES OR LEVIES OR THE RENDITION RETURNS BY ANY PERSON AS A RESULT OF ANY SYSTEM NOT BEING YEAR 2000 COMPLIANT.

[MBD 2]

11

PSP

11

Witness 1

11

Witness 2

11

Employer

11

Witness 1

11

Witness 2

**APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN
PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**

FORM Q: DECLARATION OF INTEREST

MBD 4

1. No bid will be accepted from persons in the service of the state.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state it is required that the bidder or their authorised representative declare their position in relation to the evaluation/adjudication 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

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

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

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE

.....

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, principle shareholders or stakeholders in service of the state?

YES / NO

3.10.1 If so, furnish particulars

.....

3.11 Is any spouse, child or parent of the company's directors, managers, principle shareholders or stakeholders in service of the state?

YES / NO

3.11.1 If so, furnish particulars

.....

DECLARATION / CERTIFICATION

I, THE UNDERSIGNED (NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT. I ACCEPT THAT THE MUNICIPALITY MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature Date

.....
 Position Name of bidder

MSCM Regulations: "in service of the state" means to be –
 a member of –
 any municipal council

.....

 [] [] [] [] [] []
 PSP Witness 1 Witness 2 Employer Witness 1 Witness 2

**APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN
PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**

any provincial legislature; or
the national Assembly or the national Council of Provinces;

a member of the board of directors of any municipal entity;
an official of any municipality or municipal entity;
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);
a member of the accounting authority of any national or provincial public entity; or
an employee of Parliament or a provincial legislature.

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE

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

MBD 6.1

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 BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

GENERAL CONDITIONS

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).
a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or
Points for this bid shall be awarded for:
Price; and
B-BBEE Status Level of Contributor.
The maximum points for this bid are allocated as follows:

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

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

DEFINITIONS

“B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

“B-BBEE status level of contributor” means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

“bid” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

“Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

“EME” means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad Based Black Economic Empowerment Act;

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE

“functionality” means the ability of a Bidder to provide goods or services in accordance with specifications as set out in the tender documents. (g) **“prices”** includes all applicable taxes less all unconditional discounts; (h) **“proof of B-BBEE status level of contributor”** means:

B-BBEE Status level certificate issued by an authorized body or person;

A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;

Any other requirement prescribed in terms of the B-BBEE Act;

“QSE” means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

“rand value” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

POINTS AWARDED FOR PRICE

THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20 or 90/10

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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

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

BID DECLARATION

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

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

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

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

SUB-CONTRACTING

Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES		NO	
-----	--	----	--

If yes, indicate:

What percentage of the contract will be subcontracted%?

The name of the subcontractor.....

The B-BBEE status level of the subcontractor.....

Whether the sub-contractor is an EME or QSE (Tick applicable box)

YES		NO	
-----	--	----	--

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

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

DECLARATION WITH REGARD TO COMPANY/FIRM

Name Of Company/Firm :.....

VAT Registration Number :.....

Company Registration Number :.....

Type of Company/ Firm

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

[TICK APPLICABLE BOX]

Describe Principal Business Activities

.....

.....

.....

.....

Company Classification

- ☐ Manufacturer
☐ Supplier
☐ Professional service provider

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PSP

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Witness 1

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Witness 2

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Employer

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Witness 1

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Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE

☐ Other service providers, e.g. transporter, etc.
 [TICK APPLICABLE BOX]

MUNICIPAL INFORMATION

Municipality where business is situated :

Registered Account Number :

Stand Number :

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

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

The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

disqualify the person from the bidding process;

recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

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;

recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

forward the matter for criminal prosecution.

WITNESSES

.....

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....
 PSP

.....
 Witness 1

.....
 Witness 2

.....
 Employer

.....
 Witness 1

.....
 Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE
FORM S: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES
1. Any Bid may be rejected if that Bidder, or any of its directors have:

abused the Municipality's / Municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 been convicted for fraud or corruption during the past five years;
 willfully neglected, reneged on or failed to comply with any government, Municipal or other public sector contract during the past five years; or
 been listed in the Register for Bid Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).

In order to give effect to the above, the following questionnaire must be completed and submitted with the Bid:

Item	Question	Yes	No
2.1	Is the Bidder any of its directors listed on the National Treasury's database as a company or persons prohibited from doing business with the public sector? (Companies for persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.1.1	If so, furnish particulars:		
2.2	Is the Bidder or any of its directors listed on the Register for Bid Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Bid Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012)3265445)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.2.1	If so, furnish particulars:		
2.3	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"/>
2.3.1	If so, furnish particulars:		
2.4	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	Yes <input type="checkbox"/>	No <input type="checkbox"/>

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN
PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**

Item	Question	Yes	No
	three months?		
2.4.1	If so, furnish particulars:		
2.5	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 to comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.5.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME) CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM TO BE 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

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**FORMAT: CERTIFICATE OF INDEPENDENT BID DETERMINATION****MBD 9**

This Municipal Bidding Document (MBD) must form part of all bids¹ invited.

Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:

take all reasonable steps to prevent such abuse;

reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and

cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**MBD 9****CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE FOR PERIOD 36 MONTHS

in response to the invitation for the bid made by:

SEKHUKHUNE DISTRICT MUNICIPALITY

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)

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

I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;

I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;

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;

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

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.

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE

MBD 9

In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

prices;

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.

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.

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.

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

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.**

.....
PSP

.....
Witness 1

.....
Witness 2

.....
Employer

.....
Witness 1

.....
Witness 2

**APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN
PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**

SEKHUKHUNE DISTRICT MUNICIPALITY

**APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY
PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**

PART C1: AGREEMENTS AND CONTRACT DATA

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE FOR PERIOD 36 MONTHS

AGREEMENTS AND CONTRACT DATA

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Contractor	Witness 1	Witness 2	Employer	Witness 1	Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE FOR PERIOD 36 MONTHS

C1.1 FORM OF OFFER AND ACCEPTANCE

Offer

The employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the procurement of

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE FOR PERIOD 36 MONTHS

The Bidder, identified in the offer signature block, has examined the documents listed in the tender data and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of tender.

By the representative of the Bidder, deemed to be duly authorized, signing this part of this form of offer and acceptance, the Bidder offers to perform all of the obligations and liabilities of the contractor under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.

THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS:

..... Rand (in words);
R (in figures)

This offer may be accepted by the employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the Bidder before the end of the period of validity stated in the tender data, whereupon the Bidder becomes the party named as the contractor in the conditions of contract identified in the contract data.

Signature Date

Name
Capacity

for the Bidder
(Name and
address of
organization)

.....

Name and
signature
of witness

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE FOR PERIOD 36 MONTHS

Acceptance

By signing this part of this form of offer and acceptance, the employer identified below accepts the Bidder's offer. In consideration thereof, the employer shall pay the contractor the amount due in accordance with the conditions of contract identified in the contract data. Acceptance of the Bidder's offer shall form an agreement between the employer and the Bidder upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

The terms of the contract, are contained in:

Part C1: Agreements and contract data, (which includes this agreement)

Part C2: Pricing data

Part C3: Scope of work.

and drawings and documents or parts thereof, which may be incorporated by reference into Parts 1 to 4 above.

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the tender schedules as well as any changes to the terms of the offer agreed by the Bidder and the employer during this process of offer and acceptance, are contained in the schedule of deviations attached to and forming part of this agreement. No amendments to or deviations from said documents are valid unless contained in this schedule.

The Bidder shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the employer's agent (whose details are given in the contract data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfill any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the Bidder receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the Bidder (now contractor) within five working days of the date of such receipt notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

Signature Date

Name
Capacity

for the Employer SEKHUKHUNE DISTRICT MUNICIPALITY
Corner Riebeeck and Chris Wiid Street
Private Bag 8611
Groblersdal
0470

Name and signature of witness Date

.....

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE FOR PERIOD 36 MONTHS

Schedule of Deviations

Notes:

The extent of deviations from the tender documents issued by the Employer prior to the tender closing date is limited to those permitted in terms of the Conditions of Tender;

A Bidder's covering letter shall not be included in the final contract document. Should any matter in such, letter, which constitutes a deviation as aforesaid become the subject of agreements reached during the process of, offer and acceptance, the outcome of such agreement shall be recorded here;

Any other matter arising from the process of offer and acceptance either as a confirmation, clarification or change to the tender documents and which it is agreed by the Parties becomes an obligation of the contract shall also be recorded here;

Any change or addition to the tender documents arising from the above agreements and recorded here shall also be incorporated into the final draft of the Contract.

1 Subject	.....
Details	.....

2 Subject	.....
Details	.....

3 Subject	.....
Details	.....

4 Subject	.....
Details	.....

5 Subject	.....
Details	.....

By the duly authorised representatives signing this agreement, the employer and the Bidder agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the tender data and addenda thereto as listed in the tender schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the Bidder and the employer during this process of offer and acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the Bidder of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this agreement.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN
PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**

SEKHUKHUNE DISTRICT MUNICIPALITY

LIMPOPO PROVINCE

**APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY
PARTICIPATION IN PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**

C1.2 CONTRACT DATA

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN
PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**

CONTRACT DATA

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN
PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**

C1.2 Contract Data**Part 1: Contract Data completed by the Employer**

Clause	
1.1.1.15	The name of the Employer is the Sekhukhune District Municipality
1.2.1.2	The address of the Employer is: Telephone: 013 262 7535 Facsimile: Address (physical): Riebeeck Street and Chris Wiid Street Bareki Mall Address (postal): Groblersdal 0470
1.1.1.16	The name of the Employer's Agent is
1.2.1.2	The address of the Employer's Agent is: Address (physical): Address (postal): Telephone: Facsimile:

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**APPOINTMENT OF A PANEL OF SOCIAL FACILITATORS TO PROMOTE COMMUNITY PARTICIPATION IN
PROJECT IMPLEMENTATION THROUGHOUT THEIR LIFE CYCLE**

Part 2: Data provided by the Contractor

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

SEKHUKHUNE DISTRICT MUNICIPALITY

APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS TO PROVIDE MUNICIPAL
INFRASTRUCTURE PLANNING IN WATER SUPPLY AND SEWERAGE SYSTEMS IN ORDER TO
SERVICE HUMAN SETTLEMENT

SEKHUKHUNE DISTRICT MUNICIPALITY

APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS TO PROVIDE MUNICIPAL
INFRASTRUCTURE PLANNING IN WATER SUPPLY AND SEWERAGE SYSTEMS IN ORDER TO
SERVICE HUMAN SETTLEMENT

PART C2 PRICING DATA

C2.1 PRICING INSTRUCTIONS

The accompanying information must be used for the formulation of pricing proposals. Prices must be quoted in RSA currency and include VAT and are regarded as firm prices.

The contract will be based on hourly rates which must be fixed and travel and accommodation costs which will be paid in line with National Treasury prescripts. (Cost containment emphasis)

Persons who will be involved in the project and rates applicable (certified invoices must be rendered in terms hereof once payment is

C2.2 BILL OF QUANTITY

Person/ Staff and position	Hourly rates (valid for year 1) VAT inclusive	Hourly rates (valid for year 2) VAT inclusive	Hourly rates (valid for year 3) VAT inclusive
Contract Manager	R	R	R
Project Manager	R	R	R
Site Official Administrator	R	R	R
Trainee student	R	R	R
	R	R	R
	R	R	R
	R	R	R
	R	R	R

PART C3 SCOPE OF WORK

3.1 DESCRIPTION OF THE WORKS

3.1.1. Employer's objectives

The objective of the tender is to enable Sekhukhune District Municipality to appoint competent and suitable panel of Social Facilitators with various engineering field and/or expertise for Water Services

The social facilitator has to perform strategic and technical support in line with the expected deliverables of the programmes mainly basic water & sanitation services envisaged to be implemented by municipality

Social facilitator will be required to;

- To develop a social facilitation Implementing Plan as a reference document for the programme
- To utilize existing governance structures for easy implementation of the programme at all levels and set up structures where there is none
- To facilitate stakeholder engagement both at management and stakeholder level
- To provide inputs to the social Risk Management Plan
- To develop and manage the Communication Plan
- To provide input into the Monitoring and Reporting tool for the projects (with reference to employment, training and SMME development reports)
- To develop and apply conflict resolution mechanisms
- To engage with SDM ISD at start and during project development
- To engage with the tribal authority houses within formal structures endorsed by ISD
- Formation of PSC and overseeing appointments of CLO
- To provide training to PSP
- To develop social facilitation reporting templates for PSP social facilitators.
- To participate in selection of CLO
- To provide training to CLO
- Interactions with PSP
- The PSP social facilitators deal with the day-to-day operations of the project such as:
- Regular visits to projects to projects by both SDM and PSP social facilitators - at least once a month. This will improve scanning of issues and result in their speedy resolution.
- Prepare documentation for proper handover of the projects once completed
- Ensure that all relevant legislation is complied with during project implementation
- Engage with communities and stakeholders on the new technologies to be used for the construction of new infrastructure going forward
- Social facilitators are to develop an induction pack for the PSP facilitators to ensure that the standards are uniform and there is proper understanding of the overall programme.
- Communication between PSP technical team and the PSP social facilitators
- To allow the PSP social facilitator to have more information on the progress of the site as well as contractor challenges, the technical teams should include the PSP social facilitator in progress meetings.