

DAWID KRUIPER LOCAL MUNICIPALITY

TENDER NO. TN007/2024



CONTRACT DOCUMENT

FOR THE

PANEL OF CONTRACTORS FOR CIVILS PROJECT

PREPARED FOR:



DAWID KRUIPER LOCAL MUNICIPALITY

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UPINGTON

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Contact Person

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PREPARED BY:



TRIVIRON PROJECT MANAGER

TRIVIRON HOUSE

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Contact Person

Name: Mr. C. Sepua

Telephone: (011) 318 8393

NAME OF TENDERER:

TENDERER CSD NUMBER:

TENDERER TCS PIN:

TENDERER CIDB NUMBER:

The Tenderer is required to check the numbers of pages and should any be found to be missing or duplicated, or should any of the typing be distinct, or any doubt or obscurity arise as to the meaning of any description or particular of any item, or if the Tender Document contains any obvious errors, then the Tenderer must immediately inform the Service Provider and have them rectified or explained in writing as the case may be. No liability whatsoever will be admitted by reason of the Tenderer having failure to comply with the foregoing instructions.



DAWID KRUIPER LOCAL MUNICIPALITY

TN007/2024: TENDER TO APPOINT A PANEL OF CIVIL ENGINEERING CONTRACTORS AT CIDB LEVEL 3CE to 9CE FOR A PERIOD OF THREE (3 YEARS)

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THE TENDER

PART T1: TENDERING PROCEDURES

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DAWID KRUIPER LOCAL MUNICIPALITY

TN007/2024: TENDER TO APPOINT A PANEL OF CIVIL ENGINEERING CONTRACTORS AT CIDB LEVEL 3CE to 9CE FOR A PERIOD OF THREE (3 YEARS)

PART T1: TENDERING PROCEDURES

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T1.1 INVITATION TO BID

Dawid Kruiper hereby invites tenders for Establishment of Contractors Database for a period of **36 MONTHS with an option to be extended**. Only **CSD** registered tenderers. Contractors must be registered with the Construction Industry Development Board (**CIDB**) for **TN007/2024: A Panel of Civil Engineering Contractors CIDB 3CE to 9CE; for a period of three (3 years)**.

Tender documents can be downloaded from the National Treasury e-Tender portal: www.etenders.gov.za and municipality website.

Queries related to the issues of these documents may be addressed to Mr MGM Mnganga, Tel No: 054 338 7056, e-mail mduduzi.mnganga@dkm.gov.za.

There will be no compulsory clarification meeting.

The closing time for receipt of tender is **14:00 hrs on Friday, 20 September 2024**. Telegraphic, telephonic, telex, facsimile and late tenders will not be accepted.

Tenders, completed as prescribed, shall be sealed in an envelope marked **“TN007/2024: A Tender to Appoint A Panel of Civil Engineering Contractors at CIDB Level 3CE to 9CE for a period of three (3 years)”**, and deposited in the tender box located in the Dawid Kruiper Local Municipality Office

<p>Tenderers shall have a CIDB class grading of:</p> <p>3CE to 9CE.</p>

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DAWID KRUIPER LOCAL MUNICIPALITY					
BID NUMBER:	TN007/2024	CLOSING DATE:	20 September 2024	CLOSING TIME:	14:00
DESCRIPTI ON	TENDER TO APPOINT A PANEL OF CIVIL ENGINEERING CONTRACTORS AT CIDB LEVEL 3CE to 9CE; FOR A PERIOD OF THREE (3 YEARS)				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Dawid Kruiper Municipality, Civic Centre, Mutual Street, UPINGTON, 8800					
Tender Box (THE ENTRANCE DKLM)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Mr MMG Mnganga		CONTACT PERSON	Mr C Sepua	
TELEPHONE NUMBER	(054) 3387061		TELEPHONE NUMBER	(011) 318 8393	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	mduduzi.mnganga@dkm.gov.za		E-MAIL ADDRESS	collins@triviron.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CONTACT PERSON					
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		

E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		O R	CENTRAL SUPPLIER DATABASE No: MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]				
(a) ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		(b) ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS				
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? NO			<input type="checkbox"/> YES <input type="checkbox"/>	
DOES THE ENTITY HAVE A BRANCH IN THE RSA? NO			<input type="checkbox"/> YES <input type="checkbox"/>	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? NO			<input type="checkbox"/> YES <input type="checkbox"/>	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? NO			<input type="checkbox"/> YES <input type="checkbox"/>	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? NO			<input type="checkbox"/> YES <input type="checkbox"/>	

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

PART B

TERMS AND CONDITIONS FOR BIDDING

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 IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS WHO ARE PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

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

DATE:

T1.2 TENDER DATA

The conditions of tender are the Standard Conditions of Tender as contained in Annex F of SANS 294:2004.

The Standard Conditions of Tender make several references to the tender data for details that apply specifically to this tender. The tender data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender.

Each item of data given below is cross-referenced to the subclause in the Standard Conditions of Tender to which it mainly applies.

Subclause	Data
F.1.1	The employer is the Dawid Kruiper Local Municipality
F.1.2	<p>The Project Document issued by the employer consists of the following:</p> <p>THE TENDER</p> <p>Part T1: Tendering procedures:</p> <p style="padding-left: 40px;">T1.1 Tender notice and invitation to tender</p> <p style="padding-left: 40px;">T1.2 Tender Data</p> <p>Part T2: Returnable documents</p> <p style="padding-left: 40px;">T2.1 List of returnable schedules</p>
F.1.4	<p>The employer's agent is:</p> <p>Name: Mr MMG Mnganga</p> <p>Address: Civil Centre, Mutual Street Upington</p> <p>Tel: (054) 388 7056</p> <p>e-mail: mduduzi.mnganga@dkm.gov.za</p>
F.2.1	<p>Only those tenderers who are registered with the CIDB, equal to or higher than a contractor grading designation between 3CE to 9CE class of construction work, or by a contractor who is registered as a potentially emerging enterprise (CEPE) in terms of these Regulations at a contractor grading designation, one level lower than the contractor's registered grading designation, provided that the client</p> <p>(a) is satisfied that such a contractor has the potential to develop and qualify to be registered in that higher grade; and</p> <p>(b) ensures that financial, management or other support is provided to that contractor to enable the contractor to successfully execute that contract are eligible to submit tenders.</p> <p>Joint ventures are eligible to submit tenders provided that:</p> <p>1. every member of the joint venture is registered with the CIDB or can provide proof of having registered;</p> <p>The combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the CIDB level for a 3CE to 9CE class of construction work.</p>
F.2.8	<p>SEEK CLARIFICATION</p> <p>Request clarification of the tender documents, if necessary, by notifying the employer at least five working days before the closing time stated in the tender data.</p>

F.2.9	<p>Insurance</p> <p>Be aware that the extent of insurance to be provided by the employer (if any) might not be for the full cover required in terms of the conditions of contract identified in the contract data. The tenderer is advised to seek qualified advice regarding insurance.</p> <p>The Contractors are expected to conclude the necessary insurances per project and performance guarantees on Each project accordingly. No Project may proceed if the relevant applicable valid insurances are not submitted to the Municipality.</p> <p>The Contractor must have relevant insurances prior to commencement of any project.</p> <p>The contract will be managed through the following applicable General Conditions: GCC 2015 or the agreed Applicable conditions, i.e. FIDIC or JBCC, etc; SANS and all other built environment standards will be applied for the final contract.</p>
F.2.20	<p>Submit securities, bonds and policies</p> <p>The contractors will be responsible to submit for the employer's acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required in terms of the conditions of contract identified in the contract data.</p>
F.2.13	SUBMITTING A TENDER OFFER
F2.13.1	Submit one tender offer only, either as a single tendering entity or as a member in a joint venture to provide the whole of the works, services or supply identified in the contract data and described in the scope of works, unless stated otherwise in the tender data
F.2.13.3	<p>a) Submit only one properly bound tender document, (no emailed tenders will be accepted)</p> <p>b) Additional documentation including certificates (Functionality/quality evaluation) shall be submitted in a separate, properly bound, document</p>
F.2.13.5	<p>The employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:</p> <p>Location of tender box: Dawid Kruiper Municipality, Civic Centre, Mutual Street, at the side of the main entrance door.</p> <p>Identification details: <u>TN007/2024: Tender to Appoint a panel of civil engineering contractors at CIDB Level 3CE to 9CE; for a period of three (3 years)</u></p>
F.2.13. & F.3.5	<p>A two-envelope procedure will not be followed.</p> <p>Tenderers appointed in the panel of contractors will be allowed to provide further quotes for work.</p>
F.2.15	<p>Closing time</p> <p>Closing time for submission of tender offers is: 14H00 on Friday 20 September 2024. Telephonic, telegraphic, telex, facsimile, electronic, e-mailed or postal tender offers will not be accepted.</p>
F.2.15.1	Ensure that the employer receives the tender offer at the address specified in the tender data not later than the closing time stated in the tender data. Accept that proof of posting shall not be accepted as proof of delivery.
F.2.15.2	Accept that, if the employer extends the closing time stated in the tender data for

	any reason, the requirements of these conditions of tender apply equally to the extended deadline
F.2.16	<p>TENDER OFFER VALIDITY</p> <p>2. 16.1a) Tenders shall remain valid from the time set for the closing of Tenders and no Tender may be withdrawn during this period.</p> <p>2.16.1b) Should a Tenderer amend (other than according to F 3.9) or withdraw his Tender after the time set for the receipt and opening of Tenders or during the period of its validity, but prior to his being notified of the acceptance of his original Tender, or after having been notified that his Tender has been accepted:</p> <ul style="list-style-type: none"> a) give notice of his inability to execute the Agreement / Contract in terms of his tender; or b) fail to sign an Agreement / Contract or furnish the security within the period fixed in the conditions reflected in the form of Tender or any extended period fixed by the Employer; or c) fail to execute the Agreement / Contract according to the documents. <p>He shall pay either the difference between his Tender and a less favourable Tender accepted in terms of the provisions of Tender sub Condition 3.1(d), or if the Employer decides to invite fresh Tenders, all additional expenses which the Employer has to incur in this regard, as well as any difference between his Tender and the accepted new Tender; provided that the Employer fully or partly exempt a Tenderer from the provisions of this sub condition if he is of the opinion that the circumstances justify the exemption.</p> <p>2.16.1c) When, in the circumstances mentioned in Tender sub-condition 3.10(c) it is not deemed desirable to invite fresh Tenders, the Employer may accept another Tender from those already received provided the offer is market related.</p>
F.2.17	<p>Clarification of tender offer after submission</p> <p>Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of tenderers or substance of the tender offer is sought, offered, or permitted. Note: Sub-clause F.2.17 does not preclude the negotiation of the final terms of the contract with a preferred tenderer following a competitive selection process, should the Employer elect to do so.</p>
F.2.18 F.2.18.1	<p>Provide other material</p> <p>Provide, on request by the employer, any other material that has a bearing on the tender offer, the tenderer's commercial position (including notarized joint venture agreements), preferencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the tenderer not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employer's request, the employer may regard the tender offer as non-responsive.</p>

	Dispose of samples of materials provided for evaluation by the employer, where required.
F.2.19	In construction stage - Inspections, tests and analysis Provide access during working hours to premises for inspections, tests and analysis as provided for in the tender data.
F.2.20	Submit securities, bonds and policies If requested, submit for the employer's acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required in terms of the conditions of contract identified in the contract data.
F.2.21	Check final draft Check the final draft of the contract provided by the employer within the time available for the employer to issue the contract.
F.2.22	Return of other tender documents If so instructed by the employer, return all retained tender documents within 28 days after the expiry of the validity period stated in the tender data
F.2.23	Certificates Include in the tender submission or provide the employer with any certificates as stated in the tender data
F2.24	TENDER WITHDRAWAL OR MODIFICATION PRIOR TO CLOSING DATE Any Tenderer has the right to withdraw, modify or correct his Tender after it has been delivered, provided that written request for such withdrawal, modification, or correction, together with full details of such modification or correction is received at the address given for the submission of Tenders before the closing date and set for the receipt of Tenders. The original Tender as amended by such written or facsimile communication shall be considered the relevant Tenderer's offer.
F.2.6	ACKNOWLEDGE ADDENDA Acknowledge receipt of addenda to the tender documents, which the employer may issue, and if necessary, apply for an extension to the closing date and time stated in the tender data, in order to take the addenda into account. All addenda will be uploaded to the e-Tender website: www.etenders.gov.za and the DKM website www.dkm.co.za All addenda, if any, will be uploaded at least five working days prior to the closing date.
F.3.2	Issue Addenda If necessary, issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until three days before the tender closing time stated in the Tender Data. If, as a result a tenderer applies for an extension to the closing time stated in the Tender Data, the Employer may grant such extension and, shall then notify all tenderers who drew documents.

F.2.8	SEEK CLARIFICATION : Request clarification of the tender documents, if necessary, by notifying the employer at least five working days before the closing time stated in the tender data.
F.2.9	<p>Insurance</p> <p>Be aware that the extent of insurance to be provided by the employer (if any) might not be for the full cover required in terms of the conditions of contract identified in the contract data. The tenderer is advised to seek qualified advice regarding insurance.</p> <p>The Contractors are expected to conclude the necessary insurances per project and performance guarantees on Each project accordingly. No Project may proceed if the relevant applicable valid insurances are not submitted to the Municipality.</p> <p>The Contractor must have relevant insurances prior to commencement of any project.</p> <p>The contract will be managed through the following applicable General Conditions: GCC 2015 or the agreed Applicable conditions, i.e. FIDIC or JBCC, etc; SANS and all other built environment standards will be applied for the final contract.</p>
F.3 F.3.1 F.3.1.1 F.3.1.2	<p>The employer's undertakings</p> <p>Respond to requests from the tenderer</p> <p>Unless otherwise stated in the tender Data, respond to a request for clarification received up to five working days before the tender closing time stated in the Tender Data and notify all tenderers who drew procurement documents.</p> <p>Consider any request to make a material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used to prequalify a tenderer to submit a tender offer in terms of a previous procurement process and deny any such request if as a consequence:</p> <ul style="list-style-type: none"> a) an individual firm, or a joint venture as a whole, or any individual member of the joint venture fails to meet any of the collective or individual qualifying requirements; b) the new partners to a joint venture were not prequalified in the first instance, either as individual firms or as another joint venture; or c) in the opinion of the Employer, acceptance of the material change would compromise the outcome of the prequalification process.
F.3.4	<p>The time and closing date for tender offers:</p> <p>Time: 14h00 on Friday 20 September 2024</p>
F.3.11	<p>Evaluation Methodology</p> <p>Tenders will be evaluated for B-BBEE level status, compliance with the legislative / regulatory requirements, functionality as well as special conditions for this tender. It is important that the relevant information is included to enable the bid to be evaluated in accordance with the procedure outlined below. All supporting information must be submitted in a separate properly bound document. Tampering with the original tender document will render the tender non-responsive. Failure to comply with the above requirements will result in the Tender being disqualified.</p>

In addition to the mandatory pre-qualifying requirements, the service provider will be evaluated as per criteria set out in the relevant section of this document. Each must acquire the minimum points for the tender to be considered responsive.

The Tender evaluation will be conducted as follows:

1(a) Step 1 – Prequalification evaluation

Tenderers must be registered with CIDB and with the relevant grade active status.

1(b) Step 2 – Administrative Responsiveness

Tender documents shall be submitted as downloaded and printed from the website without any alterations. Any alterations will render your tender null and void and will be disqualified outright.

All documents listed as returnable will be verified against an approved checklist and signatory of the tender documents verified as the authorised person to sign the relevant documentation.

All forms, certificates and schedules shall be completed and signed in black ink. Mistakes made by tenderers shall not be removed by using correcting fluid (Tippex or similar) but shall be cancelled by drawing a line through the incorrect entry and initial each correction or amendment. Failure to comply could lead to a disqualification.

1(c) Step 3 – Substantive Responsiveness

Tenders will be checked for compliance with Tender Conditions and the mandatory documents / returnable verified for completeness and correctness. Non-compliance with any of the requirements will render the tender non-responsive and it will not be carried forward to the next stage. (refer to 2(a) below)

1(d) Step 4 – Technical / Functional Evaluation

The Tenderer's company and staff experience will be evaluated as per the Evaluation matrix in this RFP. Each tender will be assessed and awarded points for Functionality. Failure to achieve 70 points out of the 100 for Functionality will render the tender non-responsive.

Only tenders that score the specified minimum number of points for Functionality will be deemed to be acceptable and carried forward to the next stage.

1(e) Step 5 – Final stage

The tenders that have scored a minimum of **70 points out of 100** for functionality will be shortlisted to form part of the panel.

Three categories of successful contractors will be included in the panel for CIDB 3CE to 6CE, 6CEPE to 8CE, and 8CEPE and above.

2(a) Compliance with Tender Conditions and other Requirements

The tenders will be checked to ensure that they comply with the Tender Conditions and all other requirements of the project document. In particular, the following documentation must be completed, signed, and included in the tender:

Form T2.1 B - Record of addenda to tender documents.

	<p>Form T2.1 C - Certificate of non- collusive tender</p> <p>Form T2.1 D – Certificate of Independent Bid Determination</p> <p>Form T2.1 E – Compliance with Occupational Health and Safety Act</p> <p>Form T2.1 F – Financial Information and Bank Rating</p> <p>Form T2.1 G – Construction Industries Development Board registration.</p> <p>Form T2.1 H – Compulsory Enterprise questionnaire.</p> <p>Form T2.1 I – Declaration of bidder’s past supply chain management practices.</p> <p>Form T2.1 J – Declaration of interest</p> <p>Form T2.1K – Curriculum Vitae of key personnel.</p> <p>Form T2.1 L – Company Experience</p> <p>Form T2.1 M – Specific Goals - locality</p> <p>Failure to comply with the Tender Conditions or to supply the mandatory information at tender closure WILL result in the tender being rejected – Non responsive.</p> <p>2(b)Second Stage in Evaluation: Functionality: Points System</p> <p>A brief description of the scoring system is given below. A tabulated score sheet which will be used in the evaluation is as shown below.</p> <p>Tenderers' submissions will be evaluated based on compliance with the following criteria to determine the responsiveness to the bid requirements:</p> <ul style="list-style-type: none">I. Organogram and CVs of key personnelII. Capability statement of the company with regard to this type of work in general. Provide project descriptions of similar completed road projects. Highlight experience with similar projects in South Africa for similar roads authorities in the past 10 years. Provide contact details of employers for these projects. Points will be awarded for each project completed that is at least one grading lower than the CIDB grading called for this project. Points will be allocated for each qualifying project.III. Bank rating: Tenderer’s bank to complete Form T2.1 FIV. Construction methodology and Local empowerment plan. <p>It is important that the tenderer provides information as requested as this information will be used for functionality in which a minimum of 70 points must be scored to move to the next stage of evaluation. The scoring will be according to the table below:</p>			
	<p>PROJECT TEAM (Key Personal) (Ppt/Organogram)</p> <p>The Site Agent MUST have a minimum National Diploma in Civil Engineering or higher. Experience in Road/Water construction projects must be demonstrated and clearly indicated in the CV.</p>			
A. Section for 3CE to 5CEPE Contractors Evaluation				
	Key Personal	Experience in Years	Points	Maximum Points
		Any experience below three (3) years will be	0	15

	FOR CIDB LEVEL 3 CE TO 5CEPE Resident Engineer in civil works (Bulk infrastructure, Water, Sewer, Roads & Stormwater) within relevant CIDB grading. N6 or Higher in Civil Engineering	given 0 points.			
		Experience of three (3) years and less than five (5) years will be given maximum points (10)	10		
		Experience of five years and above will be given maximum points (15)	15		
	FOR CIDB LEVEL 3 CE TO 5CEPE Site Agent in civil works (Bulk infrastructure, Water, Sewer, Roads & Stormwater) within relevant CIDB grading. National Diploma or Higher in Civil Engineering	Any experience below three (3) years will be given 0 points.	0	20	
		Experience of three (3) years and less than five (5) years will be given maximum points (10)	15		
		Experience of five years and above will be given maximum points (15)	20		
	FOR CIDB LEVEL 3 CE TO 5CEPE Quantity Surveyor National Diploma or Higher in Building Science or Quantity Survey	Any experience below three (3) years will be given 0 points.	0	15	
		Experience of three (3) years and less than five (5) years will be given maximum points (10)	10		
		Experience of five years and above will be given maximum points (15)	15		
		FOR CIDB LEVEL 3 CE TO 5CEPE Methodology and Local empowerment plan	No methodology	0	5
			Well defined methodology	5	
	Total Points (A)				55
B. Section for 6CE to 9CE					
	Key Personal	Experience in Years	Points	Maximum Points	
	FOR CIDB LEVEL 6CE AND ABOVE	Any experience below five (5) years will be given 0 points.	0	10	
		Experience of five (5)	5		

	Contract Director in road construction within relevant CIDB grading.	years and less than ten (10) years will be given maximum points (10)		
	National Diploma or Higher in Civil Engineering	Experience of ten years and above will be given maximum points (15)	10	
	FOR CIDB LEVEL 6CE AND ABOVE	Any experience below five (5) years will be given 0 points.	0	10
	Contract Manager in road construction within relevant CIDB grading.	Experience of five (5) years and less than ten (10) years will be given maximum points (10)	5	
	National Diploma or Higher in Civil Engineering Professional Registered personnel (ECSA and SACPCMP)	Experience of ten years and above will be given maximum points (15)	10	
	FOR CIDB LEVEL 6CE AND ABOVE	Any experience below five (5) years will be given 0 points.	0	10
	Resident Engineer in civil works (Bulk infrastructure, Water, Sewer, Roads & Stormwater) within relevant CIDB grading.	Experience of five (5) years and less than ten (10) years will be given maximum points (10)	5	
	National Diploma or Higher in Civil Engineering	Experience of ten years and above will be given maximum points (15)	10	
	FOR CIDB LEVEL 6CE AND ABOVE	Any experience below ten (10) years will be given 0 points.	0	10
	Site Agent in road construction within relevant CIDB grading.	Experience of ten (10) years and less than fifteen (15) years will be given maximum points (10)	5	
	National Diploma or Higher in Civil Engineering Candidacy	Experience of ten years and above will be given maximum points (20)	10	
	FOR CIDB LEVEL 6CE AND ABOVE	Any experience below ten (10) years will be given 0 points.	0	10
	Quantity Surveyor	Experience of ten (10) years and less than fifteen (15) years will be	5	

	National Diploma or Higher in Building Science or Quantity Survey	given maximum points (10)		
	Professionally Registered with ASAQS	Experience of ten years and above will be given maximum points (20)	10	
	FOR CIDB LEVEL 6CE AND ABOVE	No methodology	0	5
		Methodology and Local empowerment plan	Well defined methodology	
Total Points (B)				55

C. Section for Company Experience Point

	COMPANY EXPERIENCE Provide a minimum of 5 relevant civil construction projects completed in the past 10 years (proof of completion must be attached) for Grade 6CE and above . Minimum of 2 relevant Civil construction projects completed in the past 10 years (proof of completion must be attached) for Grade 3CE – 5CEPE . Provide contact details of employers for these projects. Points will be awarded for each project completed that is at least one grading lower than the CIDB grading called for this project. Points will be allocated for each qualifying project.		
	Number of Projects	Points	Maximum Points
	1 Qualifying project	5	30
	2 Qualifying projects	15	
	3 Qualifying projects	20	
	4 Qualifying projects	25	
	5 Qualifying projects	30	
Total Points (C)			30

D. Section of Bank Rating

	BANK RATING Tenderers are required to provide confirmation of Bank ratings		
	Bank Rating	Points	Maximum Points
	A Rating	15	15
	B Rating	12	

	C Rating	8	
	D – G Rating	0	
Total Points (D)			15
Grand Total Points (A or B + C + D) = P			100
	<p>2(c) Final Stage in Evaluation: Calculation of Final Total Points</p> <p>The final score or final total points for each tender will be calculated by adding the scores.</p> $P = Ppt + Pce + Pbr$ <p>P = Final Total Points</p> <p>Ppt = Points for Project Team (Note: Either from 3 to 5CEPE or 6CE and above team)</p> <p>Pce = Points for Company Experience</p> <p>Pbr = Points for Bank rating</p> <p>The tenders who have scored a minimum of 70 points out of 100 for functionality will be shortlisted to form part of the panel. Successful suppliers will form three categories of successful contractors will be included in the panel for CIDB 3CE to 5CEPE, 6CE to 7CEPE, and 8CE and above.</p>		
DKM Special Targets No.1	<p>SMME's:</p> <p>It is compulsory of this contract that participation in the Panel contract must grant sub-contract local SMME companies where applicable to Local Businesses. Local is defined as “having their head office within the boundaries of South Africa, however preference will be given to local businesses within the vicinity of the project” for projects with a value above R 20 million, and where no available contractor with the appropriate skills, the main contractor may outsource the services outside the Dawid Kruiper Municipality region. An SMME company should be a registered company, but not necessarily be registered with CIDB, although it is preferred. The minimum target for participation is ten percent (10%) for upgrading and new projects and ten percent (10%) for maintenance of the tendered sum including VAT for contracts above R 20 million. This can be achieved through either one or more SMMEs used in different field of the project stage. Project below R 20 million can also contribute to this target at the discretion of the contractors.</p> <p>Contract for local SMMEs may be concluded through following normal procurement strategies for each project.</p>		
DKM Special Target No.2	<p>Local Labour Content:</p> <p>The minimum Local Labour content for all project shall be 20% (upgrading/new) project or 5% (maintenance/rehabilitation) of the tendered sum excluding VAT. The contractor(s) are expected to maximize Local Labour Employment in all possible activities according to the LIC requirements.</p> <p>Project that fail to reach this target will be penalized accordingly. The contractors must use the municipality list for general local labour (DKM) and</p>		

	advertised locally for skilled labour to add to the skilled staff component of the contractor. Prioritize Accredited training and development of local worker.
--	---



DAWID KRUIPER LOCAL MUNICIPALITY

A PANEL OF CIVIL ENGINEERING CONTRACTORS AT CIDB LEVEL 3CE to 9CE FOR A PERIOD OF THREE (3 YEARS)

PART T2: LIST OF RETURNABLE DOCUMENTS

The tenderer must complete the following returnable documents:

T2.1 LIST OF RETURNABLE SCHEDULES T.21

T2.1 LIST OF RETURNABLE SCHEDULES

[T2.1 A CERTIFICATE OF AUTHORITY](#) T.22

[T2.1 B RECORD OF ADDENDA TO TENDER DOCUMENTS](#) T.25

[T2.1 C CERTIFICATE OF NON-COLLUSIVE TENDER](#) T.26

[T2.1 D CERTIFICATE OF INDEPENDENT BID DETERMINATION](#) T.28

[T2.1 E COMPLIANCE WITH OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 AND CONSTRUCTION REGULATIONS, 2003](#) T.31

[T2.1 F FINANCIAL DETAILS, STATEMENTS AND BANK REFERENCES](#) T.32

[T2.1 G CONSTRUCTION INDUSTRIES DEVELOPMENT BOARD REGISTRATION](#) T.33

[T2.1 H COMPULSORY ENTERPRISE QUESTIONNAIRE](#) T.34

[T2.1 I SUPPLY CHAIN MANAGEMENT PRACTICES REFER TO MUNICIPAL SCM FORMS MBD 4 TO 9](#) . **ERROR! BOOKMARK NOT DEFINED.**

T2.1 J DECLARATION OF INTEREST REFER TO MUNICIPAL SCM T.40

T2.1 K CURRICULUM VITAE OF KEY PERSONEL AND THE SITE AGENT

T2.1: L COMPANY RELEVANT EXPERIENCE

T2.1 M REQUIREMENTS IN TERMS OF GOVERNMENT'S SPECIFIC GOALS

T2.1 N Municipal Requirements and documents

NB. Additional documentation including certificates shall be submitted in a separate, properly bound, document. Thiis inclundes to submission of all SCM Documents.



DAWID KRUIPER LOCAL MUNICIPALITY

A PANEL OF CIVIL ENGINEERING CONTRACTORS AT CIDB LEVEL 3CE to 9CE FOR A PERIOD OF THREE (3 YEARS)

T2.1 A 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

I,....., chairperson of the board of directors of hereby confirm that by resolution of the board (copy attached) taken on20...., Mr/Ms.....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/Ms....., 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 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/Ms....., 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 SIGNATURE, NAME & CAPACITY

D. Certificate for sole proprietor

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

As Witness:

1.....
Signature

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 the key members upon whom rests the direction of the affairs of the Close Corporation as a whole



DAWID KUIPER LOCAL MUNICIPALITY

A PANEL OF CIVIL ENGINEERING CONTRACTORS AT CIDB LEVEL 3CE to 9CE FOR A PERIOD OF THREE (3 YEARS)

T2.1 B RECORD OF ADDENDA TO TENDER DOCUMENTS

We confirm that the following communications received from the employer before the submission of this tender offer, amending the tender documents, have been considered in this tender offer:

	Date	Title of Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Attach additional pages if more space is required.

Signed..... Date

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

Tenderer.....



DAWID KRUIPER LOCAL MUNICIPALITY

A PANEL OF CIVIL ENGINEERING CONTRACTORS AT CIDB LEVEL 3CE to 9CE FOR A PERIOD OF THREE (3 YEARS)

T2.1 C CERTIFICATE OF NON-COLLUSIVE TENDER

1 IN THE CASE OF A SINGLE CONSTRUCTION CONCERN:

I/We certify that this is a bona fide tender.

I/We also certify that I/We have not done, and I/We undertake not to do any of the following at any time before the hour and date specified for the closure of submission of tenders for this contract.

- a) Fix or adjust the amount of this tender by or under or in accordance with any agreement or arrangement with any other person.
- b) communicate to a person other than the person calling for these tenders the amount or approximate amount of the proposed tender, except when the confidential disclosure of the approximate amount of the tender is necessary to obtain the insurance-premium quotations required for preparation of the tender.
- c) cause or induce any other person to communicate to me/us the amount or approximate amount of any rival tender for this contract.
- d) enter into any agreement or arrangement with any other person to induce him to refrain from tendering for this contract, or to influence the amount of any tender or the conditions of any tender to be submitted, nor cause or induce any other person to enter into any such agreement or arrangement.
- e) offer or pay or give or agree to pay or to give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any tender or proposed tender for this contract, any action similar to those described above.

In this certificate the term "person" includes juristic or natural persons, body of persons or association, whether corporate or not, and the term "agreement or arrangement" includes any agreement or arrangement, whether formal or informal and whether legally binding or not.

SIGNED ON BEHALF OF TENDERER:

T2.1 C: CERTIFICATE OF NON-COLLUSIVE TENDER (continued)**2 IN THE CASE OF A CONSORTIUM OF CONSTRUCTION CONCERNS:**

We certify that this is a bona fide tender.

We also certify that we have not done, and we undertake not to do any of the following at any time before the hour and date specified for the closure of submission of tenders for this contract:

- a) Fix or adjust the amount of this tender by or under or in accordance with any agreement or arrangement with any person outside this consortium.
- b) communicate to a person outside this consortium other than the person calling for these tenders, the amount or approximate amount of the proposed tender, except when the confidential disclosure of the approximate amount of the tender is necessary to obtain insurance premium quotations required for preparation of the tender.
- c) cause or induce any person outside this consortium to communicate to us the amount or approximate amount of any rival tender for this contract.
- d) enter into any agreement or arrangement with any person outside this consortium to induce him to refrain from tendering for this contract, or to influence the amount of any tender or the conditions of any tender to be submitted, nor cause or induce any person outside this consortium to enter into any such agreement or arrangement.
- e) offer or pay or give or agree to give any sum of money or valuable consideration directly or indirectly to any person outside this consortium for doing or having done or causing or having caused to be done in relation to any tender or proposed tender for this contract, any action similar to those described above.

In this certificate the term "person" includes juristic or natural persons , body of persons or association, whether corporate or not, the term "agreement or arrangement" includes any agreement or arrangement, whether formal or informal and whether legally binding or not, and the term "person outside this consortium" means, when the consortium is a partnership, a person other than a partner or an employee of a partner or the partnership, or when the consortium is a company, a person other than a person or company holdings shares in the consortium, or any employee of such a person, company or the consortium.

SIGNED ON BEHALF OF TENDERER:

T2.1 D 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 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregards the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancels a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
 - 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 (MBD 9) must be completed and submitted with the bid:
- ¹ Includes price quotations, advertised competitive bids, limited bids, and proposals.**
 - ² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices, or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.**

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by

: _____

(Name of Institution)

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

I certify, on behalf 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
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 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.
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



DAWID KRUIPER LOCAL MUNICIPALITY

A PANEL OF CIVIL ENGINEERING CONTRACTORS AT CIDB LEVEL 3CE to 9CE FOR A PERIOD OF THREE (3 YEARS)

T2.1 E COMPLIANCE WITH OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 AND CONSTRUCTION REGULATIONS, 2003

The tenderer shall attach evidence that he is registered and in good standing with a compensation insurer who is approved by Department of Labour in terms of section 80 of the Compensation for Injury and Disease Act (COID)(Act 130 of 1993).

The tenderer is required to disclose, by also attaching documentary evidence, all inspections, investigations, and their outcomes conducted by the Department of Labour into the conduct of the tenderer at any time during the 36 months preceding the date of this tender.

Attach a valid letter of good standing from the Compensation Commissioner or FEMA

SIGNED ON BEHALF OF THE TENDERER:

Note to tenderer:

Discovery that the tenderer has failed to make proper disclosure may result in DKLM terminating a contract that flows from this tender on the ground that it has been rendered invalid by the tenderer's misrepresentation.

T2.1 F FINANCIAL DETAILS, STATEMENTS AND BANK REFERENCES**1. FINANCIAL STATEMENTS**

I/We agree, if required, to furnish a copy of the latest audited set of financial statement together with my/our Director's and Auditor's report for consideration by the RAL.

2. DETAILS OF TENDERER'S BANK ACCOUNT**MUST BE COMPLETED BY TENDERER'S BANK**

- a) Account Holder Name:
- b) Name of Bank:
- c) Branch of Bank
- d) Town/city/suburb where bank is situated.....
- e) Contact Person at the Bank:
- f) Telephone number of Bank: Code: Number:
- g) Account Number:
- h) Bank rating:

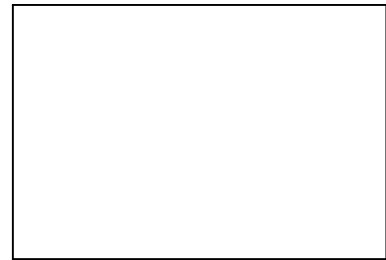
SIGNED ON BEHALF OF THE BANK

NAME OF BANK OFFICIAL:

DESIGNATION:

SIGNATURE:

DATE:



BANK STAMP

3. I/We hereby authorise the Employer to approach the above Bank for confirmation.

SIGNED ON BEHALF OF THE TENDERER:

DATE:

AN ORIGINAL STAMPED AND SIGNED BANK LETTER (NOT OLDER THAN 3 MONTHS) CONTAINING THE ABOVE INFORMATION WILL BE



DAWID KUIPER LOCAL MUNICIPALITY

A PANEL OF CIVIL ENGINEERING CONTRACTORS AT CIDB LEVEL 3CE to 9CE FOR A PERIOD OF THREE (3 YEARS)

T2.1 G CONSTRUCTION INDUSTRIES DEVELOPMENT BOARD REGISTRATION

The tenderer is to submit either:

- Written proof of his registration with the CIDB with the relevant grade as indicated/specified in the tender document.

Or

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

Note:

1. Failure to submit such documentation as prescribed shall result in this tender not being further considered for the award of the contract.
2. Should this tender 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 by the time of award of the contract, then this tender will no longer be considered for the award of the contract.

T2.1 H COMPULSORY ENTERPRISE QUESTIONNAIRE

THE FOLLOWING PARTICULARS MUST BE FURNISHED IN THE CASE OF A JOINT VENTURE, SEPARATE ENTERPRISE QUESTIONNAIRES IN RESPECT OF EACH PARTNER MUST BE COMPLETED AND SUBMITTED OTHERWISE THE TENDER WILL BE DECLARED NON-RESPONSIVE

Section 1: Name of enterprise:

Section 2: VAT registration number:

Section 3: CIDB registration number:

Section 4: Particulars of sole proprietors and partners in partnerships

Name*	Identity Number *	Personal income tax number*

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

Section 5: Particulars of companies and close corporations

Company registration number

Close corporation number

Tax reference number

Section 6: Record in the service of the state

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

- | | |
|--|---|
| <input type="checkbox"/> a member of any municipal council | <input type="checkbox"/> An employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| <input type="checkbox"/> A member of any provincial legislature | <input type="checkbox"/> A member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> A member of the National Assembly or the National Council of Province | <input type="checkbox"/> An employee of Parliament or a provincial legislature |
| <input type="checkbox"/> A member of the board of directors of any municipal entity | |
| <input type="checkbox"/> An official of any municipal or municipal entity | |

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

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

* Insert separate page if necessary

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

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

- | | |
|--|---|
| <input type="checkbox"/> a member of any municipal council | <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meeting of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | <input type="checkbox"/> an employee of Parliament or a provincial legislature |
| <input type="checkbox"/> a member of the board of directors of any municipal entity | |
| <input type="checkbox"/> an official of any municipal or municipal entity | |

Name of spouse, child, or parent	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

* Insert separate page if necessary

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

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

Signed Date

Name Position

Enterprise name



DAWID KUIPER LOCAL MUNICIPALITY

A PANEL OF CIVIL ENGINEERING CONTRACTORS AT CIDB LEVEL 3CE to 9CE FOR A PERIOD OF THREE (3 YEARS)

2.1 K CURRICULUM VITAE OF KEY PERSONEL AND THE SITE AGENT

Tenderer to supply curriculum vitae of the key personnel and the site agent. This curriculum vitae shall provide evidence of relevant experience of the key permanent personnel and the site agent who will be available for the project full time. The contractor part time skilled workers must be demonstrated in the organogram/structure of employment for key personnel. The personnel included here shall be used on the project unless otherwise agreed to by Dawid Kruiper Municipality.

T2.1: L COMPANY RELEVANT EXPERIENCE

The Tenderer shall enter in the spaces provided below **A LIST OF ROAD/WATER CONSTRUCTION PROJECTS OR RELATED PROJECTS CARRIED OUT IN THE LAST 10 YEARS.**

This information is deemed to be material to the award of the contract and is taken into account in the calculation of the Tender adjudication points. It is essential that full details of the projects and of the Employer references be provided in order for the projects to be evaluated and points awarded. An appointment letter and completion certificate must be provided for each project.

If necessary, a separate form may be submitted.

Failure to provide the necessary information will compromise the Tender.

	Employer (Name, Tel. No. or Fax No.)	Details of Project	Value of Work (Incl. VAT)	CIDB Grade	Year Awarded	Year Completed
1						
2						
3						
4						
5						

SIGNED ON BEHALF OF THE TENDERER:



DAWID KUIPER LOCAL MUNICIPALITY

A PANEL OF CIVIL CONTRACTORS CIDB 5 CEPE to 9CE; FOR A PERIOD OF THREE (3 YEARS)

T2.2 A DEVIATIONS OR QUALIFICATIONS BY THE TENDERER

Note: Tenderers will be declared to be non-responsive should any proposed deviation or qualification, in the employer's opinion:

- a) detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work,
- b) change the employer's or the tenderer's risks and responsibilities under the contract, or
- c) affect the competitive position of other tenderers presenting responsive tenders if it were to be rectified.

PAGE	DESCRIPTION

SIGNED ON BEHALF OF TENDERER:

.....

NB! Scope of Work (Projects anticipated)

The Project scope will be availed per project and expected timeframes. However, projects that are expected include the following but not limited to:

- Roads and Stormwater,
- Bulk water, water and sewer Connection,

The Contractor appointed in the Panel must have the minimum projects successfully completed as proof of competence on the particular area of development/project to be appointed.

- Present Certificate of completion or reference letter(s) on the Client letterhead of such projects,
- Project presented must have the following minimum details:
 - Timeframe,
 - Cost of the Project,
 - Contactable reference details,

The Contractor must provide also structured approach paper/Programme for the proposed scope of work and all requirements.

PRICING

- The pricing and cost negotiation will be handled on the second stage of the process with the appointed member of the panel.
- The orders will be issued by the Municipality for the particular scope for the contractor(s) appointed on each project activity.
- The contractors form agreement or contract conditions will be based on the particular scope.

Panel Condition

The Panel may be reduced to minimum top 10 suitable contractors per project category or related scope where applicable for request of quotations. Members who do not have necessary experience to the particular project may be excluded from being contacted in that project, also over qualifying members of the panel may be excluded from being involved in minor projects, i.e. when the scope of work is deemed for lower CIDB grading, the higher CIDB graded companies may not be contacted.

Bidder's Signature :

Date :

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DAWID KUIPER MUNICIPALITY			
BID NUMBER:	TN007/2024	CLOSING DATE: Friday 20 September 2024	CLOSING TIME: 14:00
DESCRIPTION	TENDER TO APPOINT A PANEL OF CIVIL ENGINEERING CONTRACTORS AT CIDB LEVEL 3CE to 9CE FOR A PERIOD OF THREE (3 YEARS)		
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

Dawid Kruiper Municipality				
Civic Centre				
Mutual Street				
Upington				
8800				
SUPPLIER INFORMATION				
NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE				

POINTS FOR B-BBEE]			
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE: R.....	
SIGNATURE OF BIDDER		DATE
CAPACITY UNDER WHICH THIS BID IS SIGNED			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	Supply Chain Management Unit	DEPARTMENT	Civil Engineering Services
CONTACT PERSON	Mary Marabi	CONTACT PERSON	Mduduzi Mnganga
TELEPHONE NUMBER	054 338 7436	E-MAIL ADDRESS	
FACSIMILE NUMBER	-		
E-MAIL ADDRESS	mary.marabi@dkm.gov.za	mduduzi.mnganga@dkm.gov.za	

PART B
TERMS AND CONDITIONS FOR BIDDING

3. BID SUBMISSION:

- 1.5. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.6. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE**
- 1.7. 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.

4. TAX COMPLIANCE REQUIREMENTS

- 2.8 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.9 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.
- 2.10 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.
- 2.11 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
- 2.12 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.13 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.14 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

5. 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 IS SIGNED

DATE

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 director's 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, **YES / NO**
or stakeholders of this company have any interest in any other related
companies or business whether or not they are bidding for this contract?

3.14.1 If yes, furnish particulars:

.....
.....

4. Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	State Employee Number

.....

Signature

.....

Date

.....

Capacity

.....

Name of Bidder

DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED)

For all procurement expected to exceed R10 million (all applicable taxes included), bidders must complete the following questionnaire:

1. Are you by law required to prepare annual financial statements for auditing? ***YES / NO**
 - 1.1. If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.

.....

.....

2. Do you have any outstanding undisputed commitments for municipal services towards any municipality for more than three months or any other service provider in respect of which payment is overdue for more than 30 days? ***YES / NO**
 - 2.1. If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards any municipality for more than three months or other service provider in respect of which payment is overdue for more than 30 days
 - 2.2. If yes, provide particulars.

.....

.....

.....

3. Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract? ***YES / NO**
 - 3.1. If yes, furnish particulars

.....

.....

.....

4. Will any portion of goods or services be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic? ***YES / NO**

4.1. If yes, furnish particulars

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

* Delete if not applicable

CERTIFICATION

I, THE UNDERSIGNED (NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

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

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

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

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

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

1. GENERAL CONDITIONS

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

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

1.2 **To be completed by the organ of state**

(delete whichever is not applicable for this tender).

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

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

80/20 or 90/10

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

80/20 or 90/10

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \quad \text{or} \quad Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

(80/20 and 90/10 preference point system is applicable, corresponding points must also be indicated as such.

A maximum of 20 points will be allocated as follows:

Locality	Points (80/20)
Within the boundaries of the Dawid Kruiper Municipality	20.00
Within the boundaries of ZF MGCWU REGION	14.00
Within the boundaries of Northern Cape	12.00
Within the boundaries of Republic of South Africa	10.00

Proof of Evidence to submit to claim preference points:

- Where the tenderer is the owner of the property or the business: A Municipal account registered in the name of the tenderer not older than 3 months must be submitted.
- Where the tenderer is not the owner of the property of the business, a valid lease Agreement signed by both parties must be submitted.
- Where the tenderer does not comply to bullet 1 or 2, An original Sworn Affidavit must be submitted, stating reason to why not having a Municipal account

Tenderers failing to submit proof of required evidence to claim preferential points for specific goals –NO POINTS WILL BE ALLOCATED

May only score in terms of the 80 / 90 points formula for price

A maximum of 10 points will be allocated as follows:

Locality	Points (80/20)
Within the boundaries of the Dawid Kruiper Municipality	10.00
Within the boundaries of ZF MGCAWU REGION	8.00
Within the boundaries of Northern Cape	6.00
Within the boundaries of Republic of South Africa	4.00

Proof of Evidence to submit to claim preference points:

- Where the tenderer is the owner of the property or the business: A Municipal account registered in the name of the tenderer not older than 3 months must be submitted.
- Where the tenderer is not the owner of the property of the business, a valid lease Agreement signed by both parties must be submitted.
- Where the tenderer does not comply to bullet 1 or 2, An original Sworn Affidavit must be submitted, stating reason to why not having a Municipal account

Tenderers failing to submit proof of required evidence to claim preferential points for specific goals –NO POINTS WILL BE ALLOCATED

May only score in terms of the 80 / 90 points formula for price

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

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

..... SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:
DATE:
ADDRESS:

CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)..... in accordance with the requirements and specifications stipulated in bid number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.

2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Technical Specification(s);
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)

3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

2.

CONTRACT FORM - PURCHASE OF GOODS/WORKS

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity as.....
accept your bid under reference numberdated.....for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)		DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES	
1.
2.

CONTRACT FORM - RENDERING OF SERVICES

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

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

I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.

1. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (iv) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of Bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (v) General Conditions of Contract; and
 - (vi) Other (specify)
2. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
3. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
4. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
5. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

2

CONTRACT FORM - RENDERING OF SERVICES**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

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

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

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

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

CONTRACT FORM - SALE OF GOODS/WORKS

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to purchase all or any of the goods and/or works described in the attached bidding documents from (name of institution)..... in accordance with the requirements stipulated in (bid number)..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the seller during the validity period indicated and calculated from the closing time of bid.

2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (vii) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Declaration of interest;
 - Declaration of Bidder's past SCM practices;
 - Special Conditions of Contract;
 - (viii) General Conditions of Contract; and
 - (ix) Other (specify)

3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) cover all my obligations and I accept that any mistakes regarding price(s) and calculations will be at my own risk.

4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

5. I undertake to make payment for the goods/works as specified in the bidding documents.

6. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

7. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

2

DATE:

CONTRACT FORM - SALE OF GOODS/WORKS

PART 2 (TO BE FILLED IN BY THE SELLER)

4. I..... in my capacity as.....
accept your bid under reference numberdated.....for the purchase of
goods/works indicated hereunder and/or further specified in the annexure(s).
5. I undertake to make the goods/works available in accordance with the terms and conditions of the contract.

ITEM NO.	DESCRIPTION	PRICE (ALL APPLICABLE TAXES INCLUDED)		

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

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES 1. 2. DATE

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	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.1.1	<p>If so, furnish particulars:</p> 		
4.2	<p>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)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>

4.2.1	If so, furnish particulars:		
Item	Question	Yes	No
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
MBD 8			
	If so, furnish particulars:		
4.4.1			
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	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



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 (MBD 9) must be completed and submitted with the bid:

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

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

NOTICE

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid

**TENDER TO APPOINT A PANEL OF CIVIL ENGINEERING CONTRACTORS AT
CIDB LEVEL 3CE to 9CE FOR A PERIOD OF THREE (3YEARS)**

in response to the invitation for the bid made by:

DAWID KRUIPER 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
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.
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

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.

Annexures

Attach all annexures and documents to this page

1. Tax Clearance certificate,
2. CSD registration,
3. A certified copy of B-BBEE verification certificate accredited South National Accreditation System (SANAS) or an original Sworn Affidavit fully completed with black ink, must be attached to the bid document or a copy of a DTI BBBEE certificate must be attached to the bid document.
4. Municipal account or a valid lease agreement or sworn affidavit if not responsible for municipal services account.
5. Functionality documentation – Contractors previous work completed certification or reference letters, CIDB Registration per category, etc.
6. All supporting evidence for T2.1. List of returnable schedule.