

AMAJUBA DISTRICT MUNICIPALITY
INVITATION TO QUOTE
QUOTATION No.: Q2022/04
UNDERTAKING OF BASELINE DATA STUDY FOR RURAL SERVICE
CENTRES PHASE 3

Quotations are hereby invited from service providers registered on the Central Supplier Database and South African Council for Planners (SACPLAN) as a Professional Planner. The service provider must have a minimum qualification of a bachelor's degree (NQF 7) in Town/Urban & Regional Planning accredited with the South African Qualifications Authority (SAQA). Quotation documents with detailed information can be downloaded from the website www.amajuba.gov.za or www.etenders.gov.za

NB: This quotation will be evaluated in terms of the 80/20 preference point system as prescribed in the Preferential Procurement Policy Framework Act (No 5 of 2000) and for this purpose the enclosed forms must be scrutinized, completed and submitted together with your quotation.

Bidders are required to submit original tax clearance certificate/ Tax Compliance Status Pin or CSD number and valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their bids, to substantiate their B-BBEE rating claims. Failure to submit the proof of B-BBEE Certificate will result in forfeiting the points.

Completed bid documents in sealed envelopes endorsed "**Quotation number Q2022/04: Baseline Data study for Rural Service Centres Phase 3**" must be deposited in the Municipality's tender box located in the Reception of the Amajuba District Municipality B9356 Amajuba Road, Section 1, Madadeni, 2951 on or before the closing date, whereby quotations will be opened in public. Quotation envelopes that are not sealed and numbered will not be considered. Late and incomplete quotations and MBD forms will not be accepted. The Amajuba DM is not obliged to award the lowest or any quotation.

All technical enquiries should be directed to **Udiv Budhal** on 034 329 7200 or by email udivb@amajuba.gov.za and regarding the quotation procedures, kindly contact **Sabelo Zulu** on 034 329 7200 or by email sabeloz@amajuba.gov.za.

.....
Closing date: Friday, 11 February 2022 @12h00 noon

MRS SCN MDAKANE
ACTING MUNICIPAL MANAGER





AMAJUBA DISTRICT MUNICIPALITY

TERMS OF REFERENCE FOR UNDERTAKING OF BASELINE DATA STUDY FOR HATTINGSPRUIT RURAL SERVICE CENTRE PHASE THREE 2021/2022

1. Introduction & Background

A demographic perspective of a municipality allows the observation of not only simple changes in population growth, but also to look at other developments that influence the social lives of every citizen. Demographics allow to emphasize aspects such as gender, race, migration, and life expectancy. Decisions made by politicians as well as by the administration affect, in most cases, at least one aspect of demographics. A good understanding of this dynamic is therefore crucial especially in the case of a predominantly rural municipality such as the Amajuba DM.

To give effect to the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) the principles of spatial justice, spatial sustainability, efficiency, spatial resilience & good administration required for ensuring effective spatial transformation must be adhered to.

The Amajuba DM in the process of reviewing its Spatial Development Framework 2019/2020 & 2020/2021 (SDF) thus identified rural service centres whereby phased baseline data studies have been conducted for rural service centres. The rural service centres that the studies focused on for phase one where Groenvlei and Kingsley & phase 2 where Kilbarchan & Normandien resulting in themed profiling data generated for both current and prospective timelines which has formed the basis for the Amajuba DM in the applying the SPLUMA related principles.

2. Objective and Outcomes

Phase three of the baseline data study will focus on the rural service centre of Hattingspruit. The objective of the phase three baseline data study is to enable the Amajuba DM to obtain themed profiling by the development and application of a logical series or set of formulas applicable to the rural service centre in order to generate information focused on prospective demographic, socio-economic & infrastructure indicators to be utilised to undertake strategic planning in order to achieve effective spatial transformation.

2.1. Outcomes

Outcomes of the projects is as follows:

- 2.1.1. Obtain projected information over a 20-year period for demographic, socio-economic & infrastructure indicators
- 2.2.2. GIS repository of spatial data enabling spatial analysis regarding projected demographic, socio-economic & infrastructure, indicator data.

3. Scope of Work

- 3.1.** The successful service provider is expected to compile and submit a baseline data study report focused on the rural service centre thus it is expected that a sample survey be undertaken for the rural service centre. The report is to be submitted in both hardcopy and softcopy. Attached is a map indicating the locality of the Rural Service Centre (**Annexure A**). The service provider is to ensure that the following stipulations is adhered to and represented in the content of the report:
 - 3.2.** Utilising the sample survey results the appointed service provider must develop a series or set of formulas coupled with a methodology explaining each formula that must be entailed in the content of the report. The formulas must be applied to the rural service centre to generate projections pertaining to statistical deliverables which must be represented in the report as per the following statistical categories:
- 3.2.1. Demographic Profile as per:**
 - A.** Total Population to be projected over a 20-year period at 5-year intervals.
 - B.** Total Population by Age and Gender to be projected over a 20-year period at 5-year intervals.
 - C.** Total Number of Households to be projected over a 20-year period at 5-year intervals.
 - D.** The production of 4 maps for each projection required listed above (A-C), spatially depicting the projections at 5-year intervals over a 20-year period thus the total number of maps to be produced will be 12.

3.2.2. Socio Economic Profile as per:

- A.** Employment profile per sector type of the total population projected over a 20-year period at 5-year intervals.
- B.** Unemployment level profile of the total population projected over a 20-year period at 5-year intervals.

- C. Education level profile of the total population projected over a 20-year period at 5-year intervals.
- D. Annual income per household to be projected over a 20-year period at 5-year intervals.
- E. The production of 4 maps for each projection required listed above (A-D), spatially depicting the projections at 5-year intervals over a 20-year period thus the total number of maps to be produced will be 16.

3.2.3. Infrastructure Profile as per:

- A. Current water service backlog per household in terms of RDP standards.
- B. Access to water services required per household projected over a 20-year period at 5-year intervals.
- C. Current sanitation service backlog per household in terms of RDP standards.
- D. Access to sanitation services required per household projected over a 20-year period at 5-year intervals.
- E. Current electricity backlog per household in terms of RDP standards.
- F. Access to electricity services required per household projected over a 20-year period at 5-year intervals.
- G. Current waste removal backlog per household in terms of RDP standards.
- H. Access to waste removal services per household projected over a 20-year period at 5-year intervals.
- I. The production of 1 map each to spatially depict the current service backlogs required listed above (A, C, E & G) thus the total number of maps to be produced will be 4.
- J. The production of 4 maps for each projection required listed above (B, D, F & H), spatially depicting the projections at 5-year intervals over a 20-year period thus the total number of maps to be produced will be 16.

3.3. The successful service provider must ensure the production of GIS datasets for all the profiles contained in section 3.2. which must be burned to a DVD that must be submitted with the report. GIS datasets produced must conform to the Amajuba GIS data standards and specifications which is attached as **(Annexure B)**.

4. Required Expertise, Skills & Knowledge

4.1. The service provider must have the minimum qualification of a bachelor's degree (NQF 7) in Town/Urban & Regional Planning accredited with the South African Qualifications Authority (SAQA).

4.2. The service provider must be registered with the South African Council for

Planners (SACPLAN) as a Professional Planner.

- 4.3.** In respect of 4.1. & 4.2. proof of qualification & registration must be submitted together with the bid document of which failure to attach it, will render the bid non-responsive.

5. Evaluation Criteria

Traceable reference letters of previous experience related to the undertaking of Demographic Baseline Studies, Spatial Development Frameworks & Integrated Development Plans within the last five years.

Minimum Score: 10 Points. Any score below the minimum score will not be considered.

Three letters	15 Point
Two Letters	10 Points

6. Duration

The appointed service provider is expected to conduct the baseline data study and submit the key deliverables within 30 days of appointment.

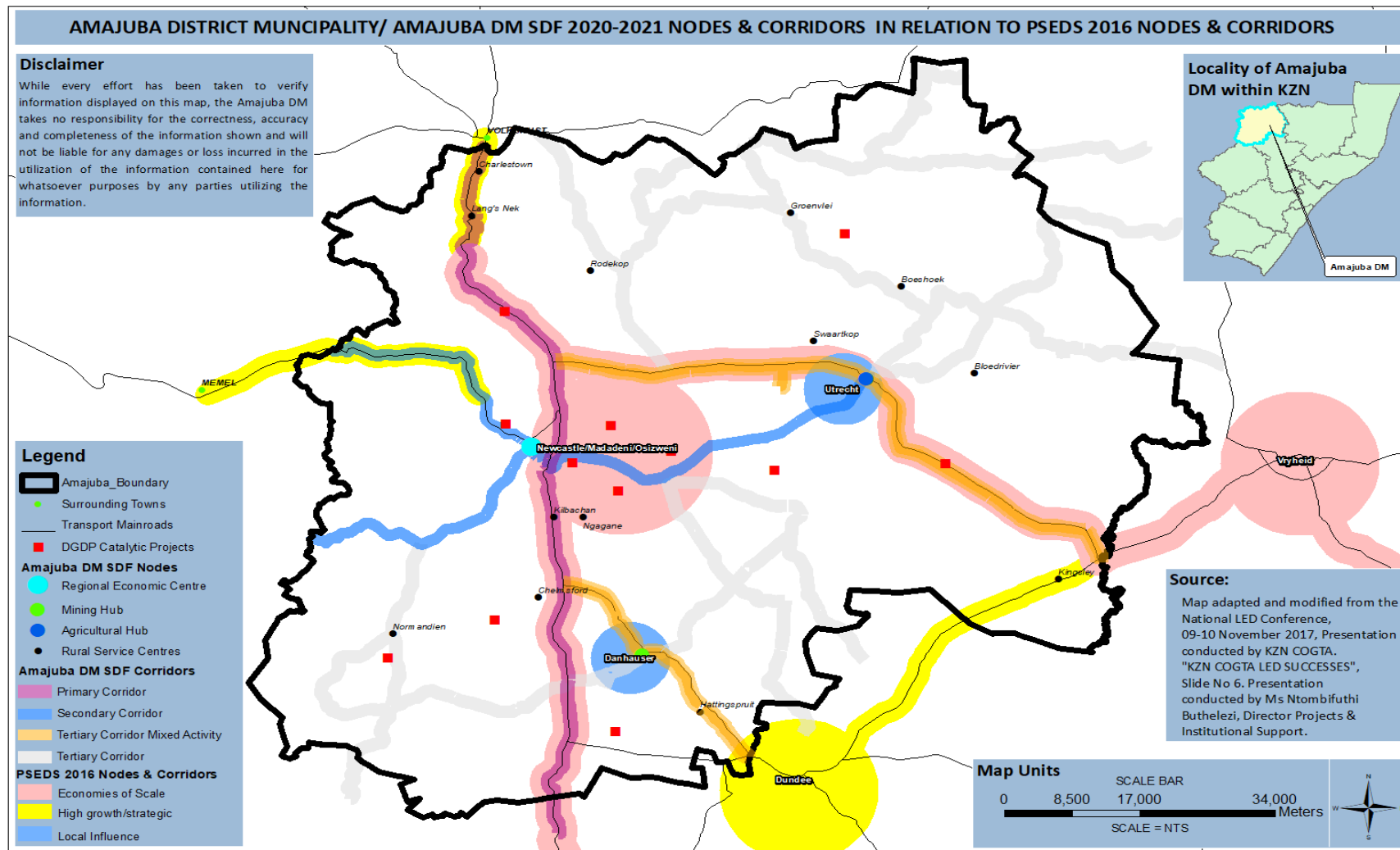
7. Returnable documents

- 7.1 All MBD documents must be completed and signed,
- 7.2 Central Supplier Database (CSD) registration number.
- 7.3 Certified proof of BBBEE certificate/Original sworn affidavit
- 7.4 Company municipal rates, electricity or water account not older than 3 Months, proof of Residential lease or rental or sworn affidavit if the business operates at a place of residence

TERMS OF REFERENCE APPROVED/NOT APPROVED

**MRS SCN MDAKANE
ACTING MUNICIPAL MANGER
AMAJUBA DISTRICT MUNCIPALITY**

Annexure A: Amajuba DM SDF 2020/2021 Nodes and Corridors Map depicting the locality of the Rural Service Centres



ANNEXURE B – GIS STANDARDS AND SPECIFICATIONS

GIS DATA STANDARDS

In order to promote the efficient management of all GIS data within the Amajuba District Municipality, the following set of GIS data standards has been drawn up for GIS related works contracted by the Municipality.

The details of these standards are outlined below.

1.1 Data Format

- All GIS data must be supplied in ESRI ArcGIS 10.7 Shapefile Format that is backwards compatible with later versions of ArcGIS.
- All GPS point data to be supplied in a Dbase (IV) format must be in Degrees, Minutes and Seconds (DMS) and Decimal Degrees (DD).
- All shapefile data must be 100% clean and free of any undershoots overshoots and duplicate entities. All lines must intersect with zero tolerance should the data be line data. All polygon data-sets shall be free of sliver polygons.
- In the event that shapefiles are grouped into layer files for mapping purposes ensure that the group layer files are saved in the shapefiles folder as stated in 1.4 (Map References).
- Datasets or shapefiles to be delivered must conform to a co-ordinate system of the WGS84 ellipsoid using the Hartebeeshoek '94 datum.

1.2 Metadata

All GIS data (each shapefile) must have metadata associated with it. All metadata must be input in a single database table, and named “metadata.dbf. It must be located on the root directory of the distribution media. The required fields for the metadata table are outlined in Table 1 below.

Table 1: URC GIS Metadata requirements

FIELD NAME	DESCRIPTION
File Name	The shapefile name and path relative to the distribution media
Shape	Polygon/Line or Point
Purpose	Basis for utilization of the data
Captured	Company Name – If data was sourced, enter from whom it was sourced
Date	The date on which the data was captured (minimum mm,yyyy)
Name	Contact Name – If data was sourced, enter from whom it was sourced
Tel	Contact Telephone - If data was sourced, enter from whom it was sourced

Email	Contact Email - If data was sourced, enter from whom it was sourced
Scale	Capture Scale
Base data	Enter information on Base data – Orthophoto etc.

1.3 Distribution Media

All data must be provided on a DVD.

1.4 Map References

Each map or layout must have an associated jpeg image, all located in a separate folder named “Images”:

All shapefiles including any group layer files must be located in a separate folder named “shapefiles”.

All ArcGIS ArcMap Project’s (mxds) –must be located in a separate folder named “Projects”. All projects must be correctly referenced to open directly from the DVD.

A table (Microsoft Word Format) must also be created in this directory, describing each map/layout, as well as showing what shapefiles or group layer files are associated with that layout, and where they are located. Ensure for group layer files the shapefile references are listed. Each map must be associated with a project, and its location, and an image and its location. An example is shown in Table 2 below.

Table 2: Project Information

MAP 1	LOCALITY MAP
Associated project	/Projects/Maps.mxd
Associated Image	/Images/Map 1.jpg
Associated Shapefiles	/Shapefiles/Bound.shp
	/Shapefiles/Rivers.shp

1.5 CD Structure

The structure of the distribution CD will look like the following example:

/Metadata.dbf
 /Shapefiles? *.shp
 /Images/ *.jpg
 /Projects/ *.mxd and project information.doc (all logo’s etc must also go in this directory)

PART A

INVITATION TO BID – MBD 1

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF AMAJUBA DISTRICT MUNICIPALITY					
BID NUMBER:	Q2022/04	CLOSING DATE:	11 FEBRUARY 2022	CLOSING TIME:	12H00 NOON
DESCRIPTION	UNDERTAKING OF BASELINE DATA STUDY FOR RURAL SERVICE CENTRES PHASE 3				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)			RECEPTION AREA AT B9356, AMAJUBA ROAD, SECTION 1 MADADENI		
B9356 AMAJUBA DISTRICT MUNICIPALITY BUILDING, SECTION 1, MADADENI, 2951					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		☐ Yes ☐ 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?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		☐ Yes ☐ No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE		R.....
SIGNATURE OF BIDDER	.....		DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT	BTO		CONTACT PERSON	Udiv Budhal	
CONTACT PERSON	SABELO ZULU		TELEPHONE NUMBER	034 329 7200	
TELEPHONE NUMBER	034 329 7200		FACSIMILE NUMBER	034 314 3785	
FACSIMILE NUMBER	034 314 3785		E-MAIL ADDRESS	udivb@amajuba.gov.za	
E-MAIL ADDRESS	sabeloz@amajuba.gov.za				

PART B

TERMS AND CONDITIONS FOR BIDDING -MBD 1

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
- 2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
- 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
- 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
- 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO
- 3.5. 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 ABOVE.

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

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

DATE:

MBD 3.3
PRICING SCHEDULE
(Professional Services)

Name of Bidder:.....

Quotation Number: **Q2022/04**

Closing Time: **12H00 NOON**

Closing Date : **11 FEBRUARY 2022**

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

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY INCLUSIVE OF VALUE ADDED TAX	
1.	The accompanying information must be used for the formulation of proposals.		
2.	Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of VAT for the project.	R.....	
3.	PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)		
4.	PERSON AND POSITION	HOURLY RATE	DAILY RATE
	.....	R.....	.....
	.....	R.....	.....
	.....	R.....	.....
	.....	R.....	.....
	.....	R.....	.....
5.	PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT		
	.....	R.....	 days
	.....	R.....	 days
	.....	R.....	 days
	.....	R.....	 days
5.1	Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.		
	DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY AMOUNT
	.....	.....	R.....
	.....	.....	R.....
	.....	.....	R.....
	.....	.....	R.....
	TOTAL: R.....		

5.2

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

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....			R.....
.....			R.....
.....			R.....
.....			R.....
TOTAL: R.....			

6. Period required for commencement with project after acceptance of bid
.....
7. Estimated man-days for completion of project
.....
8. Are the rates quoted firm for the full period of contract?
.....
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.
.....
.....
.....
.....

MBD 4 -DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

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

- 3.1 Full Name of bidder or his or her representative:.....
- 3.2 Identity Number:
- 3.3 Position occupied in the Company (director, trustee, shareholder²):.....
- 3.4 Company Registration Number:
- 3.5 Tax Reference Number:.....
- 3.6 VAT Registration Number:
- 3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.
- 3.8 Are you presently in the service of the state? **YES**
/ NO
- 3.8.1 If yes, furnish particulars.....

¹MSCM Regulations: "in the service of the state" means to be –

(a) a member of –

- (i) any municipal council;
- (ii) any provincial legislature; or
- (iii) the national Assembly or the national Council of provinces;

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

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

(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);

(e) a member of the accounting authority of any national or provincial public entity; or

(f) an employee of Parliament or a provincial legislature.

² Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

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

3.9.1 If yes, furnish particulars.....

3.10 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

3.10.1 If yes, furnish particulars.

3.11 Are you, aware of any relationship (family, friend, other) between any other 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

3.11.1 If yes, furnish particulars.....

3.12 Are any of the company's directors, trustees, managers, Principle shareholders or stakeholders in service of the state?

YES / NO

3.12.1 If yes, furnish particulars.....

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

YES / NO

3.13.1 If yes, furnish particulars.

.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract.

YES / NO

3.14.1 If yes, furnish particulars:.....

MBD 4

Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	State Number	Employee Number

DECLARATION BY BUSINESS UNDER OATH

I/We _____
declare that the above particulars and information furnished to the Amajuba District Municipality for the purpose of bidding for the Amajuba District Municipality are true in substance and in fact and that I / We fully understand the meaning thereof.

Name _____
Signature _____

Date _____
Designation _____

Signed and sworn to before me at

On this the _____ day of _____ by the Deponent who has Acknowledged that he/she knows and understands the contents of this document, that it is true and correct to the best of his knowledge and that he/she has no objection to taking the prescribed oath and that the prescribed oath will be binding on his / her conscience.

COMMISSIONER OF OATHS

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2001

PURCHASES

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011.

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value up to R50 000 000; and

1.2 The value of this bid is estimated not to exceed R50 000 000 and therefore the 80/20 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

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

	POINTS
1.3.1.1 PRICE	80
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION	20

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

Separate Preference Points Claim Forms will be used for the promotion of the specific goals for which points have been allocated in paragraph 1.3.1.2 (b) above.

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

MBD 6.1

- 1.5. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2.

DEFINITIONS

- 2.1.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less .
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;

- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

4.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

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

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

Pmin = Comparative price of lowest acceptable bid

5. Points awarded for B-BBEE Status Level of Contribution

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

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

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

such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

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

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

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

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

8 SUB-CONTRACTING

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

- 8.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted?

.....%

- (ii) the name of the sub-contractor?

.....

- (iii) the B-BBEE status level of the sub-contractor?

.....

- (iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

- 9.1 Name of company/firm

:

- 9.2 VAT registration number :

- 9.3 Company registration number
.....

9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

9.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

9.8 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 contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution

WITNESSES:

1.

1.

SIGNATURE(S) OF BIDDER(S)

.....

DATE.....

ADDRESS:.....

.....

.....

MBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b. been convicted for fraud or corruption during the past five years;
 - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (To access this Register enter the National Treasury's website, www.treasury.gov.za , click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.7.1	If so, furnish particulars:		

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME)
 CERTIFY THAT THE INFORMATION FURNISHED ON THIS
 DECLARATION FORM TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION
 MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE
 FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD9) 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.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

Q2022/04: UNDERTAKING BASELINE DATA STUDY FOR RURAL SERVICE

CENTRES PHASE 3

(Bid Number and Description)

in response to the invitation for the bid made by:

AMAJUBA 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)

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 consortium³ 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.

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.

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