



## UMKHANYAKUDE DISTRICT MUNICIPALITY

### SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)

**BID No:**

**SCMU \_018/2024/2025**

<b>BID DESCRIPTION:</b>	<b>SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)</b>
<b>TOTAL BID AMOUNT:</b>	.....
<b>AMOUNT IN WORDS</b>	.....
<b>CLOSING DATE:</b>	<b>12h00, Friday, 27 June 2025</b>
<b>NAME OF BIDDER:</b>	.....
<b>CONTACT PERSON:</b>	.....
<b>STREET ADDRESS</b>	..... .....
<b>TEL:</b>	<b>CELL:</b> .....
.....	
<b>FAX:</b>	<b>E-MAIL:</b> .....
.....	

**PREPARED FOR:**

Umkhanyakude District  
Municipality  
13433 Kingfisher Avenue  
Mkuze

## INVITATION TO BID

**uMkhanyakude District Municipality** invites prospective service providers to submit bids in accordance with the Terms of Reference provided in this invitation.

BID NO.	PROJECT NAME
SCMU 018/2024/2025	SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)
COLLECTION OF BID DOCUMENTS:	Bid documents available on <a href="http://www.etenders.gov.za">www.etenders.gov.za</a> from 06 June 2027
COMPULSORY SITE INSPECTION AND BRIEFING MEETING:	None
BID CLOSING:	<b>12h00, Friday, 27 June 2025.</b> Bids must be delivered at uMkhanyakude District Municipality Offices no later than the time and date indicated above. The delivery address is 13433 Kingfisher Avenue, Mkuze, KwaZulu-Natal.

**The Bid evaluation process will be conducted in three stages as follows:**

**Stage 1:** Administrative Compliance.

**Stage 2:** Preferential System will be applied using the 80:20 points system, where 80 points are allocated to price and 20 points are allocated to Special Goals (MBD 6.1) in terms of UKDM SCM Policy.

**Stage 3:** Award Criteria

- ✓ **See attached Evaluation Criteria**

Bids must be sealed, externally endorsed with the **Project Name: “SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)”**. Bid No: **SCMU\_018/2024/2025** to be deposited in the uMkhanyakude District Municipality Tender Box, 13433 Kingfisher Avenue, Mkuze.

All enquiries regarding this bid must be directed **in writing** to the uMkhanyakude District Municipality Office of the Municipal Manager contact person: Mr. M. Dlamini.

***Should you not receive communication from uMkhanyakude District Municipality within 120 days of submitting your bid; accept your submission is unsuccessful.***

### **TENDER SUBMISSION CHECKLIST**

The Checklist below is attached hereto to assist Tenderers with the completion of the tender document. Tenderers are required to **TICK** the relevant boxes for verification purposes. Where information is not applicable to the tender, the symbols **N/A** must be inserted in the space provided.

**\*\*\* D: Failure to comply with these Sections will prejudice the tender.**

No.	Description	Tenderer to Tick (✓)	For Official Use Only	
1	Has the Tender Document been completed in <b>INK</b> and all corrections counter-signed? <b>(No correction fluid used)</b>		<b>D</b>	
2	Have all tendered rates been priced in <b>INK</b> and corrections counter-signed? <b>(No correction fluid used)</b>		<b>D</b>	
3	Has all tendered amounts been arithmetically checked and the correct total amounts carried forward to the Summary Page and Tender Form?			
4	Has all information as required in terms of the Tender Document been submitted with the tender?		<b>D</b>	
5	Has the compulsory "Site Inspection/Tender Briefing" meeting been attended and has the "Site Inspection/Tender Briefing" Certificate been completed and signed at the meeting?	<b>N/A</b>	<b>D</b>	
6	Have all Declarations contained in the Tender Document been completed and signed by the Tenderer, and before a Commissioner of Oaths (if applicable)?		<b>D</b>	
7	Has the "Tender Form" been completed and signed?		<b>D</b>	
8	Has the "Special Goals Claim Form in terms of the UKDM SCM Policy" been completed in its entirety and signed?			
9	As an <b>EME</b> , is a certificate issued by an Accounting Officer or a Verification Agency accredited by SANAS or a Registered Auditor attached to the tender document?			
11	Is a valid Tax Clearance Certificate and a Tax Clearance Status Verification Pin attached to the tender document?		<b>D</b>	
12	Has the CSD Supplier Number and Unique Registration Reference Number been submitted with the Tender Document?		<b>D</b>	
13	Has the Proof of payment of municipal services (Not older than 3 three months) or Lease Agreement attached?			
14	Has the Original or certified B-BBEE certificate or sworn affidavit attached?			

Name of Tenderer : \_\_\_\_\_

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

## **TENDER NOTICE**

UMkhanyakude District Municipality hereby invites tenders from qualifying service providers to assist the Municipality with the Supply and Installation of Tracking Devices On Municipal Vehicles (36 Months).

Tender documents will be made available to tenderers from 06 June 2025.

Tender documents can be downloaded and printed at the tenderer's cost from the National Treasury eTender Publication Portal on [www.etenders.gov.za](http://www.etenders.gov.za)

Any enquiries relating to this tender must be forwarded to [kenneth@ukdm.gov.za](mailto:kenneth@ukdm.gov.za) (SCM related). **Note that no enquiries will be attended to within the last three (3) calendar days before the date of tender closing.**

Tenders must be submitted in hard copy contained in sealed envelopes and marked with “**Contract No.** and the **Contract Description**” must be placed in the Tender Box located in the Foyer, Municipal Building, not later than **12h00 on Friday 27 June 2025** when they will be publicly opened. Only tenders placed in the Tender Box shall be accepted.

**Tender Validity Period:** Four (4) months commencing from the closing date of tender.

**Tender Adjudication/Evaluation Criteria:** The tender shall be evaluated on a Two Stage Evaluation System – Stage One: Functionality and Stage Two: 80/20 Special Goals System in accordance with the UKDM SCM Policy. The Functionality for Stage One shall be evaluated on the following criteria:

Criteria	Basis of allocation	Point allocation	Verification Method
<b>Company experience in the supply and installation of tracker services</b>	5 points per signed appointment letter	30	Copy of appointment letters need to be attached as a proof of experience in the provision for tracker services
	5 points per signed reference letter	30	Reference letters with traceable contact person.
<b>Personnel experience in the tracker installation</b>	2-4 Years	10	Attach a detailed CV of technician doing the installation
	5+	20	
<b>Qualification of technician</b>	Relevant certification for installation of tracking devices (3 or more)	20	Attach certified copies of qualifications.
	Relevant certification for installation of tracking devices (1 to 2)	10	

The UMkhanyakude District Municipality does not bind itself to accept the lowest or any tender and reserves the right to accept the whole or any part of a tender. Each tenderer will be informed of the tender result.

**MR WM NXUMALO**  
**MUNICIPAL MANAGER**

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**THE UMKHANYAKUDE DISTRICT MUNICIPALITY**

**SCMU 017/2024/2025**

**SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)**

**INVITATION TO BID DOCUMENT**

**PART A**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)</b>					
BID NUMBER:	<b>SCMU 018/2024/2025</b>	CLOSING DATE:	<b>27 JUNE 2025</b>	CLOSING TIME:	<b>12h00</b>
DESCRIPTION	<b>SUPPLY AND INSTALLATION OF TRACKING DEVICES IN MUNICIPAL VEHICLES</b>				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).</b>					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS					
<b>COUNCL CHAMBERS</b>					
<b>13433 KINGFISHER AVENUE</b>					
<b>MKUZE</b>					
<b>3965</b>					
<b>SUPPLIER INFORMATION</b>					
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:	
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					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>			<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>		
DEPARTMENT	FINANCE		CONTACT PERSON	Mr MB Dlamini	
CONTACT PERSON	Mr KS Ntshangase		TELEPHONE NUMBER	035 – 573 8600	
TELEPHONE NUMBER	035- 573 8643		FACSIMILE NUMBER		
FACSIMILE NUMBER			E-MAIL ADDRESS		

## PART B

<b>1. BID SUBMISSION:</b>	
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.	
1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED – (NOT TO BE RE-TYPED) OR ONLINE</b>	
<b>2. TAX COMPLIANCE REQUIREMENTS</b>	
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.	
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.	
2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.	
2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.	
2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.	
2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.	
2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.	
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>	
3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>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.</b>	

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

SIGNATURE OF BIDDER: .....

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

DATE: .....

## **STANDARD CONDITIONS OF TENDER**

### **1. DOCUMENTS**

This document comprises of the Standard Conditions of Tender, Standard Conditions of Contract, Special Conditions of Contract (if any), Legislation, Definitions, Specifications, Pricing Schedule, Tender Form, Drawings (if any), Data Sheets and Annexures thereto.

### **2. COMPULSORY SITE INSPECTION/TENDER BRIEFING MEETING**

There is no compulsory briefing session.

### **3. SUBMISSION OF TENDERS**

Tenders must be made out on the Tender Form annexed hereto. Tenderers are advised that this document must be completed in ink and submitted in its entirety. Failure to comply with this condition shall result in the tender being disqualified.

Only original hand written priced tender documents will be considered. Tenders submitted by electronic mail, telex or facsimile shall not be considered. ***The use of correction fluid is strictly prohibited.*** All corrections are to be countersigned.

Tenderers using Courier Companies or any other mode of transport to deliver their tender documents must ensure that the tender documents are delivered to the District Municipal Offices by the close of tenders. The Council shall not be held liable for any tender document which is not timeously delivered, mislaid or incorrectly delivered due to the negligence of the Courier Company or any other party involved in the delivery of the tender documents, including any employee of the Council.

Sealed tenders endorsed with the appropriate contract number, must reach the District Municipal Offices, no later than the closing date and time stated in the public advertisement inviting tenders, when they will be opened in public. Under no circumstances will any extension of time be allowed for the submission of tenders. Tenders shall remain valid for four (4) calendar months from the date of opening, except for the initial five (5) working days grace period after the close of tenders within which period a tenderer may be permitted to withdraw its tender subject to an application with good and sufficient reasons being submitted in writing to obtain approval of such withdrawal, at the sole discretion of the Head: Supply Chain Management.

All literature submitted must be securely attached to the tender. The Council shall not be held liable for any loss or damages sustained due to the Tenderer's failure to comply with this condition.

In the case of a Tenderer withdrawing its tender after the expiry of the grace period, the Council may refuse to receive or consider, for such period as it may think fit, any further tenders from that Tenderer.

### **4. COMMUNICATION WITH MEMBERS OF THE COUNCIL OR COUNCIL EMPLOYEES**

Without detracting from any prevailing law, no Tenderer shall offer, promise or give any person or persons connected with the adjudication, or awarding of the tender, any gratuity, bonus, discount or consideration of any kind in connection with the obtaining of a contract. Nor shall any Tenderer communicate with any member of the Council or a Council employee on a question affecting the awarding of a contract which is the subject of a tender, during the period between the closing date of tenders and the date of notification of the successful Tenderer; provided always that the Head: Supply Chain Management may, in exceptional circumstances, obtain additional information from a Tenderer to enable her to formulate her recommendation to Council.

Any attempt to contravene this condition which is brought to the notice of the Head: Supply Chain Management shall result in the disqualification of the Tenderer.

Prospective Tenderers are further advised that s118 of the Municipal Finance Management Act prohibits the interference, by any person, with the supply chain management system of the Municipality and the amendment of or tampering with any tender, quotation, contract or bid after its submission.

## **5. IMPORT PERMITS**

The Council will not undertake to secure any import permits or currency for the import of any goods or materials required for the execution of this contract. The Tenderer must apply directly for any import permits or currency needed. However, the Council will furnish the successful Tenderer with a supporting statement, if required.

## **6. REGISTRATION WITH THE CENTRAL SUPPLIER DATABASE (CSD)**

The National Treasury's Central Supplier Database (CSD) has been open for registration from 01 September 2015. The CSD serves as one single source of supplier information to all spheres of government.

Within this system, suppliers are required to register once when they do business with the state. This will significantly reduce the administrative burden for businesses, especially small and medium sized enterprises. The database interfaces with the South African Revenue Service (SARS), the Companies and Intellectual Property Commission (CIPC) and the payroll system. It will electronically verify a supplier's tax status and enable public sector officials doing business with the state to be identified.

All prospective suppliers can register any time on the CSD website [www.csd.gov.za](http://www.csd.gov.za)

**uMkhanyakude District Municipality will not award any tender to a supplier not registered as a prospective supplier on the CSD.** Accordingly, negotiations for the tender award will only be concluded with the qualify tenderer(s) who is/are registered on the CSD.

In order for Council to verify your Company's registration with CSD, please provide the following information for verification purposes:

<b>CSD Supplier Number</b>	
<b>Unique Registration Reference Number</b>	

**Failure to provide the above information shall render the tender to be disqualified.**

## **7. TAX CLEARANCE CERTIFICATE REQUIREMENTS**

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

Tenderers shall be required to submit, together with the tender document, a valid Tax Clearance Certificate and a Tax Compliance Status Verification Pin issued by SARS. Failure to submit a valid Tax Clearance Certificate and a Tax Compliance Status Verification Pin will result in the invalidation and disqualification of the tender.



Further to the above, Tenderers are to note that the Tax Clearance Certificate must be valid for the full duration of the tender validity period i.e., four (4) months commencing from the closing date of the tender.

Should the validity of the Tax Clearance Certificate expire prior to the final award of the contract being made, the Council reserves the right to request the Tenderer to submit a further valid Tax Clearance Certificate. In this instance, the Tenderer shall be given seven (7) working days' written notice in which to comply. Should the Tenderer fail to comply with this request, the Council further reserves the right to make no award to the Tenderer and the Council shall not be held liable for any loss or damages sustained by the Tenderer.

If a tenderer has already submitted a Tax Clearance Certificate when registering on the Central Supplier Database (CSD), then there is no need to submit a hardcopy of another Tax Clearance Certificate provided that the Tax Clearance Certificate is still valid for the full duration of the validity period for this tender. In this instance, the Tenderer will be required to indicate below the CSD Supplier Number and Unique Registration Reference Number for verification purposes:

<b>CSD Supplier Number</b>	
<b>Unique Registration Reference Number</b>	

## 8. **RATES**

The prices, rates or percentages quoted in the proposal shall be deemed to include all costs, including but not limited to materials, plant, labour, patent rights and royalties, freight, insurance, customs, railage, delivery, etc, unless the Service Provider states otherwise in the proposal.

## 9. **INCOMPLETE TENDERING**

Tenders may be rejected if they show any additional, conditional or incomplete offers or irregularities of any kind in either the Tender Form or the Pricing Schedule, or if the prices tendered in the Schedule are not market related i.e., the tendered rates do not conform to current day prices.

Partial awards **may** be made where this is perceived by the Accounting Officer to be in the best interests of the Council. Council reserves the right to take into account the principle of the distribution of works in order to empower SMME's and BEE's.

Should there be any difference or discrepancy between the prices and particulars contained in the Tender Form and those contained in any covering letter submitted by the Tenderer, the prices and particulars contained in the Tender Form shall prevail.

## 10. **ACCEPTANCE OF ANY TENDER**

The Council does not bind itself to accept the lowest or any tender and reserves the right to accept the whole or any part of a tender.

Where less than three (3) tenders are received, the Head: Supply Chain Management reserves the right to purchase such items on the open market notwithstanding the acceptance of an offer.

The procedure which will be followed with the acceptance of a tender is as follows:

**Formal agreement will be signed.**

A Service Level Agreement will be entered into with the successful Service Provider. A letter of acceptance stipulating which rate/s has been accepted will be sent by the Head: Supply Chain Management to the Tenderer. The tender documents, together with the letter of acceptance, shall constitute a binding agreement between the Tenderer and the Council.

Unless otherwise stipulated in the covering letter submitted with the tender, the Tenderer shall have waived, renounced and abandoned any conditions printed or written upon any stationery used for the purpose of, or in connection with, the submission of the tender which are in conflict with the Council's Conditions of Tender and the Standard Conditions of Contract. The Tenderer is warned that any material divergence from the official conditions or specification may render the tender liable to disqualification.

**11. DOMICILIUM CITANDI ET EXECUTANDI**

For the purpose of the service of all documents and the giving of notice as may be required in terms of this contract, or as a result of any action arising in conjunction with it, the Council chooses Stand 13433 King Fisher Road, Remainder of Harlingen Farm Mkuze 3965 as its *domicilium citandi et executandi*.

The Tenderer's *domicilium citandi et executandi* shall be whatever street address is given in the Tender Form attached hereto.

Either party may, at any time, give one (1) month notice, in writing, of a change of its *domicilium citandi et executandi* provided that such address shall be within the Republic of South Africa.

**12. DATA SHEETS**

Tenderers shall be required to complete all Data Sheets and the Tender Form attached hereto in their entirety for adjudication purposes. Where Data Sheets and/or any other documentation as contained herein are required to be commissioned, such Data Sheets and/or documentation must be stamped and signed by a Commissioner of Oaths (where applicable). ***Failure to comply with these provisions will render the offer unresponsive (invalid).***

**13. PROHIBITION ON AWARDS TO PERSONS IN THE SERVICE OF THE STATE**

The Supply Chain Management Regulations states that the Council may not make any award to a person:

- (a) Who is in the service of the state;
- (b) If that person is not a natural person, of which and director, manager, principal shareholder or stakeholder is a person in the service of the state; or
- (c) Who is an advisor or consultant contracted with the municipality or municipal entity.

**14. MUNICIPAL FEES**

All Tenderers are to sign the Declaration herein declaring that their Municipal Fees are in order, or that proper arrangements have been made with the Council. Tenderers must include the relevant account numbers in the declaration.

**15. APPEALS AND/OR OBJECTIONS**

Any Tenderer aggrieved by decisions or actions taken by the Municipality may lodge within fourteen (14) calendar days of the date of the decision or action, a written objection or complaint to the Municipal Manager Tribunal. In the event that an appeal and/or objection is lodged, the above procedure shall apply.

**16. JOINT VENTURE AGREEMENTS AND CONSORTIUMS**

Tenderers intending to tender in the form of Joint Ventures/Consortiums **must submit** the following documentation together with the tender:

- 1) Original valid Tax Clearance Certificates or a Tax Compliance Status Verification Pins issued by SARS of all parties of the Joint Venture/Consortium;
- 2) All parties of the Joint Venture/Consortium must submit signed copies of:
  - a) The Declaration of Interest Form;
  - b) The Declaration of Bidder's Past Supply Chain Management Practices Form, and
  - c) The Certificate of Independent Bid Determination Form.
- 3) An undertaking duly signed by all parties of the Joint Venture/Consortium indicating their intention to enter into an agreement for the purposes of this contract, and,

Further to the above, the name of the Joint Venture/Consortium must appear on the relevant pages of the document. Failure to comply with these requirements shall lead to disqualification.

**17. COMBATIVE TENDERING**

The Supply Chain Management Regulations states that Combative tendering practices are unethical and illegal. These include but are not limited to:

- (i) Suggestions to fictitious lower quotations;
- (ii) Reference to non-existent competition;
- (iii) Exploiting errors in tenders;
- (iv) Soliciting tenders from Tenderers whose names appear on the list of restricted tenderers/suppliers/persons, and,
- (v) Submission of two tenders by a Tenderer.

Any attempt by a Tenderer to contravene this condition which is brought to the notice of the Municipal Manager or the Head: Supply Chain Management shall result in the disqualification of the tender. The Council further reserves the right to take any other action as it may deem necessary.

**18. ADJUDICATION CRITERIA**

The tender shall be evaluated on a Two Stage Evaluation System – Stage One: Functionality and Stage Two: 80/20 Special Goals Point System in accordance with the UKDM SCM Policy

## UMKHANYAKUDE DISTRICT MUNICIPALITY

### DEFINITIONS

- 1) The following definitions apply: -
- 2) "**Council**" means Umkhanyakude District Municipality (UKDM).
- 3) "**Head: Supply Chain Management**" means the Head: Supply Chain Management of the day of the Umkhanyakude District Municipality or the Manager's duly appointed Representative.
- 4) "**Accounting Officer**" means the: Office of the Municipal Manager of uMkhanyakude District Municipality or the said Manager's duly appointed Representative.
- 5) "**Service Provider/Contractor**" means the person, firm, Service Provider or company whose tender has been accepted by the District Municipality and includes the Service Provider's heirs, executors, administrators, trustees, judicial managers or liquidators, as the case may be, but not, except with the written consent of the Council, any assignee of the Service Provider.
- 6) "**Special Conditions**" means any addition to or departure from or amendment of these Standard Conditions as set out in Annexure "A" hereof.
- 7) "**Drawings**" means the drawings referred to in the Specification and any modification of such drawings approved in writing by the Engineer and such other drawings as may from time to time be furnished or approved in writing by the Engineer.
- 8) "**Contract Document**" means the Conditions of Tender, Scope of Contract, Terms of Reference, these Definitions, Special Conditions (if any), Equipment Specifications, Rates, Percentages and Prices, Tender Form and Annexures thereto. Any amendments to the contract document agreed to by the Council and the Service Provider, Provisional Letter of Acceptance and the final Letter of Final Acceptance.
- 9) "**Goods**" means the equipment, plant, vehicles, service or materials to be supplied in accordance with the Contract.
- 10) "**The Tender**" means the written offer made by the Service Provider to the Council.
- 11) "**Preferential Procurement Policy**" means the Preferential Procurement Policy Framework Act, 2000 (Act No 5 of 2000).
- 12) "**SARS**" means the South African Revenue Services.

# THE UMKHANYAKUDE DISTRICT MUNICIPALITY

SCMU 018/2024/2025

## SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)

### TERMS OF REFERENCE

#### 1. Purpose and Objective

The uMkhanyakude District Municipality aims to appoint a reputable service provider to supply, install vehicle tracking devices and to monitor usage/ movement of municipal vehicles.

#### 2. Terms and Conditions

The interested party must submit a proposal / quotation which must be able to:

- 1.1 Install tracker on municipal fleet
- 1.2 Detect and report if the vehicle is in an accident
- 1.3 Be able to lock the speed and a buzzer which will alert the driver if he/she is driving over the speed limit "exclusion of for Executive vehicles"
- 1.4 Detect the location, idling and speed of the vehicle
- 1.5 Door sensor
- 1.6 Driver ID Tag x (logbook functionality) and software for driver identification
- 1.7 Fuel cap sensor
- 1.8 Fuel monitoring
- 1.9 Rev monitoring
- 1.10 Remote assist
- 1.11 Battery disconnect sensor
- 1.12 Vehicle start prevention
- 1.13 Must be able to generate filtered reports on monthly usage eg. Exceeding of speed limits, exact physical address
- 1.14 Vehicle recovery
- 1.15 Anti-Jamming
- 1.16 Cut off- the modem must have a cut off the idling/engine of the vehicle if it is unauthorized/deviating
- 1.17 Live time SMS function notifying of any anomalies like speeding or battery disconnect

The proposal must clearly provide evidence:

- (i) that vehicle tracking products are tested for compliance against accepted international standards,
- (ii) that the installation methods used are safe,
- (iii) that the installations are correct and in line with the VESA installation standards as far as people and vehicle integrity and security are concerned,
- (iv) that the unit has the ability to do an automated health check, where the consumer is notified the

- moment the system no longer is operational,
- (v) of successful recovery statistics,
- (vi) of the applications software used (indicating whether web based or other) and mobile phone compatibility indicating what the maximum number of users is, categorization of user rights.

## 2. **Cost of the project**

The quotation must indicate the following: -

- Outright purchase of the device per vehicle (option 1)
- Rental of the device per vehicle per month (option 2)
- Initial set up fees if applicable
- training and support fees per user (if applicable) – currently we have 3 users
- Removal or transfer fees of the device if applicable e.g. if the vehicle is sold or written off.

## 3. **Competency/Expertise required**

Service Providers shall provide only personnel with the required competency and skills necessary to execute car tracking installation and support services.

## 4. **Communication and Reporting**

The successful tenderer(s) will report to the office of the Head of Department (Corporate Services) administration in relation to the service provided and according to agreed terms as would be documented on the subsequent Service Level Agreements (SLAs) and contracts.

## 5. **Duration**

The appointed service provider expected to enter into a Service Level Agreement for 36 months. All prices must include VAT.

The successful bidder shall ensure to deliver the services up to the required standard, failing which, the reasons for failing to deliver will be evaluated and the outcome of the evaluation may lead to either of the following decisions by the Municipality:

- Extension of Contract Period, or
- Termination of Contract The contract between uMkhanyakude District Municipality and the successful bidder shall officially commence from the date of signing the Service Level Agreement relating to the appointment of Service Providers which will be signed between the service provider and the Municipality.

## 6. **General Tender Requirements**

Tender offers will only be accepted on condition that:

- a) The tender offer is signed by a person authorized to sign on behalf of the Tenderer
- b) A Tenderer who submitted tenders as joint venture has included an acceptable Joint Venture Agreement with his tender.
- c) The Tenderer or any of its principals, directors or managers is not employed by the state or any municipality.
- d) Quotation/ proposal must be on a company letterhead
- e) Bids submitted are to hold good for a period of 90 (ninety) days and must be inclusive of VAT,
- f) Enclosed forms MBD 4, MBD 8 & MBD 9 must be scrutinized, completed and submitted together with your Bid.

- g) NB: No Bid will be considered from persons in the service of the state**
- h) Proof of company registration
- i) A valid tax clearance certificate is included with this tender or tax compliance status with the pin.
- j) In case of a bidder owning a property, they must provide a municipal statement confirming status of municipal accounts not older than 3 months (Bidders must not be in arrears for more than 90 days)
- k) In case of a bidder leasing the property, they must attach a lease agreement & letter from landlord stating that rent is up to date. The letter must not be older than 3 months.
- l) In case of the bidder operating in an area that doesn't pay rates, they must attach a sworn affidavit stating that rates are not paid in that area. The affidavit must not be older than 3 months.
- m) If the bidder is staying with parents, spouse or any family relative in an area where rates are paid (an affidavit from the bidder or signed letter from the property owner stating that the bidder is not responsible for municipal accounts must be attached. Affidavit or letter must not be older than 3 months
- n) The Tenderer or any of its principles is not listed on the register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with public sector.
- o) The tenderer has not abused the Employers' Supply Chain Management System or has failed to perform on any previous contract and has been given a written notice to this effect; and
- p) The Employer is satisfied that the Tenderer or any of his principles has not influenced the tender offer and acceptance by the following criteria:
- Having offered, or promised or given a bribe or other gift remuneration to any person in connection with the obtaining or execution of this Contract.
  - Having acted in fraudulent or corrupt manner in obtaining or executing of this contract.
  - Having approached an officer or employee of the Employer or the Employers' Agent with the objective of influencing the award of a Contract in the Tenders' favour.
  - Having entered into any agreement or arrangement, whether legally binding or not, with any other person, firm or company to refrain from Tendering for this Contract or as to the amount of the Tender to be submitted by either party; and
  - Having disclosed to any other person, firm or company other than the Employer, the exact or approximate amount of his proposed Tender.

In the event of any of the above, the Municipality may, in addition to using any other legal remedies, repudiate the Tender offer and acceptance and declare the Contract invalid should it have been concluded already.

- h) The UMkhanyakude District Municipal Supply Chain Management Policy shall apply;
- i) The council does not bind itself to accept the lowest or any Bid and reserves the right to accept the Bid as whole or in part, at the rates quoted

## 7. Submission of Documents

- Bids must be submitted in a sealed envelope clearly marked
- and must be deposited in the Tender Box situated at uMkhanyakude District Municipality Offices, on or before the closing date, **Friday, 27 June 2025 at 12h00**, where after they will be opened in public. Late bids and bids submitted via facsimile or email will not be accepted.
- A completed tender document with all necessary attachments (one copy), together with a scanned copy either on a **Compact Disc (CD) or USB-Flash Drive** securely attached to

the tender document, must be submitted in a sealed envelope on the closing date of tender.

- **For tenders to be responsive the following conditions will be applicable during the evaluation of bids:**
  - Tax Compliant status or Tax Pin as per CSD (Central Supplier Database);
  - CSD Full report; (latest one month old)
  - Copy of company registration Certificate;
  - Certified copies ID of shareholders
  - Latest Municipal statement (rates and taxes) not older than 3 months and a copy of a lease agreement and the confirmation of the landlord that the payments are up to date.
  - Letter of Authority for signatory
  - Tender document completed in full.
- In addition to the above requirements, Service Providers must maintain full support services, which include the following:
  - 1) Management of resources;
  - 2) Project Management (from planning to output);
  - 3) Guarantee of quality in the services provided; and
  - 4) Contractual control for resources supplied.

## **8. FEATURES REQUIRING SPECIAL ATTENTION**

All Annexure to these Terms of Reference that require completion by the bidder must be completed in full and returned with the bid. Failure to do so may disqualify the bid.

## **9. TERMS AND CONDITIONS OF THE PROPOSAL**

Appointment will be made in terms of the uMkhanyakude District Municipality Council's SCM Policy.

## **10. NON-APPOINTMENT**

The uMkhanyakude District Municipality reserves the right not to make an appointment should it find that bidding parties do not meet the specified criteria.

## **11. COMPLETION**

Projects will not be paid for unless the required services have been correctly delivered.

## **12. COURTESY**

In dealings with the municipal internal structures, the bidder is required to deal with discussions and disputes with deliberate courtesy and understanding, in close liaison with the Municipality.

Prior to the commencement of works, the successful bidder shall arrange through the office of the uMkhanyakude District Municipality and/or the appointed Project/Programme Manager to be introduced to the appropriate Municipal structures and to be briefed upon any sensitivities that need to be observed.

## **13. Mandatory Conditions**

- 13.1 The Services Providers must have an office in the Province of KwaZulu-Natal that is functional.
- 13.2 The successful tenderer(s) will enter into a contractual agreement(s) with the uMkhanyakude Municipality confirming the appointment.
- 13.3 The appointed Service Provider(s) may not recruit or shall not attempt to recruit an employee of the principal for purposes of preparation of the tender or for the duration of the execution of this contract or any part thereof.
- 13.4 Payment will only be made upon approved deliverables.



#### 14. Inspection of service provider's premises

The Municipality reserves the right to inspect the Service Provider's premises to verify the existence and functionality of such an office.

#### 15. Evaluation Criteria

##### 15.1 Stage One: Functionality Stage

15.1.1 NB. Functionality will be assessed separately from the 80/20 formula. The first stage will be the assessment of functionality through the use of rating criteria determined by the uMkhanyakude District Municipality, wherein the tenderers with a score of 75% will be selected to move to the second stage

##### 15.1.2 Stage Two: 80/20 Special Goals Point System

The second stage will be the assessment and evaluation of tenderers in terms of 80/20, where 80 points shall be used for pricing scores only, and the 20 used for Special Goals points.

In terms of UKDM SCM Policy, points must be awarded to a tenderer for attaining the special goals contribution in accordance with the table below:

#### **POINTS AWARDED FOR SPECIFIC GOALS**

In terms of Regulation 3 (1) an organ of state must, in the tender documents, stipulate the specific goal in the invitation to submit the tender for which a point may be awarded, and the number of points that will be awarded to each goal, and proof of the claim for such goal.

<b>SPECIFIC GOAL</b>	<b>NUMBER OF POINTS FOR (80/20) PREFERENCE SYSTEM</b>	<b>NUMBER OF POINTS (90/10) PREFERENCE SYSTEM</b>
1. Enterprise owned by Black people	4	2
2. Enterprise owned by Women	4	2
3. Enterprise owned by Youth	4	2
4. Enterprise owned by Disabled persons	4	2
5. Enterprise owned by SMME'S – QSE and EME	4	2

The contract shall thereafter be adjudicated on the 80/20 Points System, where:

<b>Price</b>	<b>80 Points</b>
<b>Special Goals</b>	<b>20 Points</b>
<b><u>TOTAL</u></b>	<b><u>100 Points</u></b>

**16. Council's Liability and Indemnity**

16.1 The Service Providers hereby indemnifies the Council and its employees and agents against all losses and claims for injuries or damages to any person or property whatsoever which may arise out of the execution of this contract.

16.2 The Council shall not be held liable to the Service Providers for any direct or indirect damages or losses and the Council shall be indemnified and held free against claims arising out of:

16.2.1 any negligent or innocent misrepresentations made by the Council, its employees or agents in respect of any data, information and statistics supplied to the Service Providers prior to or during the contract; provided that this condition shall not deprive the Contractor of any payments lawfully due to the Service Providers in terms of the contract, and

16.2.2 a change in a legislative provision applicable to the contract.

**17. Secrecy of information**

Subject to the provisions of the Promotion of Access to Information Act, the information revealed in this tender document is to be classified as confidential. Accordingly, the Council reserves the right to request references and generally examine bona fides and available facilities of any Company of Firm wanting to participate in this contract.

**18. Law to apply**

The contract shall in all respects be construed in accordance with the law of the Republic of South Africa, and any difference that may arise between the Council and the Service Providers in regard to the contract shall be settled in the Republic of South Africa.

**19. Patent rights**

The Service Providers shall pay all royalties and expenses and be liable for all claims in respect of the use of patent rights, trade marks or other protected rights, and shall hold the Council indemnified and harmless against any claims for loss or damage to (including legal expenses) arising therefrom.

**20. Contract to be in conformity with BY-LAWS and any other applicable laws**

The contract shall be carried out subject to and in conformity with any law, regulation or By-law which is of application thereto and shall be conditional upon any necessary consent required by law being obtained.

**FAILURE TO COMPLY WITH THE ABOVE CONDITIONS IN ALL RESPECTS WILL RESULT IN THE TENDER BEING DEEMED NON-RESPONSIVE. IF THE PRICE OFFERED IS NOT MARKET RELATED, THE MUNICIPALITY MAY NOT AWARD THE CONTRACT TO THAT TENDERER AND MAY NEGOTIATE FOR MARKET RELATED PRICE WITH THE TENDERER, FAILING WHICH, NEGOTIATE WITH THE NEXT PREFERRED TENDERER OR TENDER MAY BE CANCELLED.**

**THE UMKHANYAKUDE DISTRICT MUNICIPALITY**

**SCMU 018/2024/2025**

**SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)**

**PRICING SCHEDULE**

**Please attach the company's pricing schedule as per the specification provided.**

Signature ..... Date .....

THE UMKHANYAKUDE DISTRICT MUNICIPALITY

SCMU 018/2024/2025

SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)

**AUTHORITY TO SIGN DOCUMENT**

I/We\*, the undersigned, am/are\* duly authorised to sign the tender document on behalf of

.....

by virtue of the Articles of Association/Resolution of the Board of Directors\*, of which a certified copy is attached, or .....

Full Name of Signatory: .....

Capacity of Signatory: .....

Signature: .....

Date: .....

**Witnesses: -**

(1) Full Name: .....

Signature: .....Date.....

(2) Full Name: .....

Signature: .....Date.....

\* ***Delete whichever is inapplicable or complete as indicated if none are applicable.***

**THE UMKHANYAKUDE DISTRICT MUNICIPALITY**

**SCMU 018/2024/2025**

**SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)**

**STATEMENT OF PREVIOUS EXPERIENCE**

The nomination of works, preferably of a similar nature to the works in this contract and which the Tenderer has successfully completed, is invited for adjudication purposes.

Tenderers are hereby required to complete the schedule below in its entirety.

Alternatively, Tenderers without experience may submit statements from a person or persons or organisation as to their abilities and standing in support of their tender, for adjudication purposes.

**Failure to comply with either of these requirements shall lead to disqualification.**

<b>Name of Company</b>	<b>Contact Person</b>	<b>Contact No.</b>	<b>Project description</b>	<b>Project value and</b>

SIGNATURE..... DATE.....

**THE UMKHANYAKUDE DISTRICT MUNICIPALITY**

**SCMU 018/2024/2025**

**SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)**

**SCHEDULE OF RESOURCES/PERSONNEL**

Tenderers are required to submit details of their management, office and supervisory personnel, yard and office personnel and full-time work-force that will be responsible for this contract.


SIGNATURE..... DATE.....

THE UMKHANYAKUDE DISTRICT MUNICIPALITY

SCMU 018/2024/2025

SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)

**DECLARATION OF MUNICIPAL FEES**

I/We do hereby declare that the Municipal Fees of \_\_\_\_\_

Is/are, as at the date of the tender closing, fully paid up, or arrangements have been concluded with the Municipality to pay the said Fees: -

**DESCRIPTION**

**ACCOUNT No.**

Electricity

\_\_\_\_\_

Water

\_\_\_\_\_

Rates

\_\_\_\_\_

I/We acknowledge that should it be found that the Municipal Fees are not up to date, the Council may take such remedial action as it required, including termination of contract, and any income due to the Contractor shall be utilised to offset any monies due to the Council.

Full Name of Signatory.....

Capacity of Signatory.....

I.D. Number.....

Duly authorised to sign on behalf of.....

Physical Address.....

.....

.....

Signature ..... Date .....

THE UMKHANYAKUDE DISTRICT MUNICIPALITY

SCMU 018/2024/2025

SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)

**DECLARATION OF INTEREST**

1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
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 shareholder<sup>2</sup>):

.....

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. ....

.....

<sup>1</sup>MSCM Regulations: "in the service of the state" means to be –

- (a) a member of –
  - (i) any municipal council;
  - (ii) any provincial legislature; or
  - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.



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

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

4. Full details of Directors / Trustees / Members / Shareholders.

Full Name	Identity Number	State Employee Number

**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	
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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

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:

$$\begin{array}{ccc} 80/20 & \text{or} & 90/10 \\ P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right) & \text{or} & P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right) \end{array}$$

Where

- $P_s$  = Points scored for price of tender under consideration  
 $P_t$  = Price of tender under consideration  
 $P_{max}$  = 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.**

*(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.*

*Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)*

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)

#### 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:** .....

.....  
.....

**SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)**

**BID DECLARATION**

**CONTRACT FORM - RENDERING OF SERVICES**

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

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

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution) ..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number.....at the price/s quoted. My offer/s remains binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Filled in task directive/proposal;
    - Declaration of interest;
    - Declaration of bidder's past SCM practices;
    - Certificate of Independent Bid Determination;
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.  
NAME (PRINT) .....



CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

**CONTRACT FORM - RENDERING OF SERVICES**

**PART 2**

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

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE

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

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

**NAME (PRINT)** .....

**SIGNATURE** .....

**OFFICIAL STAMP:**

**WITNESSES**

**1** .....

**2** .....

**DATE:** .....

**SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)**

**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. wilfully 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><b>The Database of Restricted Suppliers now resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>
4.1.1	If so, furnish particulars:		

4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?  <b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
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"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

**CERTIFICATION**

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

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

THE UMKHANYAKUDE DISTRICT MUNICIPALITY

SCMU 018/2024/2025

SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

1. This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> Collusive bidding is a *per se* prohibited 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:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

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

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_  
(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_  
(Name of Municipality / Municipal Entity)

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

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

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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

**THE UMKHANYAKUDE DISTRICT MUNICIPALITY**

**SCMU 018/2024/2025**

**SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)**

**TENDER FORM**

The Municipal Manager  
Harlingen 13433  
MKUZE  
3965

Dear Sir,

Having examined the Conditions of Contract, Specifications, Tender and Legislation of the above contract, I/we offer to supply and deliver the whole of the said Works in conformity with the Conditions of Contract, Specification, Tender and Legislation, save as amended by any modifications under Annexure "A", for the rates as stipulated in the Pricing Schedule herein.

I/We are registered VAT vendors. I/We undertake to deliver the goods comprised in the contract within the time frames stated in this contract document.

I/We certify that I/we have satisfied myself/ourselves that the particulars inserted on all required Affidavits (if applicable) are complete and correct.

I/We confirm that I am/we are fully acquainted with the current South African laws and regulations applicable to this contract including inter alia those laws to which my/our attention has been drawn in the Legislation section of this document.

I/We are registered VAT vendors and my/our VAT vendor registration number is:

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I/We are formally associated by written agreement with the following firms, corporations or companies:

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(Enter Nil if no affiliations)

I/We are fully paid-up members in good standing of the following organisation(s):

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(Enter Nil if no affiliations)



My/Our Tender Deposit receipt number as issued by the Council is \_\_\_\_\_  
(Include a copy of the Tender Deposit Receipt only if purchased at the Umkhanyakude Municipality)

I/We bank at the \_\_\_\_\_

Branch of \_\_\_\_\_

Where I/we have a \_\_\_\_\_ account.

It is agreed and understood that should there be any changes on the banking details provided for the entity, a duly signed resolution by all its directors and minutes whereby a resolution for changing the banking details was passed will be submitted to Council including the original letter from the bank confirming the details.

It is agreed and understood that this tender is valid for four (4) months from the date hereof and that it, together with your final letter of acceptance, shall constitute a binding Contract between us.

I/We understand that the Council is not bound to accept the lowest or any tender and acknowledge that the Head: Supply Chain Management may, in her absolute discretion if good and sufficient grounds are brought to her attention in writing within five (5) working days from the date of closing of tenders, decline to consider my/our offer.

I/We the undersigned, warrants that I am/we are duly authorised to do so on behalf of the enterprise, certifies that the enterprise complies with all statutory and municipal requirements and that the information supplied in terms of this documents with additional information is correct and accurate and acknowledges that if the information supplied is found to be incorrect then the Umkhanyakude Municipality in addition to any remedies, it may have: may

- i Recover from the Enterprise all costs, losses or damages incurred or sustained by the Municipality as result of the award of the contract, and /or
- ii Cancel the contract and claim any damages which the Municipality may suffer by having to make less favourable arrangements after such cancellations, and/or
- iii Impose a penalty on the Enterprise as provided in the Tender Document, and/or
- iv Take any other action as may be deemed necessary.

I/we further undertake to submit documentary proof regarding any tendering issue to the Council when so required.

Full Name of Signatory.....

Capacity of Signatory.....

Identity Number.....

Duly authorised to sign on behalf of.....

Physical Address.....

.....

SIGNATURE..... DATE.....

THE UMKHANYAKUDE DISTRICT MUNICIPALITY

SCMU 018/2024/2025

SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)

ALTERATIONS BY TENDERER

PAGE	SECTION OR ITEM	PROPOSED DEPARTURE/MODIFICATION

SIGNATURE..... DATE.....

THE UMKHANYAKUDE DISTRICT MUNICIPALITY

SCMU 018/2024/2025

SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)

TAX CLEARANCE CERTIFICATE

Please attach hereto a Valid Tax Clearance Certificate and  
Tax Compliance Status Verification Pin issued by SARS

**THE UMKHANYAKUDE DISTRICT MUNICIPALITY**

**SCMU 018/2024/2025**

**SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)**

**CIPC REGISTRATION CERTIFICATE**

Please attach hereto proof of registration with the  
Companies and Intellectual Property Commission (CIPC)

**THE UMKHANYAKUDE DISTRICT MUNICIPALITY**

**SCMU 018/2024/2025**

**SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)**

**CENTRAL SUPPLIER DATABASE (CSD) REGISTRATION REPORT**

Please attach hereto proof of registration with the Central  
Supplier Database (CSD)

**THE UMKHANYAKUDE DISTRICT MUNICIPALITY**

**SCMU 018/2024/2025**

**SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)**

**BROAD-BASED BLACK ECONOMIC EMPOWERMENT (B-BBEE) REGISTRATION**

Please attach hereto B-BBEE Certificate

THE UMKHANYAKUDE DISTRICT MUNICIPALITY

SCMU 018/2024/2025

SUPPLY AND INSTALLATION OF TRACKING DEVICES ON MUNICIPAL VEHICLES (36 MONTHS)

FINANCIAL STANDING OF THE COMPANY

Please attach Audited Annual Financial Statement for  
three (3) years

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UMKHANYAKUDE DISTRICT MUNICIPALITY

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