



**LEKWA LOCAL MUNICIPALITY**

**CONTRACT NUMBER:**

**CSS 01/2022/2023**

**BID DOCUMENT**

**UPGRADING AND OPERATION OF THE STANDERTON LANDFILL SITE FOR A PERIOD OF 36 MONTHS**

**PREPARED BY**

MUNICIPAL MANAGER  
LEKWA LOCAL MUNICIPALITY  
P.O. Box 66  
STANDERTON  
2430

Mr.M J. Lamola

Tel: (017) 712 9600

**NAME OF BIDDER (BIDDING ENTITY) (FULL NAME,  
i.e. (CC, (PTY) LTD, LTD, JV, SOLE PROPRIETOR etc.)**

:

**TEL NUMBER**

:

**FAX NUMBER**

:

**E-MAIL**

:

**CELL NO.**

:

**CIDB NO.**

:

**CSD NO.**

:

**THE OFFERED TOTAL OF THE PRICES INCLUDING VALUE ADDED TAX IS:**

R..... (In figures)

**VERY IMPORTANT NOTICE:**

A bid not complying with the peremptory requirements stated hereunder will be regarded as not being an “Acceptable bid”, and as such will be rejected.

**AND ALL PAGES INCLUDING THE COVER MUST BE INITIALIZED BY THE BIDDER AND TWO WITNESS AT THE BOTTOM**

“Acceptable bid” means any bid which, in all respects, complies with the conditions of bid and specifications as set out in the bid documents, including conditions as specified in the Preferential Procurement Policy Framework Act (Act 5 of 2000) and related legislation as published in Government Gazette number 40553, dated 20 January 2017, in terms of which provision is made for this policy.

**Mandatory Requirements on Disqualifications**

NB (The following are mandatory and failure to submit any of these documents will lead to a disqualification of the document)

1. Form of offer must be completed and signed by the authorised signatory.
2. Bid to be in the closing register
3. Proof of CSD Registration and compliance
4. Tax compliant as per the submitted CSD (in the case of a joint venture, of all the partners or both JV's must be tax compliant.
5. The Authority to sign must be completed and signed (Company resolution letter “on company letter head” by directors to be attached confirming the Authority to sign)
6. CIDB grading of 4CEPE or higher / CIDB 4GBPE or higher
7. Failure to attach a copy of a valid signed Joint Venture/Consortium agreement (if applicable) to the bid document.
8. Signed declaration of interest
9. Municipal rates and services account (not more than 90 days and not in Arrears)
10. Attendance of the compulsory clarification meeting
11. Company registration documents must be submitted.
12. Audited financial statements for the past three years.

**LEKWA LOCAL MUNICIPALITY**

***UPGRADING AND OPERATION OF THE STANDERTON LANDFILL SITE***

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INVITATION TO BID

MBD 1.

**FORM 7.1** YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE Lekwa Local Municipality

BID NUMBER: **CSS 01/2022/2023**

CLOSING DATE: **15 December 2022**

CLOSING TIME: **12H00**

DESCRIPTION...**Appointment of Contractor: UPGRADING AND OPERATION OF THE STANDERTON LANDFILL SITE**

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

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DEPOSITED IN THE BID BOX SITUATED AT  
**Lekwa Local Municipality, Cnr Dr Beyers Naude & Mbonani Mayisela Street, Standerton**

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

The bid box is generally open between 8am to 4pm hours a day, 5 days a week Monday to Friday. (NB See original advert on annexure 1)

**FORM 7.2** ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS,

2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

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

NAME  
BIDDER..... OF  
.....

POSTAL  
ADDRESS.....  
.....

STREET ADDRESS.....  
.....

TELEPHONE \_\_\_\_\_ NUMBER \_\_\_\_\_

CODE.....NUMBER.....

CELLPHONE NUMBER.....

FACSIMILE NUMBER CODE .....NUMBER.....

E-MAIL ADDRESS.....

VAT REGISTRATION NUMBER.....

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? (MBD 2) YES  
or NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (MBD 6.1) YES or

NO IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA).....

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)  
.....

A REGISTERED AUDITOR

[TICK APPLICABLE BOX]

**(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)**

1.1 ARE YOU THE ACCREDITED REPRESENTATIVE  
IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED? YES or NO

[IF YES ENCLOSE PROOF]

SIGNATURE OF BIDDER .....

DATE.....

CAPACITY UNDER WHICH THIS BID IS SIGNED.....

TOTAL BID PRICE.....

.....

TOTAL NUMBER OF ITEMS  
OFFERED.....

---

**ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:**

*Contact Person:* Ms lerato Nhlapo

**Cell:** 079 135 9105

**E-mail address:** LNhlapo@lekwalm.gov.za

## **UPGRADING AND OPERATION OF THE STANDERTON LANDFILL SITE**

### **1.2 Bid Data**

Bid offers will only be accepted if the bidder is free of any common conflict of interest with the LEKWA Local Municipality.

<b>Part Number</b>	<b>Bid Data</b>
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<b>1.2.1.</b>	The employer is <b>LEKWA LOCAL MUNICIPALITY</b>
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1.2.2	The bid documents issued by the employer comprise: <ul style="list-style-type: none"><li>1.1 Bid notice and invitation to bid</li><li>1.2 Bid data</li><li>2.1 List of returnable documents</li><li><b>Agreements and contracts data</b> Form of offer and acceptance <b>pricing data</b></li><li>Pricing instructions</li><li>Specification</li></ul>
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1.2.2.	The employer's agent is: No Consultant for the project
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1.2.3 Only Bidders who are registered with central supplier database (CSD) will be considered.

1.2.4 The arrangements for a compulsory clarification meeting are as stated in the Bid Notice and Invitation to Bid.

1.2.5 If a bidder wishes to submit an alternative bid offer, the only criteria permitted for such alternative bid offer is that it demonstrably enables the Employer's objectives for the services as stated in the Scope of Work to be achieved.

1.2.6 All parts of each bid offer communicated on paper shall be submitted as the original.

1.2.7 The employer's address for delivery of bid offers and identification details to be shown on each bid offer package is:

**Lekwa Local Municipality,  
Cnr Dr Beyers Naude & Mbonani Mayisela Street,  
Standerton**

- 1.2.8 The closing time for submission of bid offers is as stated in the Bid Notice and Invitation to Bid.
- 1.2.9 Telephonic, telegraphic, telex, facsimile or e-mailed bid offers will not be accepted.
- 1.2.10 The bid offer validity period is ninety (90) days.
- 1.2.11 The bidder is required to submit with his/her bid all required documents as listed in the list of returnable documents as part of the eligibility criteria.
- 1.2.12 The Bid/Proposal will be opened immediately after the closing time for bids only to confirm the bidder, at:

**Lekwa Local Municipality,  
Cnr Dr Beyers Naude & Mbonani Mayisela Street,  
Standerton**

- 1.2.13 The procedure for the evaluation of responsive bids will be on 80/20 points system, where 80 points are for price and 20 points are for B-BBEE**

1.2.14 Bid offers will only be accepted if:

- 1.2.14.1 The bidder has registered with the central supplier database (CSD);
- 1.2.14.2 The bidder or any of its directors is not listed on the Register of Bid 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;
- 1.2.14.3 The bidder has not:
- abused the Employer's Supply Chain Management System;
  - or
  - failed to perform on any previous contract and has been given a written notice to this effect;
- 1.2.14.4 The bidder 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 bid process; and
- 1.2.14.5 Proof of municipal rates and taxes for both the company and the directors are attached not older than 60 days of the closing date of the tender.
- 1.2.14.6 The bidder or any of its directors is not employed by the state.



## **CRITERIA FOR THE AWARDING OF CONTRACTS**

### **Evaluation Criteria**

Municipal Supply Chain Management Policy will be used for evaluation of Prospective Service Provider as per the approved scoring system by the specification committee.

The evaluation will be done as per Preferential Procurement Regulations, 2017 issued in terms of section 5 of PPPFA, Act No. 5 of 2000.

Evaluation Criteria shall follow the following

1. Responsiveness (see page 1, 2 and 12)
2. Functionality
3. The 80/20 preference point systems B-BBEE

**TOTAL FUNCTIONALITY POINTS ARE 50, MINIMUM THRESHOLD 30. THE POINTS ARE DISTRIBUTED AS FOLLOWS:**

The below table will be evaluated and adjudicated on basis of information provided (Ownership certificate must be in the name of the company)

No.	Description	Max. Points
1.	<b>Personnel experience</b>  <b>Contracts Manager: Experience and Qualifications</b> <b>Qualification</b> <ul style="list-style-type: none"> <li>• BTech: Civil Engineering or Higher 2</li> <li>• National Diploma: Civil Engineering 1.5</li> <li>• Lower 0</li> </ul> <b>Experience</b> <ul style="list-style-type: none"> <li>• 5 years and above 2</li> <li>• From 2 to 4 years 1.5</li> <li>• Less than 2 years 0</li> </ul> <b>Operations Manager: Experience and Qualifications</b> <b>Qualification</b> <ul style="list-style-type: none"> <li>• B-Tech: Environmental Management/Health and Higher 2</li> <li>• National Diploma: Environmental Management/Health 1.5</li> <li>• Lower 0</li> </ul> <b>Experience</b> <ul style="list-style-type: none"> <li>• 5 years and above 2</li> <li>• From 2 to 4 years 1.5</li> <li>• Less than 2 years 0</li> </ul> <b>Site Agent: Experience and Qualifications</b> <b>Qualification</b> <ul style="list-style-type: none"> <li>• Diploma: Civil Engineering 1</li> <li>• Lower 0.5</li> </ul> <b>Experience</b> <ul style="list-style-type: none"> <li>• Over 3 years 1</li> <li>• Between 1 and 3 years 0.5</li> <li>• Less than 1 year 0</li> </ul>	

	<b>Site Agent (Operations): Experience and Qualifications</b> <b>Qualification</b> <ul style="list-style-type: none"> <li>• Diploma: Environmental Management/Health</li> <li>• Lower</li> </ul> <b>Experience</b> <ul style="list-style-type: none"> <li>• Over 3 years</li> <li>• Between 1 and 3 years</li> <li>• Less than 1 year</li> </ul> <b>Safety Officer: OHS or Environmental Health qualification</b> <b>Qualification</b> <ul style="list-style-type: none"> <li>• Diploma</li> <li>• No qualification</li> </ul> <b>Experience</b> <ul style="list-style-type: none"> <li>• Over 3 years</li> <li>• Between 1 and 3 years</li> <li>• Less than 1 year</li> </ul>	 1 0.5  1 0.5 0  1 0.5  1 0.5 0
2.	<b>Previous Civil or General Building Work completed: Attach Completion certificates (a maximum of 5 completion certificates will be combined to determine amounts)</b>  Combined Projects of value between R1mil – R2 mil Combined Projects of value between R 3mil – R5 mil Projects Combined Projects of value of over R5 mil  <b>Previous work experience in operation and maintenance of landfill site: Attach Completion certificates (a maximum of 5 completion certificates will be combined to determine amounts)</b>  Combined Projects of value between R1mil – R2 mil Combined Projects of value between R 3mil – R5 mil Projects Combined Projects of value of over R5 mil	20  8 9 10  8 9 10
3.	<b>Plant and Equipment</b>  <b>TLB</b>  Owned TLB Hired TLB  <b>Water tanker</b>  Owned Hired  <b>Tipper Truck</b>  Owned Truck Hired Truck  <b>Grader</b>  Owned Truck Hired Truck	10(Max)  2.0 1.0  1.0 0.5  1.0 0.5  1.0 0.5

	<b>Roller</b>  Owned Truck Hired Truck  <b>D6 Dozer</b>  Owned Truck Hired Truck  <b>30 Ton landfill compactor machine</b>  Owned Truck Hired Truck	   1.0 0.5      2.0 1.0      2.0 1.0
--	--	--

4.	<b>Financial Resources</b>  Tenderers should submit a Bank rating letter from their banker that indicates that they have sufficient financial resources to undertake a project of this magnitude. (not older than 3 Months)  Bank Rating A and B Bank Rating C Bank Rating D or lower Lower	<b>6</b>      6 5 4
----	--	---

Proof of all the above must be attached for the Tenderer to qualify for the points claimed in the following manner:

1. **Personnel Experience**- attach CVs and qualifications of persons
2. **Safety officer**- Only OHS Qualifications and Environmental Health will be considered as proof.
3. **Contractor experience** -only Completion certificate/s of previous civil works done will be considered as proof.
4. **Plant and Equipment**- Tenderers to submit plant/equipment ownership or hired proof, non-submission will result in loss of points.

To all those who achieve the 30 points minimum threshold will qualify for 80/20 scoring system.

#### POINTS

- |    |                                     |    |
|----|-------------------------------------|----|
| 1. | PRICE                               | 80 |
| 2. | B-BBEE STATUS LEVEL OF CONTRIBUTION | 20 |

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

Failure on the part of a bidder to submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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.

#### POINTS AWARDED FOR PRICE THE 80/20 PREFERENCE POINT SYSTEMS

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

According to the Preferential Procurement Framework Act and Regulations a preference point system must be followed:

### 1.1 The 80/20 Preference Point System

- a) The following formula must be used to calculate the points for price in respect of tenders/procurement with a Rand value equal to, or above R30 000 and up to a Rand value of R50 000 000. Organs of state may, however, apply this formula for procurement with a value less than R30 000, if and when appropriate:

$$Ps=80 \left( 1 - \frac{Pt-Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Rand value offer tender consideration  
Pmin = Rand value of lowest acceptable tender

- b) A maximum of 20 points will be awarded to a tenderer for being an HDI and/or subcontracting with an HDI and /or achieving any of the specified goals stipulated in regulation 17.
- c) The points scored by a tender in respect of the goals contemplated in sub-regulation (2) must be added to the points scored for price.
- d) Only the tender with the highest number of points scored will be selected.

### 1.2 The 90/10 Preference Point System

- a) The following formula must be used to calculate the points for price in respect of tenders/procurement with a Rand value above R50 000 000:

$$Ps=90 \left( 1 - \frac{Pt-Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration  
Pt = Rand value of tender under consideration

$P_{min}$  = Rand value of lowest acceptable tender

- b) A maximum of 10 points will be allocated according to the B-BBEE certificate.
- c) The points scored by a tenderer in respect of the goals contemplated in sub-regulation (2) must be added to the points scored for price.
- d) Only the tender with the highest number of points scored may be selected.

## **UPGRADING AND OPERATION OF THE STANDERTON LANDFILL SITE**

### **2. Returnable Documents**

#### **2.1 List of Returnable Documents**

The bidder must complete the following returnable documents:

**Returnable schedules required for bid evaluation purposes** (This Document & as listed page 1&2)

- a) Compulsory Enterprise Questionnaire
- b) Certificate of authority to sign documents (include for Joint Ventures / Consortia agreement where applicable)
- c) record of addenda to bid documents
- d) Municipal Services and Payments (for the company, office of the company and the director(s)). An affidavit from SAPS must be attached in case of bidders who are not paying rates and taxes e.g. in a rural areas.
- e) Authorisation for deduction of outstanding amounts owed to Council must be filled in full.
- f) Company profile.
- g) CSD report
- h) CIDB Registration
- i) Qualifications of Personnel
- j) Plant Ownership

#### **2.2. Other documents required only for bid evaluation purposes (External Documents)**

- Central suppliers database summary report (Central suppliers database summary report of each firm on the team if tendered as a JV / Consort
- Joint venture, consortium agreements (if applicable).
- B-BBEE certificate/sworn affidavit–BBBEE for exempted micro enterprise .(Joint B- BBEE/sworn affidavit–BBBEE for exempted micro enterprise in case of joint ventures)

#### **2.3. Other documents that will be incorporated into the contract**

- 2.3.1 Original downloaded bid document
- 2.3.2 Addendum – if issued

**Note: All copies must be certified**

- : Use black pen only.
- : All correction must be signed by the authorised person.
- : Use of correction pen (tippex) is prohibited.
- : Failure to adhere any of the above will lead to automatic disqualification

## Certificate of Authority

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

A Company	B Partnership	C Joint Venture	D Sole Proprietor	E Close Corporation

### A. Certificate for company (Confirmation in the Company Letter must also be Attached)

I,....., chairperson of the board of directors of ..... hereby confirm that by resolution of the board (copy attached) taken on .....20..., Mr/Mrs.....acting in the capacity of.....,was authorised to sign all documents in connection with this tender and any contract resulting from it on behalf of the company.

As witness

1.....  
Chairman  
2.....  
Date

### B. Certificate of partnership

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

hereby authorise Mr/Mrs....., acting in the capacity of.....to sign all documents in connection with the tender for Contract.....and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

NOTE: This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole.

**C. Certificate for Joint Venture**

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Mrs....., authorised signatory of the company .....,

Acting in the capacity of lead partner, to sign all documents in connection with the tender offer for Contract.....and any other contract resulting from it on our behalf.

This authorisation is evidenced by the attached power of attorney signed by legally authorised signatories of all the partners to the Joint Venture.

NAME OF FIRM	ADDRESS	AUTHORISING NAME & CAPACITY	SIGNATURE,

**D. Certificate for sole proprietor**

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

As Witness:

1.....

.....  
Signature: Sole owner

2.....  
Date

.....



## E. Certificate for Close Corporation

We, the undersigned, being the key members in the business trading as.....hereby authorise Mr/Mrs.....

Acting in the capacity of....., to sign all documents in connection with the tender for Contract.....and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

**NOTE: This certificate is to be completed and signed by all key members upon who rests the direction of the affairs of the Close Corporation as a whole.**

### Record of Addendum to Bid Documents

We confirm that the following communications received from the Employer before the submission of this bid offer, amending the bid documents, have been taken into account in this bid offer:		
	<b>Date</b>	<b>Title or Details</b>
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

Attached additional pages if more space is required.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_

Bidder \_\_\_\_\_

**UPGRADING AND OPERATION OF THE STANDERTON LANDFILL SITE**

**3. Form of Offer and Acceptance**

**3.1. Form of Offer and Acceptance**

**Offer**

The employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the  
**UPGRADING AND OPERATION OF THE STANDERTON LANDFILL SITE**

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

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 service provider 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:**

----- (Rands VAT Inclusive)

.....

.....

..... (Amount in Words)

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 bid data, whereupon the bidder becomes the party named as the Service Provider in the conditions of contract identified in the contract data.

**For the bidder**

Signature ..... Date ..... Name

.....

Capacity .....

(Name and ..... Address of  
Organization) .....

.....

Name and  
Signature  
Of witness

.....

.....

## 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 service provider 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.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the bidder receives on fully completed original copy of this document. Unless the bidder (now service provider) within five working days of the data 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 Lekwa Local Municipality

.....

.....

.....

Name and .....

Date .....

Signature Of witness .....

## LEKWA LOCAL MUNICIPALITY

### UPGRADING AND OPERATION OF THE STANDERTON LANDFILL SITE

#### **4. Pricing**

##### **4.1. PRICING INSTRUCTIONS**

1. The Service Provider is required to provide the services in accordance with the Scope of Work. This embraces all things necessary and incidental to complete the work.
2. The only basis for a change to the prices is as a result of the Employer giving an instruction to change the Scope of Work.
3. The General Conditions of Contract, the Contract Data, the Specifications (including the Project Specifications) and the Drawings shall be read in conjunction with the Bill of Quantities.
4. The Bill comprises items covering the Contractor's profit and costs of general liabilities and of the construction of Temporary and Permanent Works.

Although the Bidder is at liberty to insert a rate of his own choosing for each item in the Bill, he should note the fact that the Contractor is entitled, under various circumstances, to payment for additional work carried out and that the Engineer is obliged to base his assessment of the rates to be paid for such additional work on the rates the Contractor inserted in the Bill.

5. The amounts and rates to be inserted in the Bill of Quantities shall be the full inclusive amounts to the Employer for the work described under the several items. Such amounts shall cover all the costs and expenses that may be required in and for the construction of the work described, and shall cover the costs of all general risks, profits, taxes (but excluding value-added tax), liabilities and obligations set forth or implied in the documents on which the Bid is based.

**Ordering of materials** are not to be based on the Bill of Quantities, but only on information issued for construction purposes.

6. For the purposes of this Bill of Quantities, the following words shall have the meanings hereby assigned to them:

Unit	:	The unit of measurement for each item of work as defined in the Standardized, Project or Particular Specifications
Quantity	:	The number of units of work for each item
Rate	:	The payment per unit of work at which the Bidder bids to do the work
Amount	:	The quantity of an item multiplied by the bid rate of the (same) item
Sum	:	An amount bid for an item, the extent of which is described in the Bill of Quantities, the Specifications or elsewhere, but of which the quantity of work is not measured in units

7. The units of measurement indicated in the Bill of Quantities are metric units. The following abbreviations may appear in the Bill of Quantities:

Mm	=	millimetre
M	=	metre
Km	=	kilometre
km-pass	=	kilometre-pass
m <sup>2</sup>	=	square metre
m <sup>2</sup> -pass	=	square metre-pass
Ha	=	hectare
m <sup>3</sup>	=	cubic metre
m <sup>3</sup> -km	=	cubic metre-kilometre
kW	=	kilowatt
kN	=	kilonewton
Kg	=	kilogram
T	=	ton (1 000 kg)
%	=	per cent
MN	=	meganeutron
MN-m	=	meganeutron-metre
PC Sum	=	Prime Cost Sum
Prov Sum	=	Provisional Sum

## **4.2. BILL OF QUANTITIES**

### **CONTENTS**

#### **SECTIONS OF THE BILL USED**

- a. SABS 1200 A/ AA - General
- b. SABS 1200 AB - Engineers office
- c. SABS 1200 C - Site Clearance
- d. SABS 1200 D/ DA - Earthworks
- e. SABS 5500 - SECTION 5500

**Lekwa Local Municipality**

Tender No.

Supply Deliver and Install Clearview Fencing at Standerton Landfill Site

Standerton LM Area

**Section 1: Preliminary and General**

ITEM NO	PAYMENT	DESCRIPTION	UNIT	QTY	RATE	AMOUNT (RAND)
1	P&G's	SECTION 1: PRELIMINARY & GENERAL				
		FIXED-CHARGES AND VAULE RELATED ITEMS	Sum	1.0		
1.1		Contractual Requirements	Sum	1.0		
		TIME-RELATED ITEMS				
1.2		Contractual Requirements	Sum	1.0		
1.3	OHS	SITE ESTABLISHMENT				
		HEALTH AND SAFETY: Compliance with the Occupational Health and Safety Act (Act 85 of 1993) and applicable regulations (construction Regulations, 2014), and the Employers Health and Safety Specification bound into this document				
1.4						
1.5		Preparation of a Health and Safety Plan	Lump Sum	1.0	R 20,000.00	R20,000.00
1.6		Provision of A Health and Safety File	Lump Sum	1.0	R10,000.00	R10,000.00
1.7		Provision of personnel protective clothing and equipment	Lump Sum	1.0	R50,000.00	R50,0000.00
1.8	CLO	COMMUNITY LIASION OFFICER	Month	6.0	R6,000.00	R36,000,00
1.9		(a) Remuneration of CLO (based on R6000/month incl. cell phone and travelling allowance)				
1.10		(b) Charges for profit on 1.7 (a)	%	10		
1.11	Name	Contract Notice Board (as directed by client)	No	1		
	Services	Relocation of services				
1.12			No	6		
	Doc	(a) Print and Laminate Construction Drawings	Lump Sum	1.0		
	Doc	(b) Charges of Profit on 1.11 (a)	Sum			
		Provision for security	%	10		
	Security		Month	.6.0		
<b>Total Carried Forward To Summary</b>						

**Lekwa Local Municipality**

Tender No.

Supply Deliver and Install Clearview Fencing at Standerton Landfill Site

Standerton LM Area

## Section 2: Clearing and Grubbing

ITEM NO	PAYMENT	DESCRIPTION	UNIT	QTY	RATE	AMOUNT (RAND)
2	Clearing	<b>Section 2 Clearing and Grubbing</b>	m <sup>2</sup>	4 200		
2.1		Removal and grubbing or large trees and tress stumps:				
		(a) Girth exceeding 1m up to and	No	5		
		(b) Girth exceeding 2m up to and	No	5		
		(c) Girth exceeding 3m	No	5		
2.2	Demolish	Demolish and spoil material for structures, buildings,				
		(a) 100-200 mm thick un and reinforced concrete	m <sup>2</sup>	20		
		(b) Concrete kerbs (all types and sizes)	m <sup>2</sup>	10		
<b>Total Carried Forward To Summary</b>						

**Lekwa Local Municipality**

Tender No.



Supply Deliver and Install Clearview Fencing at Standerton Landfill Site

Section 3: Supply and Install Fencing

ITEM NO	PAYMENT	DESCRIPTION	UNIT	QTY	RATE	AMOUNT (RAND)
3		Section 3 –Clear View Fencing				
3.1	Earth	Excavations in all material for post holes 400mm*400mm*500mm	m <sup>3</sup>	100		
		<b>Supply and Install:</b>				
3.2	Panels	Supply and Erect Clearview Fence 2.4m high Complete with Posts, Pales, Ground, Beams, Horizontal Rails, Fixing Accessories and recess in rail to be Epoxy Cement Grouted	m	4,200.00		
3.3	Razor wire	Supply and install Raver Wire on top of Palisade Fence	m	4,200.00		
3.4	Gate	8m Sliding Gate with locking system, with heavy duty locks and hinges to match fence security (excluding motor). Gate wheels to have brush for self-cleaning the rail. Class A Galvanized only	No	2.0		
3.5	Gate	1.2m pedestrian gate, single leaf. Class A Galvanized only	No	1.0		
	Additions	Supply and Install Shark Tooth Spike on Gate- Class a Galvanized only	m	20.0		
<b>Total Carried Forward To Summary</b>						

ITEM NO	PAYMENT	DESCRIPTION	UNIT	QTY	RATE	AMOUNT (RAND)
4		<b>Section 4 Additional Infrastructure</b>				
4.1		Construction of office (4m x3m), guardhouse (3mx3m) and ablution facilities for male & females connected with all associated electrical works.	No	1		
4.2		Drilling and equipping of borehole at maximum depth of 120m (For ground water monitoring)	No	1		
4.3		Supply, install, test and commission submersible pumping unit, pipes and fittings.	No	1		
4.4		Supply, install, test and commission 50 mm diameter water line to the Standerton Landfill site including excavation, bedding and backfilling.	m	2 000		
4.5		Connection of Water Complete to Office, guardhouse and ablution facilities.	No	1		
4.6		Supply and install 3m High stand for 5000l Jojo tank	No	1		
4.7		Supply and Installation of 5000 l septic tank	No	1		
4.8		Supply and install 5000 l Jojo Tank	No	1		
4.9		Supply, Install, test and commission 3km MV Infrastructure to the Standerton Landfill site with all associated infrastructure (MV Conductors, Poles, Strays, Struts etc)	m	3 000		
4.10		Supply, Install, test and commission 100KVA transformer	No	1		
4.11		Supply, installation, test and commission of 30 tonne weighbridge complete with all associated accessories.	Sum	1		
<b>Total Carried Forward To Summary</b>						

## SUMMARY

### BILL 1 – Infrastructure Installation

	Description	Amount
<b>Section 1</b>	PRELIMINARY & GENERAL	
<b>Section 2</b>	Clearing and Grubbing	
<b>Section 3</b>	Clear View Fencing	
<b>Section 4</b>	Additional infrastructure	
<b>Sub Total A</b>		
<b>Add Contingencies @10%</b>		
<b>Sub Total B</b>		
<b>Add VAT@15%</b>		
<b>Total</b>		

### BILL 2 – Operation and Maintenance

Description of plant and equipment	Months	Monthly rate	Amount
30 ton Landfill Compactor machine (Full time)	36		
D6 Dozer or similar (Full time)	36		
TLB Machine (Full time)	36		
Tipper Truck (Full time)	36		
Grader	Rate Only		
Roller	Rate Only		
Water tank	Rate Only		
Tipper truck	Rate Only		
<b>Sub Total</b>			
<b>Add VAT@15%</b>			
<b>Total</b>			

	TOTAL
<b>BILL 1</b>	
<b>BILL 2</b>	
<b>Total carried to Form of Offer and Acceptance</b>	

## **STATUS**

In the event of any discrepancy between the Scope of Works and a part or parts of the SABS 1200 Standardized Specifications, the Bill of Quantities or the Drawings, the Project Specifications shall take precedence and prevail in the Contract.

## **DESCRIPTION OF THE WORKS**

### **EMPLOYER'S OBJECTIVES**

This contract covers the supply of all material, labour, plant, equipment and the construction installation a supply, delivery and installation of Clearview fencing and provide access control to the landfill site and daily maintenance of the landfill site.

The employer's objectives are to deliver public infrastructure using labour-intensive methods and subcontractors where possible. The project will be executed using both conventional construction methods as well as labour based methods. This is as per the program of the National Department of Public Works the Special Public Works Programme (SPWP) as the guidelines of the Expanded Public Works Programme (EPWP).

Labour-intensive works comprise the activities described in SANS 1921-5/Earthworks activities which are to be performed by hand/Labour-Intensive Specification and its associated specification data. Such works shall be constructed using local workers who are temporarily employed in terms of this scope of work.

### **PROJECT SCOPE ON THE UPRAGRADING, OPERATION AND MAINTANANCE OF THE STANDERTON LANDFILL SITE**

The purpose of the contract is for the appointment of a service provider/site operator with requisite experience and technical competence in waste disposal management by landfilling for the upgrading, operation and maintenance of the Standerton landfill site.

## **UPGRADING OF THE STANDERTON LANDFILL SITE**

### **OVERVIEW OF THE WORKS**

The project entails Fencing of the Standerton landfill site, providing controlled access. Construction of ablution facilities, office, drilling of borehole and supply of water tank and a stand, installation of one high mast light and a weighbridge. All concrete elements shall be manufactured from sound concrete, free of structural defects, complying with any sample if previously submitted. All elements shall have off-shutter finish on three sides, with the fourth side having a wood floated finish. (The appointed contractor shall present material compliance certificates prior delivery of the fencing or representatives shall verify the material at the producing plant)

The main categories that will be dealt with include;

- Our planning department giving your limits of construction of fence position
- Excavating and installing fence and gate(s) poles
- Installing clear view fence and gates
- Construction of ablution facilities, office and guardhouse
- Drilling of a borehole and supply of water tank and stand
- Installation of one high mast light and a 30-ton weighbridge

## **PHASE TWO: OPERATIONS AND MAINTANCE OF THE STANDERTON LANDFILL SITE**

### **OVERVIEW OF THE WORKS**

The project entails the operation and maintenance of the Standerton landfill site including provision and supply of landfill plant and equipment to execute the operations on a daily basis.

The main categories that will be dealt with include:

- a) Spreading and compaction of deposited waste to the required densities at the required slopes;
- b) Daily covering to isolate the waste from the environment with a minimum of 150 millimetres of soil;
- c) Daily maintenance of burial cells for carcasses
- d) Maintenance of a wet weather cell to accommodate one week's waste;
- e) Dust and odour management
- f) Leachate Management;
- g) Routine and continuous maintenance of plant, equipment and facilities
- h) On-going capping of the site including shaping of side slopes to the required gradient
- i) All operations to be in line with conditions stipulated in the Minimum requirements of waste Disposal by landfill, Classification System and Approved Designs.
- k) Progressive rehabilitation of side slopes and completed cells on an as and when required basis as per instruction by Waste Management Section
- l) Annual groundwater monitoring

### **Scope of Work**

The scope of work will include the Waste Management License conditions, Minimum Requirements for Waste Disposal by landfill and not limited to:

### **Waste Disposal**

The Site Operator and the Municipality Waste Management Division will agree on the method of working in line with the permit conditions, waste management license, the "Minimum Requirements for Waste Disposal by Landfill, 2008, the National Environmental Management Waste Act, 2008 (ACT NO. 59 OF 2008), National Waste Information Regulations Gazetted 13 August 2012 and Waste classification and regulations, national norms and standards Gazetted 23 August 2013. Waste Disposal will be in accordance with the site-specific long-term design and operational plan. The Site Operator will deposit waste in accordance with the Landfill Filling Plan as issued by the Waste Management Division.

### **The Site Operator will be responsible for:**

- a) Setting up and enforcing pre-acceptance and acceptance procedures of waste at the landfill site of their responsibility and where applicable request information and/or samples to be provided prior to the transport of waste to the site, to ensure that the waste is within the requirements of the site permit conditions, waste management license or Minimum Requirements.
- b) prevent the acceptance of waste not authorised at the site
- c) Ensure that litter and mud arising from the activities must be cleared from affected areas outside the site as soon as

practicable and windblown waste and litter must be picked up and removed from fences at all time to prevent pollution or nuisance.

d) Strictly managing waste deposition operations on site within permit conditions, waste management license or Minimum Requirements applicable to the character and classification of the site.

e) Assuring that the landfill site does not pose any unreasonable risk or adverse effect on human health or the environment by demonstrating an acceptable level of compliance with applicable regulatory and legislative requirements.

f) Ensuring availability of a working face with sufficient cell capacity to accommodate at least one week's waste.

g) Maintaining an emergency cover material stockpile on site in line with the Minimum Requirements of Waste Disposal by Landfill (One month of cover material must always be available on stockpile).

i) Spreading and compaction of waste to a minimum compaction density of 950 kg/m<sup>3</sup> in line with the Department of Water Affairs Waste Minimum Requirement for Waste Disposal by Landfill Principles.

j) Directing and routing vehicle traffic within the landfill site and to and from the active cell/working face in the form of barriers, signs, or a combination of both as reasonably possible to ensure smooth operation and management of the site.

k) Managing the interaction between the Reclaimers and Site Users.

l) Establishing, operating and maintaining an easily accessible wet weather cell constructed close to the working face or close to an all-weather road, for use under abnormally wet weather conditions. The wet weather cell must have sufficient capacity to accommodate one week's waste.

m) Applying sanitary landfill principles of compaction and cover in line with permit conditions, waste management license or minimum requirements in order to prevent the development of nuisances such as litter, flies, odour, vermin and dust.

n) The Site Operator shall maintain the road surfaces inside the landfill site in a good condition. state where the listed

o) The Site Operator shall be responsible for the overall management and maintenance of existing storm water and leachate channels within the landfill site.

### **Covering of Deposited Waste**

The Site Operator shall ensure without fail that the working area is entirely covered with a suitable cover material. The application rate shall be an average thickness of 150mm in line with the permit, waste management license or Minimum Requirements.

a) The suitable cover material will be sourced (excavated) externally and brought to the site.

b) The quality of the cover material must comply with the Minimum Requirements for Waste Disposal by Landfilling.

### **Waste reclamation**

The Municipality would like to prohibit waste reclamation at the landfill site. However, since landfill do represent an important resource base for a poor, previously disadvantaged sector of the population, informal salvaging cannot be completely eliminated. There-fore until a regulatory solution is found to eliminate and discourage salvaging, Site Operator shall:

a) Develop an on-site waste reclamation plan (approved by the Waste Management Section) to facilitate, formalize and control

reclamation activities;

b) Manage the process of site access with those reclaimers that are permitted to enter the site during normal working hours;

c) Develop and implement a system to record the total amount of waste reclaimed from site and provide evidence thereof;

d) Develop a health and safety manual for the landfill site in order to encourage safe working conditions and ultimately improve safety and minimize health risks;

e) Manage the reclaimers at the working face in order to minimize the interaction between the plant and/or equipment used on the landfill site and the reclaimers. It will be the responsibility of the Site Operator to ensure that the reclaimers are kept away from the plant on the working face.

f) Regular meetings must therefore be held between the Site Operator and the Reclaimers or their representatives, in order to advocate, educate them

### **Provision of Plant, Equipment, Personnel and Fuel**

As a general provision, the Site Operator shall ensure that plant, equipment and personnel on site must be appropriate for the size and type of the landfill operation. The Site Operator shall determine the optimal plant mix that will be able to landfill the deposited waste at each landfill site during the specified working hours in line with the particular landfill permit conditions or waste management license, the "Minimum Requirements for Waste Disposal by Landfill, 2008, The National Environmental Management Waste Act, 2008 (ACT NO. 59 OF 2008), National Waste Information regulations Gazetted 13 August 2012 and Waste classification and regulations, national norms and standards Gazetted 23 August 2013.

The Site Operator will make available the plant and equipment with the required personnel and fuel to operate same to give the Municipality (Waste Management Section) uninterrupted service during the hours of operation. Plant can either be owned or leased as follows Table A: Plant and Equipment required at Standerton landfill Site:

Table A: Plant and Equipment

<b>Description of plant and equipment</b>	<b>QTY</b>	<b>Remarks</b>	<b>Monthly rate</b>
30 ton Landfill Compactor machine	1	Full time	
D6 Dozer or similar	1	Full time	
TLB Machine	1	Full time	
Grader	1	When required	
Roller	1	When required	
Water tank	1	When required	
Tipper truck	1	Full time	

### **IMPORATANT**

Incidental intrusion into private property shall not be permitted without the owner's written authority. Any such agreement reached with a private landowner (occupier) shall include the provision that any material or equipment on that site shall remain the exclusive property of the Employer in terms of the contract, no disturbance of graves will be allowed if any the contractor shall report to the municipality in writing.

### **EXTENSION OF TIME RESULTING FROM ABNORMAL RAINFALL**

Extension of time in respect of delays resulting from wet climatic conditions on the Site will only be considered in respect of abnormally wet climatic conditions and shall be determined for each calendar month or part thereof, in accordance with the applicable formulas

## **DRAWINGS**

If applicable the Contractor shall use only the dimensions stated in figures on the Drawings in setting out the Works, and dimensions shall not be scaled from the Drawings, unless required by the Employer.

## **PROCUREMENT**

The preferential procurement will be in accordance with the ***Preferential Procurement Policy Framework Act, 2000 (Act No 5 of 2000)*** and the ***Preferential Procurement Regulations 2017***.

Preference points will be awarded for the targeting of local resources in accordance with the resource specification for the Implementation of Targeted Construction Procurement ***SOUTH AFRICA NATIONAL STANDARDS (SANS)***

### **Resource standard pertaining to targeted procurement**

**1914-4: 2002:** Participation of Targeted Enterprises and Targeted Labour, issued by the South African Bureau of Standards.

Tender evaluation points for preferences is scored in relation to the extent to which the tenderer commits himself/herself to the employment of targeted labour or engaging targeted enterprises in the execution of the contract as reflected in the tendered Contract Participation Goal.

## **REQUIREMENTS AND LOCAL LABOUR**

Contractor and contractor shall make use of CLO for sourcing local labour from the local community. The minimum requirements wage rate for an unskilled Labourer should be **R150** /day, which if enquired may be broken down into hours per day R18, 75 per normal working hour for a normal working day, other laws for non-working days or special days shall apply as stated and in line with the South African Law

## **NAME BOARDS**

Details of the information to be given on the name board are shown on a drawing to be accompanying this document. The Contractor shall provide and erect at an approved position, a name board of sound weatherproof construction indicating:

The name of the Employer, a description of the Works, Contact details of stake holders, EPWP Emblem, Name of contractor and the size of the name board shall be as detailed on pages 42 and 43.

## **SITE INSTRUCTION BOOKS**

Throughout the construction period, the Contractor shall supply three carbon triplicate books as Site instruction books.

## **OCCUPATIONAL HEALTH AND SAFETY ACT 1993: HEALTH AND SAFETY SPECIFICATION**

In terms of the Construction Regulation 4(1) (a) of the Occupational Health and Safety Act, No. 85 of 1993, LEKWA LOCAL MUNICIPALITY, as the Client, is required to compile a Health & Safety Specification for any intended project and provide such specification to any prospective tenderer.

The successful bidder shall development and submit for approval a fully detailed health & safety specification that addresses all aspects of occupational health and safety as affected by the abovementioned contract work.

The specification will provide the requirements that Principal Contractors and other Contractors will have to comply with in order to reduce the risks associated with the abovementioned contract work that may lead to incidents causing injury and/or ill health, to a level as low as reasonably practicable.



**PPE**

All employees shall be provided by the successful bidder, as a minimum:

Protective overalls 'NB: ORANGE TOP AND TROUSER WITH VISIBLE REFLECTORS, EMBROIDED WITH THE EPWP ACRONYM APPROXIMATELY 50-100mm AT THE BACK, AND TOP FRONT LEFT AND RIGHT SECTIONS OF THE JACKET MUST BE EMBROIDED WITH THE LEKWA, PUBLIC WORKS AND EPWP LOGOS' Protective footwear, Protective headwear, Eye/face protection

**QUALITY CONTROL**

Contractor to supply details of quality plan and procedures, inspection and test plans.

**Material site investigation**

No detail material site investigation was conducted.

**Working Drawings**

Working drawings and other information will also be made available to the successful tenderer.

**PROOF OF REGISTRATION WITH CONSTRUCTION INDUSTRY DEVELOPMENT BOARD**

The bidder is to affix to this page either:

Written proof of his registration with the CIDB as a Category 4CEPE or higher / 4GBPE or higher

Or

- Written proof of his application to the CIDB for registration as a contractor in the category listed above.

Note:

1. Failure to affix such documentation as prescribed to this page shall result in this bid not being further considered for the award of the contract.
2. Should this bid be considered for award of the contract, based on proof of submission of application for registration in the appropriate category with the CIDB, and should proof of such subsequent registration not be forthcoming to the employer before the end of business, at the last working day, prior to evaluation by the Tender Evaluation Committee of the contract, then this bid will no longer be considered for the award of the contract.

NB: For the purpose of this contract the municipality has summarised the information above upon request the municipality shall supply.

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorized representative declare his/her position in relation to the evaluating/adjudicating authority where-
- The bidder is employed by the state; and/or
  - The legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and/or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and/or adjudication of the bid.
2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1. Full Name of bidder or his or her representative:.....

2.2. Identity Number:.....

2.3. Position occupied in the Company (director, trustee, shareholder<sup>2</sup>):.....

2.4. Company registration number:.....

2.5. PTax Reference Number:.....

2.6. VAT Registration Number:.....

2.6.1 The names of all directors/ trustees/ shareholders/ members, their individual identity numbers, tax reference numbers and, if applicable, employee/ persal numbers must be indicated in paragraph 3 below.

- 1“State” means –
- a. Any national or provincial department, national or provincial public entity or constitution within the meaning of Public Finance Management Act, 1999 (Act No. 1 of 1999);
  - b. Any municipality or municipal entity;
  - c. Provincial legislature;
  - d. National Assembly or the national Council of provinces; or
  - e. Parliament.

2“shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7. Are you or any person connected with the bidder  
presently employed by the state?

YES ☐ NO ☐

2.7.1. If so, furnish the following particulars:  
Name of person/director/trustee/shareholder/member:  
.....  
Name of state institution at which you or person connected to  
the bidder is employed:  
.....  
Position occupied in the public institution:  
.....  
  
Any other particulars:  
.....  
.....  
.....

2.7.2. If you are presently employed by the state, did you obtain  
the appropriate authority to undertake remunerative  
work outside employment in the public sector?

YES ☐ NO ☐

2.7.2.1. If yes, did you attach proof of such authority to the bid  
document?

YES ☐ NO ☐

(Note: Failure to submit proof of such authority, where applicable, may  
result in the disqualification of the bid.)

2.7.2.2. If no, furnish reasons for non-submission of such proof:

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

2.8. Did you or your spouse, or any of the company's directors/trustees/YES  
shareholders/ members or their spouses conduct business with the  
state in the previous twelve months?

☐ NO ☐

2.8.1. If so, furnish particulars:

.....  
.....

.....

2.9. Do you, or any person connected with the bidder, have any relationship YES  
(family, friend, other) with a person employed by the state and who may  
be involved with the evaluation and or adjudication of this bid?

☐ NO ☐

2.9.1. If so, furnish particulars:

.....

.....

.....

2.10. Are you, or any person connected with the bidder, aware of any  
relationship (family, friend, other) between any other bidder and any person employed by the state who may  
be involved with the evaluation and or  
adjustment of this bid?

YES ☐ NO ☐

2.10.1. If so, furnish particulars:

.....

.....

.....

2.11. Do you or any of the directors/ trustees/ shareholders/ members of the Company have any  
interest in any other related companies whether or not they are bidding for this contract?

2.11.1. If so, furnish particulars:

.....

.....

.....

**3. Full details of directors/ trustees/ members/ shareholders.**

Full Names	Identity Number	Personal Tax Reference Number	State Employee Number/ Persal Number


**4. DECLARATION**

I, THE UNDERSIGNED  
(NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPH 2 and 3 ABOVE IS CORRECT.  
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF  
CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

## Part 6: Forms

### MBD9

#### CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Municipality / Municipal Entity)

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

I certify, on behalf

of: \_\_\_\_\_ that: (Name of Bidder)

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

### MBD 9

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

- (a) prices;
- (b) geographical area where product or service will be rendered (market allocation)
- (c) methods, factors or formulas used to calculate prices;
- (d) the intention or decision to submit or not to submit, a bid;
- (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
- (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

#### **MBD 9**

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No. 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal Investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No. 12 of 2004 or any other applicable legislation.

..... Signature Date

..... Position Name of Bidder

#### **MBD 6.2**

### **DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS**

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

#### **1. General Conditions**

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 below.

**The SABS approved technical specification number SATS 1286:2011 is accessible on <http://www.thedti.gov.za/industrial development/ip.jsp> at no cost.**

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

**2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %



3. Does any portion of the goods or services offered have any imported content?  
(***Tick applicable box***)

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

- 3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on [www.resbank.co.za](http://www.resbank.co.za)

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

**LOCAL CONTENT DECLARATION**  
**(REFER TO ANNEX B OF SATS 1286:2011)**

**LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)**

**IN RESPECT OF BID NO. ....**

**ISSUED BY:** (Procurement Authority / Name of Institution): .....  
NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on [http://www.thedti.gov.za/industrial\\_development/ip.jsp](http://www.thedti.gov.za/industrial_development/ip.jsp). Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, ..... (full names),  
do hereby declare, in my capacity as .....  
of .....(name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
  - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

**If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.**

**The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.**

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the

Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

**SIGNATURE:** \_\_\_\_\_

**WITNESS No. 1** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 2** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**DECLARATION (MUST BE COMPLETED and STAMPED)**

I/WE, THE UNDERSIGNED WHO WARRANTS THAT I/WE ARE DULY AUTHORISED TO DO SO ON BEHALF OF THE ENTERPRISE, CERTIFIES THAT THE INFORMATION SUPPLIED IN TERMS OF THIS DOCUMENT INCLUDING THE RELEVANT ATTACHEMENT IS CORRECT AND ACCURATE AND ACKNOWLEDGE THAT:

1. The enterprise will be required to furnish documentary proof requested to do so.
2. If the information supplied is found to be incorrect, then Lekwa Local Municipality may in addition to any remedies it may have
  - a) Disqualify the supplier/contractor for a particular quotation/bid/contract/project it may be considered for, or which had been awarded to the supplier/contractor;
  - b) Recover from the contractor/supplier all costs, losses or damages incurred by Lekwa Municipality as a result of the breach of contract;
  - c) De-register the supplier from the accredited suppliers database;
  - d) Take any other action as may be deemed necessary.

Full Names: \_\_\_\_\_

ID Number: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Duly authorised on behalf of: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone no: \_\_\_\_\_

Signed and affirmed before me at \_\_\_\_\_ on this  
\_\_\_\_\_ day of \_\_\_\_\_ year \_\_\_\_\_ by the  
dependent who has acknowledged that he/she knows and understands, the contents of this  
document, and he/she has acknowledged that he/she regards the affirmation to be binding on  
his/her conscience.

\_\_\_\_\_  
Commissioner of Oaths

\_\_\_\_\_  
Full Name

\_\_\_\_\_  
Capacity

\_\_\_\_\_  
Business address

***NOTE: Both the deponent and the Commissioner of Oath must initial all pages***