



DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY

TENDER NUMBER: T07/2024

APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF PLUMBING ITEMS FOR WATER AND SANITATION DEPARTMENT OF DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY.

Enquiries	:	Office hours only
Administrative	:	Ms M.Ralinotsi
Tel	:	017 734 6163
E-mail	:	melodyr@pixleykaseme.gov.za
Technical	:	Mr. M. Msibi
Tel	:	017 734 6100
E-mail	:	mfanukhona@pixleykaseme.gov.za

BID INFORMATION

Project No : **T07/2024**

Project Name : APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF PLUMBING ITEMS FOR WATER AND SANITATION DEPARTMENT OF DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY.

Tender's Name: _____

CSD Supplier no: _____

CLOSING DATE: FRIDAY, 19 APRIL 2024 AT 12:00

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PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY					
TENDER NO:	TO7/2024	CLOSING DATE:	19 APRIL 2024	CLOSING TIME:	12:00
DESCRIPTION	APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF PLUMBING ITEMS FOR WATER AND SANITATION DEPARTMENT OF DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY				
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					
Dr Pixley ka Isaka Seme Local Municipality Offices (Entrance Foyer)					
Cnr Adelaide Tambo Street and Dr Nelson Mandela Drive					
Volksrust					
2470					
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 LEVEL 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	N/A		TOTAL BID PRICE		N/A
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	Water and Sanitation		CONTACT PERSON	Mr. M. Msibi	
CONTACT PERSON	Ms. M. Ralinotsi		TELEPHONE NUMBER	017 734 6100	
TELEPHONE NUMBER	017 734 6100		FACSIMILE NUMBER	086 6302209	
FACSIMILE NUMBER	086 6302209		E-MAIL ADDRESS	mfanukhona@pixleykaseme.gov.za	
E-MAIL ADDRESS	melodyr@pixleykaseme.gov.za				

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 ONLINE
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
2. TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4	FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
2.5	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.6	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.7	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <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
<p>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.</p>	

**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:

TERMS OF REFERENCE

1. BACKGROUND

The objective of this bid is to appoint the panel of service providers to supply and deliver plumbing items as when required by the department of water and sanitation of Dr. Pixley ka Isaka Seme Local municipality.

2. DISCUSSIONS

The Dr Pixley Ka Isaka Seme Local Municipality would like to appoint a panel of service providers to provide the service as outlined above. The contractual agreement will be a period of three financial years from the conclusion of the evaluation and signing of contracts by panel members till 30 June 2027.

3. SCOPE OF WORK AND SPECIFICATION

SCOPE OF WORK:

Dr. Pixley Ka Isaka Seme Local Municipality requires the panel to supply and delivery plumbing items for water and sanitation as an when required by the municipality .

SUPPLY AND DELIVERY

No	DESCRIPTION	TYPE	SABS STANDARDS
1	50mm water pipes	UPVC	Class 12 SAPPMA966
2	75mm water pipes	UPVC	Class 12 SAPPMA996
3	90mm water pipes	UPVC	Class 12 SAPPMA996
4	110mm water pipes	UPVC	Class 12 SAPPMA996
5	160mm water pipes	UPVC	Class 12 SAPPMA996
6	200mm water pipes	UPVC	Class 12 SAPPMA996
7	315mm water pipes	UPVC	Class 12 SAPPMA996
8	110mm sewer pipes	PVC	Class 9 SAPPMA996
9	160mm sewer pipes	PVC	Class 9 SAPPMA996
10	110mm (water/sewer pipe) T Junction Plain	SOIL&VENT	Class12 SAPPMA996
11	75mm (water pipes) 45 degree bend	PVC	Class 12 SAPPMA966
12	250mm water pipes	UPVC	Class 12 SAPPMA996
13	90mm (water pipes) T- junction Equal T	UPVC	Class 12 SAPPMA996
14	75mm Equal-T	UPVC	Class 12
15	50mm Equal-T	UPVC	Class 12
16	110 MM Equal-T	UPVC	Class 12
17	125mm Equal -T	UPVC	Class 12
18	160mm Equal -T	UPVC	Class 12
19	125mm water pipes	UPVC	Class 12 SAPPMA996
20	90mm (water/sewer pipes) 45 degree bend	PVC	Class 12 SAPPMA996
21	110mm (water/sewer pipes) 45 degree bend plain	PVC	Class 12 SAPPMA996
22	AC adaptor 75mm	AC-PVC C I 16	SAPPMA996
23	AC adaptor 110mm	AC-PVC C I 16	SAPPMA996
24	AC adaptor 160mm	AC- PVC C I 16	SAPPMA996
25	AC adaptor 200mm	AC-PVC C I 16	SAPPMA996
26	20mm Female adaptor	Plasson	SABS
27	25mm Male adaptor	Plasson	SABS

28	25mm Female adaptor	Plasson	SABS
29	Cascade clamps 69mm-76mm	Cascade clamps	ISO9001 :2015jaswlc Approved
30	Cascade clamps 95-104mm	Cascade clamps	ISO9001 :2015jaswlc Approved
31	Cascade clamps 113-120 mm	Cascade clamps	ISO9001 :2015jaswlc Approved
32	Cascade clamps 121-130 mm	Cascade clamps	ISO9001 :2015jaswlc Approved
33	Cascade clamps 150-161 mm	Cascade clamps	ISO9001 :2015jaswlc Approved
34	Cascade clamps 121-130 mm	Cascade clamps	ISO9001:2015JASWIC Approved
35	Cascade clamps 150-161 mm	Cascade clamps	ISO9001 :2015jaswlc Approved
36	Cascade clamps 174-183 mm	Cascade clamps	ISO9001 :2015JASWIC Approved
37	Klamflex ranger couplings 59-73 mm	Klamflex couplings	ISO9001
38	Klamflex ranger couplings 88-103 mm	Klamflex couplings	ISO9001
39	Klamflex ranger couplings 108-128 mm	Klamflex couplings	ISO9001
40	Klamflex ranger couplings 159-182 mm	Klamflex couplings	ISO9001
41	Klamflex ranger couplings 192-210 mm	Klamflex couplings	ISO9001
42	Klamflex ranger couplings 218-235 mm	Klamflex couplings	ISO9001
43	Klamflex ranger couplings 109-121 mm	Klamflex couplings	ISO9001
44	50 mm bend	UPVC	45 degree bend
45	75 mm bend	UPVC	45 degree bend
46	90 mm bend	UPVC	45 degree bend
47	110 mm bend	UPVC	45 degree bend
48	160 mm bend	UPVC	45 degree bend
49	250 mm bend	UPVC	45 degree bend
50	50 mm bend	UPVC	90 degree bend
51	75 mm bend	UPVC	90 degree bend
52	90 mm bend	UPVC	90 degree bend
53	110 mm bend	UPVC	90 degree bend
54	125 mm bend	UPVC	90 degree bend
55	Klamflex ranger couplings 150-160 mm	Klamflex couplings	ISO9001
56	Klamflex ranger couplings 87-93 mm	Cascade clamps	ISO9001:2015 JASWIC approved
57	Cascade clamps 288-298 mm	Cascade clamps	ISO9001 :2015 JASWIC approved
58	Cascade clamps 312-322 mm	Cascade clamps	ISO9001 :2015 JAWSIC approved
59	Cascade clamps 229-238 mm	Cascade clamps	ISO9001 :2015 JAWIC approved
60	Cascade clamps 298-309 mm	Cascade clamps	ISO9001 :2015 JAWIC approved
61	Gate valve 20 mm	Brass	SABS
62	Gate valve 50 mm	Brass	SABS
63	Water meters 25 mm	Plastic	SABS
64	Water meters 15 mm	Plastic	SABS
65	Water meters 20 mm	Plastic	SABS
66	Galvanized barrel 20mm	Galvanized	SABS
67	M&F bends 20 mm	Plasson	SABS
68	PVC sto ends 75 mm	Plasson	SABS
69	Male elbow 25 mm*20 mm	Plasson	SABS
70	Female elbow 25 mm	Plasson	SABS
71	Galvanized bends 25 mm	Galvanized	SABS

72	Gate valve 15 mm	Brass	SABS
73	Thread seal tape	Tape	SABS
74	Reducing socket 15 mm*20 mm	Galvanized	SABS
75	Reducing bush	Galvanized	SABS
76	Male adaptor 20 mm	Plasson	SABS
77	Elbow with treaded male 25 mm	Plasson	SABS
78	Elbow with treaded female 25 mm	Plasson	SABS
79	Elbow with trended male 20 mm	Plasson	SABS
80	Elbow with trended female 20 mm	Plasson	SABS
81	Galvanized Barrel 20 mm	Galvanized	SABS
82	Galvanized barrel 15 mm	Galvanized	SABS
83	Galvanized barrel 50 mm	Galvanized	SABS
84	Strait coupling connex	Brass	SABS
85	Female connex 15 mm	Brus	SABS
86	Washers fibre 15 mm	Fibre	SABS
87	Washers fibre 15 mm	Fibre	SABS
88	HDPE plasson pipes 100 m rolls C116 20 mm	Plasson	SABS
89	25 mm HDPE plasson pipes 100 m C112	Plasson	SABS
90	50 mm plasson pipes 100 m rolls C112	Plasson	SABS
91	20 mm Johnson couplings	Galvanized	SABS
92	200*20 mm plasson saddles	Plasson	SABS
93	110*20 mm plasson saddles	Plasson	SABS
94	90*20 mm plasson saddles	Plasson	SABS
95	Adaptor plasson f 20 mm* 1/2	Plasson	SABS
96	Adaptor plasson f 25 mm*3/4	Plasson	SABS
97	Adaptor plasson f 32 mm**1	Plasson	SABS
98	Adaptor plasson f 25 mm* 1/2	Plasson	SABS
99	Adaptor plasson male 20 mm*3/4	Plasson	SABS
100	Adaptor plasson male 20 mm* 1	Plasson	SABS
101	Adaptor plasson male 20 mm* 1/2	Plasson	SABS
102	Adaptor plasson male 32 mm*3/4	PVC-AC	SABS
103	Adaptor PVC-AC 75 mm CL 16	PVC-AC	SABS
104	Bends lain 110 mm UG PVC	UG PVC	SABS
105	Reducing bush galvanized 50* 15	Galvanized	SABS
106	Reducing bush galvanized 20*15 mm	Galvanized	SABS
107	Reducing bush galvanized 40*20 mm	Galvanized	SABS
108	Reducing bush galvanized 50*25 mm	Galvanized	SABS
109	Reducing bush 25 mm* 15 mm	Galvanized	SABS
110	160 mm*20 mm	saddle	SABS
111	125 mm*20 mm	saddle	SABS
112	315 mm* 20 mm	saddle	SABS
113	Reducing bush galvanized 40*25 mm	Galvanized	SABS
114	Reducing bush galvanized 50*32 mm	galvanized	SABS
115	Reducing bush galvanized 20*15 mm	Galvanized	SABS
116	Reducing bush galvanized 32 mm*25 mm	Galvanized	SABS
117	Reducing bush galvanized 50-40 mm	Galvanized	SABS
118	Manhole lid cover concrete 100k	Concrete	SABS
119	Connector copper 15 mm*400 mm	Copper	SABS
120	Couplings plasson 63-75 mm	Plasson	SABS
121	Couplings plasson reducing 20 mm* 16	Plasson	SABS
122	couplings Plasson REDUCING	Plasson	SABS
123	Couplings plasson 25 mm	Plasson	SABS
124	Couplings plasson 32 mm	Plasson	SABS
125	Couplings plasson 40 mm	Plasson	SABS

126	Couplings plasson 50 mm	Plasson	SABS
127	Couplings plasson 63mm	Plasson	SABS
128	Cone rubber flushpipe white/black	Rubber flushpipe	SABS
129	Elbow galvanized Mc 15 mm F90	Galvanized	SABS
130	Elbow galvanized Mc 20 mm F90	Galvanized	SABS
131	Elbow galvanized Mc 25 mm F90	Galvanized	SABS
132	Elbow galvanized Mc 32 mm F90	Galvanized	SABS
133	Elbow galvanized Mc 50 mm F90	Galvanized	SABS
134	Elbow Plasson 25 mm*90	Plasson	SABS
135	Elbow Plasson F 20*3/4	Plasson	SABS
136	Elbow Plasson F 25*1	Plasson	SABS
137	Elbow Plasson Male 25 mm*3/4	Plasson	SABS
138	Elbow Plasson 20 mm*90	Plasson	SABS
139	Elbow Plasson 32*90	Plasson	SABS
140	50 mm straight coupling (CI)	Cast iron	SABS
141	75 mm straight coupling (CI)	Cast iron	SABS
142	90 mm straight coupling (CI)	Cast iron	SABS
143	110 mm straight coupling (CI)	Cast iron	SABS
144	125 mm straight coupling (CI)	Cast iron	SABS
145	160 mm straight coupling (CI)	Cast iron	SABS
146	200 mm straight coupling (CI)	Cast iron	SABS
147	63 mm straight coupling (CI)	Cast iron	SABS

4. REQUIREMENT FOR TENDER

Based on the above-indicated Specification DPKISLM intends to appoint a panel of service providers to supply and deliver plumbing items for water and sanitation as when required by the municipality, who will meet all the minimum requirements of the tender responsiveness as detailed in the tender document.

5. REQUIREMENT FOR SERVICE PROVIDERS

Technical Specifications requirements

CONDITION

- Valid Original Tax Clearance Certificate and a compliance tax status;
- Certified copy of company registration Certificate not older than 3 months;
- Certified copies ID of shareholders not older than 3 months
- Latest Municipal statement (rate and taxes) not older than 3 months and Valid signed Lease Agreement if leasing property
- Letter of Authority for signatory
- Tender document completed in full with black ink.
- BBBEE certificate obtained from accredited agencies by SANAs or registered auditors approved IRBA (independent Regulatory Broad of Auditors) or in case Exempted Micro Enterprise, BBBEE certificate may be issued by register Accountant as well.
- 90% minimum threshold for Electrical Cable for Local Product and content.
- 70% minimum threshold prepaid electricity meter for Local Production and content.

6. MUNICIPAL RATES AND TAXES

DPKISLM reserves the right to:

- 1) Section 45(1) (d) of Municipal Supply Chain Regulations requires that the municipality must reject a bidder whose municipal rates and taxes are in arrears for more than three months.
- 2) The purpose of this schedule is to obtain proof that municipal services, rates and taxes of the service provider are not in arrears for more than three months, with the relevant municipality in the municipal area where the service provider conduct his / her business.
- 3) Statements providing water, electricity and rates & taxes accounts that are up to date/ Lease agreement that is accompanied by the municipal rates where applicable, (failure to do so will lead to disqualification)

7. RESERVATION OF RIGHTS

DPKISLM reserves the right to:

- 1) Extend the tender period.
- 2) Amend the requirements at any time prior to the closing date, provided that the amendment is notified to prospective respondents.
- 3) Seek information from or negotiate with one or more of the respondents on any issue at any time and to continue to negotiate with other respondents.
- 4) Abandon this process whether before or after the receipt of submissions.
- 5) Make enquiries of any person, company or organization to ascertain information regarding the respondent and its submission.

8. RETURNABLE DOCUMENTS

- 1) Statements providing water, electricity and rates & taxes accounts that are up to date/ Lease agreement that is accompanied by the municipal rates where applicable;
- 2) Tender document and all MBD forms must be fully completed;
- 3) Company registration certificate;
- 4) Valid BBBEE Certificate;
- 5) Proof of latest CSD report;
- 6) Tax compliant status pin;
- 7) Letter of authority;
- 8) Certified ID copies of directors (NOT OLDER THAN 3 MONTHS).

.....
Signature of the Bidder

.....
Date

AMENDMENTS OR QUALIFICATIONS BY THE BIDDER

PAGE	DESCRIPTION

SIGNED ON BEHALF OF BIDDER:

SPECIAL CONDITIONS OF THE BID

1. All the returnable schedules must be completed to enable the adjudication of the proposals. **No points will be allocated in the evaluation if the relevant schedules are not completed in full.**
2. Bidders must initial **all the pages** of the Bid document and sign the Bidder particulars page in full.
3. Bidders must complete the original Bid document in **black ink**, and notice must be taken that correction fluid (tippex) must not be used in the document.
4. The transaction shall be subject to any stipulations in any Act, Ordinance or By-law pertaining thereto.
5. No proposals by any person that is not competent to enter into an agreement will be considered and if it is established that it is the case, the contract agreement in this regard will be considered null and void by Council.
6. Disputes must be settled by means of mutual consultation, mediation (with or without legal representation) or when unsuccessful, in a South African court of law on an attorney and client scale.
7. Should any legal action be deemed necessary to determine any aspect arising out of these conditions or to enforce any rights in terms of these conditions, then and in that event the parties hereto agree categorically to the jurisdiction of the Magistrate's Court to hear such action and to pass judgment notwithstanding the fact that the cause of action is beyond the jurisdiction of the Court: Provided always that Council shall have the right in its sole discretion to take action in any competent higher court in any matter exceeding the ordinary jurisdiction of the Magistrate's Court.

Council reserves the right not accept any proposal in a tender submitted or part thereof.

TAX CLEARANCE CERTIFICATE REQUIREMENTS

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

1. In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
4. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
5. Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za.
6. Applications for the Tax Clearance Certificates may also be made via e-Filing. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

DECLARATION OF INTEREST

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

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

3.1 Full Name:

3.2 Identity Number:

3.3 Company Registration Number:

3.4 Tax Reference Number:

3.5 VAT Registration Number:

3.6 Are you presently in the service of the state* **YES / NO**

3.6.1 If so, furnish particulars.

.....

.....

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

3.7.1 If so, furnish particulars.

.....

.....

3.8 Do you, have any relationship (family, friend, other) with **YES / NO**

* 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 .

persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?

3.8.1 If so, furnish particulars.

.....
.....

3.9 Are you, aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.9.1 If so, furnish particulars.

.....
.....

3.10 Are any of the company’s directors, managers, principal shareholders or stakeholders in service of the state? **YES / NO**

3.9.1 If so, furnish particulars.

.....
.....

3.11Are any spouse, child or parent of the company’s directors, managers, principal shareholders or stakeholders in service of the state? **YES / NO**

3.11.1 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

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

a) The applicable preference point system for this tender is the **80/20** preference points system.

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	80
SPECIFIC GOALS	20
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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) & \mathbf{or} & Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \end{array}$$

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:

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

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.

(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 (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Enterprises that are at least 51% black-owned.	4	
Enterprises that are at least 51% women-owned.	4	
Enterprises that are at least 51% youth-owned (18-35 years)	4	
People with disability	3	
Locality (within municipal Jurisdiction)	5	
TOTAL POINTS	20	

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 *audialteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

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

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>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
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>	Yes <input type="checkbox"/>	No <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"/>
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 (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 bids 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.

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 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.