

**BID DESCRIPTION**

**: APPOINTMENT OF A SERVICE PROVIDER TO
SUPPLY AND DELIVER ELECTRICITY
NETWORK MATERIALS – 11KV AUTO
RECLOSER**

BID SUBMITTED BY:

NAME OF THE BIDDING ENTITY :

ADDRESS :

CSD NUMBER :

CONTACT PERSON :

TOTAL BID AMOUNT :

BID REFERENCE : 130 0822

**NB: PLEASE INDICATE THE REFERENCE NUMBER ON THE ENVELOPE WHEN
SUBMITTING THE BID**

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

PLEASE REMEMBER: COMPULSORY DOCUMENTS

- PROOF OF PAYMENT OF MUNICIPAL SERVICES, WHICH IS NOT MORE THAN THREE (3) MONTHS OLD AND NOT MORE THAN NINETY (90) DAYS IN ARREARS, IF THE MUNICIPAL SERVICES ARE PAID BY THE LANDLORD, IN CASE WHERE THE BIDDER IS LEASING THE PREMISES OCCUPIED, A COPY OF THE VALID LEASE AGREEMENT IS REQUIRED
- IN THE CASE OF A JOINT VENTURE, COPIES OF MUNICIPAL ACCOUNTS NOT OLDER THAN THREE (03) MONTHS OF EACH PARTNER, MUST BE SUBMITTED WITH THE BID DOCUMENT OR LEASE AGREEMENT
- COPY OF REGISTRATION REPORT AND/OR SUPPLIER NUMBER AS PROOF OF REGISTRATION ON THE CENTRAL SUPPLIER DATABASE, THE BID WILL BE REJECTED WITHOUT REGISTRATION.
- COMPLETION OF MBD DOCUMENTS IS COMPULSORY, ANY FALSE DECLARATION AND/OR INCOMPLETION WILL NULLIFY THE BID.
- B-BBEE CERTIFICATES MUST BE AN ORIGINAL OR CERTIFIED COPY THEREOF FOR POINTS TO BE ALLOCATED.
- TENDER DOCUMENT MUST COMPLETED IN FULL INCLUDING ALL THE LINE ITEMS ON THE BILL OF QUANTITY

ATTACH ALL REQUIRED DOCUMENTS TO THE LAST PAGE OF YOUR BID DOCUMENT

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

ANNEXURE “B.2”

REQUEST FOR FORMAL WRITTEN PRICE QUOTATION FORM

Procurement from R30 000, 00 up to a transaction value of R200 000, 00 (including Vat)
(For publication on Dihlabeng Local Municipality Website, Notice Boards, eTender Publication)

BID DOCUMENTS WILL BE OBTAINABLE FROM THE SUPPLY CHAIN MANAGEMENT OFFICES, 9 MULLER STR EAST, BETHLEHEM, 9700, FROM 23 AUGUST 2022

COMPLETED BID DOCUMENTS MUST BE DEPOSITED IN THE BID BOX NOT LATER THAN 12H00 ON WEDNESDAY, 31 AUGUST 2022 @ DIHLABENG LOCAL MUNICIPALITY HEAD OFFICES, 9 MULLER STR EAST, BETHLEHEM

| | |
|------------------------------|-----------------------|
| QUOTATION NUMBER | 130 0822 |
| DATE OF ADVERTISEMENT | 23 AUGUST 2022 |

| | | |
|----|--|--|
| 1 | NAME OF SUPPLIER | |
| 2 | ADDRESS OF SUPPLIER | |
| 3 | ID NUMBER (SOLE PROPRIETOR) COMPANY OR CC NUMBER | |
| 4 | REGISTRATION NUMBER (PTY) LTD | |
| 5 | TAX REFERENCE NUMBER | |
| 6 | VAT REGISTRATION NUMBER (IF ANY) | |
| 7 | CONTACT PERSON | |
| 8 | ALTERNATIVE CONTACT PERSON | |
| 9 | TELEPHONE NUMBER | |
| 10 | CELL PHONE NUMBER | |
| 11 | FAX NUMBER | |
| 12 | EMAIL ADDRESS | |
| | | |

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

SECTION 1

Quotations are hereby invited for the following:

Appointment of a Service Provider to supply and deliver Electricity Network Materials – 11kv Auto Recloser

1. All quotations received will be evaluated on the 80/20 point scoring basis. The 80 points will be for Price and 20 points are for Broad Based Black Economic Empowerment (BBBEE) for attaining the BBBEE Status level contribution in accordance with the table below:

- MBD 4: Declaration of interest
- MBD 6.1: B-BBEE Status level of Contribution.
- MBD 6.3: Promotion of SMME
- MBD 8: Declaration of bidders past supply management practices
- MBD 9: Certificate of Independent bid determination

If the MBD forms are not completed & submitted, your quotation will be rejected.

- **No quotation** will be considered from persons in the service of the state (**MBD4**).
- **As from the 7 December 2011, all Service providers/contractors must submit valid, certified copies of their BEE certificate from an accredited BEE verification agency with their bid submission.** Failure to submit will lead to forfeiture (loss) of the preference points.
- In the instance of Exempted Micro Enterprise (EME) (turn over less than R 5m) a letter from a professional, registered accountant/ auditor in order to qualify for preference points.
- **Electronic (e-mailed or faxed) quotations are not accepted.**
- Failure to submit a BEE certificate will lead to forfeiture (loss) of the preference points. In the instance of Exempted Micro Enterprise (EME) (turn over less than R 5m) a letter from a professional, registered accountant/auditor in order to qualify for preference points.

2. A COMPULSORY BRIEFING SESSION on N/A.

DLM contact person: Mr Samuel Masoeu

TEL NO: 058 303 5732

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

SECTION 2

1. The lowest or any bid will not necessarily be accepted and the DLM reserves the right not to consider any bid not suitably endorsed or comprehensively completed as well as the right to accept a bid in whole or part.
2. Brand names **MUST** be specified in **MBD 3.1** attached hereto (Price Schedule document).
3. Where deliveries are quoted "ex-stock" the period of delivery must not exceed Five (7) maximum working days after receipt of order. If this condition is not adhered to, the order could be cancelled.
4. Quotations are to be completed in accordance with the conditions as set out in the quotation document and must be sealed and externally endorsed with the quotation number and place in the quotation box indicated above.
5. Payments will be made thirty (30) days after receipt of invoice by Council.
6. Quotations received after the closing date and time will not be considered.
7. Samples of the required items or goods are available for your perusal (when applicable.)
8. Should the above-mentioned conditions not be adhered to, the quotation will be considered invalid.
9. Quotation to be valid for 30 days.

DECLARATION

I, the undersigned hereby confirm that the information herein is a true reflection of the facts presented, and the person signing this document on behalf of the bidder duly authorised to do so. Should this not be the fact, stipulations regarding this as contained in the DLM's Policy applies. I accept that the DLM may act against me in terms of paragraph 23 of the general conditions of contract should this declaration prove to be false.

Signing of the quotation in the appropriate space as well as the initialling of each page and any amendments by the bidder is mandatory.

MR B MOLATSELI
MUNICIPAL MANAGER
DIHLABENG LOCAL MUNICIPALITY

SIGNATURE OF BIDDER

BIDDER:
Initial: Authorized Signatory 1)

2)

DLM:
Initial: DLM

VERY IMPORTANT NOTICE ON DISQUALIFICATIONS:

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

“Acceptable bid” means any bid which, in all respects, complies with the conditions of bid and specifications as set out in the bid documents, including conditions as specified in the Preferential Procurement Policy Framework Act (Act 5 of 2000) and related legislation as published in Government Gazette number 22549, dated 10 August 2001, in terms of which provision is made for this policy.

1. If any pages have been removed from the bid document, and have therefore not been submitted, or a copy of the original bid document has been submitted.
2. Failure to complete the schedule of quantities as required, i.e only lump sums provided.
3. Scratching out, writing over or painting out rates, without initialling next to the amended rates or information, affecting the evaluation of the bid.
4. The use of correction fluid (i.e. tippex) or any erasable ink, e.g. pencil.
5. Non-attendance of mandatory/compulsory:
 - Site inspections or;
 - Information/Clarification meetings
6. The Bid has not been properly signed by a party having the authority to do so, according to the example of “Authority for Signatory”
7. If the MBD forms are not completed & submitted, your quotation will be rejected.
8. No quotation will be considered from persons in the service of the state (MBD4).
9. The bidder attempts to influence, or has in fact influenced the evaluation and/or awarding of the contract
10. The bid has been submitted either in the wrong bid box or after the relevant closing date and time
11. Failure to provide a valid certificate from the Department of Labour, or a declaration (Specific goals – “Equity ownership”) by a designated employer that it complies with the Employment Equity Act 55 of 1998.
12. If any municipal rates and taxes or municipal service charges owed by the bidder or any of its directors to the municipality, or to any other municipality or municipal entity, **are in arrears for more than three (3) months.**
13. If any bidder who during the last five years has failed to perform satisfactorily on a previous contract with the municipality, municipal entity or any other organ of state after written notice was given to that bidder that performance was unsatisfactory.
14. The accounting officer must ensure that irrespective of the procurement process followed, no award may be given to a person –
 - who is in the service of the state, or;
 - if that person is not a natural person, of which any director, manager, principal shareholder or stakeholder, is a person in the service of the state; or; who is an advisor or consultant contracted with the municipality in respect of contract that would cause a conflict of interest.
15. Not attaching or submitting of required documentations.

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

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OCCUPATIONAL HEALTH AND SAFETY INFORMATION FOR QUOTATIONS

THE CONTRACTOR SHALL/MUST SUBMIT THE FOLLOWING TO THE MANAGER OH&S TO OBTAIN A CERTIFICATE OF COMPLIANCE FROM OH&S DIHLABENG LOCAL MUNICIPALITY BEFORE ANY WORK MAY COMMENCE, **only where applicable**.

1. Proof of Registration with the Compensation Commissioner.
2. Letter of “Good Standing” with Compensation Commissioner.
3. Certified copy of first aid certificate.
4. Physical address where contract is taking place (on Company letterhead).
5. Detailed description of intended work (on Company letterhead).
6. List of all Personal Protective Equipment issued to employees (company letterhead).
7. List of ALL employees on site (on company letterhead).
8. Detailed Health and Safety Plan (on company letterhead).
9. Comprehensive Risk Assessment (Qualification and Contact details of Risk Assessor).
10. Public Liability and Commercial Insurance Certificate.
11. All related statutory appointments.
12. Certificates of relevant Training.

The above list represents the minimum content of a safety file In terms of the Construction Regulations (GNR 1010 of 18 July 2003).
OHS Act 85 of 1993.

BIDDER:

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2)

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NAME OF BIDDERS:.....

FORM “E”

| Appointment of a Service Provider to supply and deliver Electricity Network Materials – 11kv Auto Recloser | | | | |
|---|------------|---|-----------------------|---------------------|
| Item No | QTY | Description | Price Per Item | Total Amount |
| 1 | 1 | 11kv Auto Recloser Equipment with: - Magnetic Actuator Mechanism - Opening/Locking device - 3 Current Sensors - 3 Voltage Sensors - Functional Protection Curves - RWK 352 Controller | R | R |
| | | | Sub-Total | R |
| | | | VAT | R |
| Grand Total | | | | R |

MBD 2

TAX CLEARANCE REQUIREMENTS

IT IS A CONDITION OF BIDDING THAT –

1. The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.
2. The attached form “Application for Tax Clearance Certificate (in respect of bidders) must be completed in all respects and submitted to the Receiver of Revenue where the bidder is registered for tax purposes. The Receiver of Revenue will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of twelve (12) months from date of issue. **This Tax Clearance Certificate must be submitted in the original; together with the bid. Failure to submit the original and valid Tax Clearance Certificate may invalidate the bid.**

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

3. In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificates are available at any Receiver's Office.

BIDDER:**Initial:** Authorized Signatory 1)

2)

DLM:**Initial:** DLM

MBD2/ Application for tax Certificate.

**APPLICATION FOR TAX CLEARANCE CERTIFICATE
(IN RESPECT OF BIDDERS)**

1. Name of taxpayer / bidder:

2. Trade name:

3. Identification number:

| | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|

4. Company / Close Corporation registration number:

5. Income tax reference number

6. VAT registration number (if applicable)

7. PAYE employer's registration number (if applicable)

| | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |

Signature of contact person requiring Tax Clearance Certificate:

.....

Name:

Telephone number: Code:..... Number:

| | | | | | | | | | | | |
|----------|--|--|--|--|--|--|--|--|--|--|-------------|
| Address: | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | Postal Code |

DATE: 20____ / ____ / ____

PLEASE NOTE THAT THE COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE (SARS) WILL NOT EXERCISE HIS DISCRETIONARY POWERS IN FAVOUR OF ANY PERSON WITH REGARD TO ANY INTEREST, PENALTIES AND / OR ADDITIONAL TAX LEVIABLE DUE TO THE LATE- OR UNDERPAYMENT OF TAXES, DUTIES OR LEVIES OR THE RENDITION RETURNS BY ANY PERSON AS A RESULT OF ANY SYSTEM NOT BEING YEAR 2000 COMPLIANT

BIDDER:

Initial: Authorized Signatory 1)

2)

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MBD 3.1

**PRICING SCHEDULE – FIRM PRICES
(PURCHASES)**

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

| Name of bidder | | | Bid number <u>130 0822</u> | |
|---|-----|---|------------------------------------|-----------------|
| Closing Time <u>12:00 AM</u> | | | Closing date <u>31 August 2022</u> | |
| Appointment of a Service Provider to supply and deliver Electricity Network Materials – 11kv Auto Recloser | | | | |
| Item No | QTY | ITEM DESCRIPTION | UNIT PRICE PER (R) | TOTAL PRICE (R) |
| 1 | 1 | 11kv Auto Recloser Equipment with: - Magnetic Actuator Mechanism - Opening/Locking device - 3 Current Sensors - 3 Voltage Sensors - Functional Protection Curves - RWK 352 Controller | R | R |
| | | | Sub Total | R |
| | | | VAT | R |
| | | | Total | R |

*** Refer to Form “E” for more detailed descriptions**

- Brand and model

- Country of origin

- Does the offer comply with the specification(s)? *YES/NO

- If not to specification, indicate deviation(s)

- Period required for delivery 5 working days

****Delivery: Firm/not firm**

- Delivery basis:

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

**** “all applicable taxes” includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies**

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

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

3.1 Full Name of an authorised representative

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.

* 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.

.....

3.8 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

3.8.1 If so, furnish particulars.

.....

.....

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

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, principle , shareholders or stakeholders in service of the state?

YES / NO

3.10.1 If so, furnish particulars.

.....

3.11 Are any spouse, child or parent of the company's directors, managers, principle 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

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

MBD 6.1**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017**

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value 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

a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or

b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

| | POINTS |
|--|------------|
| PRICE | |
| B-BBEE STATUS LEVEL OF CONTRIBUTOR | |
| Total points for Price and B-BBEE must not exceed | 100 |

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

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2)

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Initial: DLM

- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 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

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

Where

P_s = Points scored for price of bid under consideration
 P_t = Price of bid under consideration
 P_{\min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

| B-BBEE Status Level of Contributor | Number of points (90/10 system) | Number of points (80/20 system) |
|------------------------------------|---------------------------------|---------------------------------|
| 1 | 10 | 20 |
| 2 | 9 | 18 |
| 3 | 6 | 14 |
| 4 | 5 | 12 |
| 5 | 4 | 8 |
| 6 | 3 | 6 |
| 7 | 2 | 4 |
| 8 | 1 | 2 |
| Non-compliant contributor | 0 | 0 |

BIDDER:

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2)

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5. BID DECLARATION

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

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....%

ii) The name of the sub-contractor.....

iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

| Designated Group: An EME or QSE which is at least 51% owned by: | EME √ | QSE √ |
|---|----------|----------|
| Black people | | |
| Black people who are youth | | |
| Black people who are women | | |
| Black people with disabilities | | |
| Black people living in rural or underdeveloped areas or townships | | |
| Cooperative owned by black people | | |
| Black people who are military veterans | | |
| OR | | |
| Any EME | | |
| Any QSE | | |

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

☐ Partnership/Joint Venture / Consortium

☐ One person business/sole propriety

☐ Close corporation

☐ Company

☐ (Pty) Limited

[Tick applicable box]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

.....

8.6 COMPANY CLASSIFICATION

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

[Tick applicable box]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES

1.
2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

3. BID DECLARATION

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

4. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1 AND 5.1

4.1 B-BBEE Status Level of Contribution: (maximum of 10 or 20 points)

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

5. SUB-CONTRACTING

5.1 Will any portion of the contract be sub-contracted? YES / NO

5.1.1 If yes, indicate:

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

(ii) the name of the sub-contractor?

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

(iv) whether the sub-contractor is an EME? YES / NO

(delete which is not applicable)

6. DECLARATION WITH REGARD TO COMPANY/FIRM

6.1 Name of company/firm :.....

9.2 VAT registration number :.....

9.3 Company registration number :.....

9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

9.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

9.7 MUNICIPAL INFORMATION

Municipality where business is situated.....

Registered Account Number.....

Stand Number.....

9.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?

9.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favorable arrangements due to such cancellation;
 - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and forward the matter for criminal prosecution

WITNESSES:

1.

.....

SIGNATURE (S) OF BIDDERS

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

NAME OF BIDDING ENTITY

DIHLABENG LOCAL MUNICIPALITY

QUOTATION NUMBER: 130 0822

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Municipal Bidding Document must form part of all bids invited.
1. 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.
2. 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).
3. 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 as a company or person 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 National Treasury after the <i>audi alteram partem</i> rule was applied).</p> | | |
| 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>(To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).</p> | | |

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

| Item | Question | Yes | No |
|-------|---|-----|----|
| 4.2.1 | If so, furnish particulars: | | |
| 4.3 | Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years? | | |
| 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? | | |
| 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? | | |
| | If so, furnish particulars: | | |

BIDDER:**Initial:** Authorized Signatory 1)

2)

DLM:**Initial:** DLM

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

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

NAME OF BIDDER:.....

DIHLABENG LOCAL MUNICIPALITY

QUOTATION NUMBER: 130 0822

CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD 9)

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

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

NAME OF BIDDER:.....

CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD 9)

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**³ will not be construed as collusive bidding.

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.**

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

- 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

BIDDER:
Initial: Authorized Signatory 1)

DLM:
Initial: DLM

2)

ANNEXURE “B”
DIHLABENG LOCAL MUNICIPALITY (DLM)

QUOTATION PROCUREMENT FORM

ABOVE R30 000 UP TO R200 000 (VAT INCLUDED)

- 1 All quotations received will be evaluated on the 80/20 point scoring basis. The 80 points will be for Price and 20 points are for Broad Based Black Economic Empowerment (BBBEE) for attaining the BBBEE Status level contribution in accordance with the table below:**

- **MBD 4: Declaration of interest**
- **MBD 6.1: B-BBEE Status level of Contribution.**
- **MBD 6.3: Promotion of SMME**
- **MBD 8: Declaration of bidders past supply management practices**
- **MBD 9: Certificate of Independent bid determination**

If the MBD forms are not completed & submitted, your quotation will be rejected.

- **No quotation** will be considered from persons in the service of the state (MBD4).
- **As from the 7 December 2011, all Service providers/contractors must submit valid, certified copies of their BEE certificate from an accredited BEE verification agency with their bid submission.** Failure to submit will lead to forfeiture (loss) of the preference points.
- In the instance of Exempted Micro Enterprise (EME) (turn over less than R 5m) a letter from a professional, registered accountant/ auditor in order to qualify for preference points.
- **Electronic (e-mailed or faxed) quotations are not accepted.**
- **Failure** to submit a BEE certificate will lead to forfeiture (loss) of the preference points. In the instance of Exempted Micro Enterprise (EME) (turn over less than R 5m) a letter from a professional, registered accountant/auditor in order to qualify for preference points.

ADJUDICATION OF BIDS

Bids are adjudicated in terms of DLM Supply Chain Management Policy, and the following framework is provided as a guideline in this regard.

1. Technical adjudication and General Criteria

Bids will be adjudicated in terms of inter alia:

- **Compliance with bid conditions**
- **Technical specifications**

If the bid does not comply with the bid conditions or technical specifications, the bid shall be rejected.
See page 3 for examples.

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

2. Infrastructure and resources available

Evaluation of the following in terms of the size, nature and complexity of goods and/or services required:

- Physical facilities
- Plant and equipment available for the contract owned by the bidder
- Plant and equipment the bidder intends renting, should the contract be awarded to him.

3. Size of enterprise, and current workload

Evaluation of the bid's position in terms of:

- Previous and expected current annual turnover
- Current contractual obligations
- Capacity to execute the contract

4. Staffing profile

Evaluation of the bid's position in terms of:

- Staff available for this contract being bid for
- Qualifications and experience of key staff to be utilised on this contract.

5. Previous experience

Evaluation of the bid's position in terms of his previous experience. Emphasis will be placed on the following:

- Experience in the relevant technical field
- Experience of contracts of similar size
- Some or all of the references will be contacted to obtain their input.

6. Financial ability to execute the contract

Evaluation of the bid's financial ability to execute the contract. Emphasis will be placed on the following:

- Surety proposed
- Estimate cash flow
- Contact the bid's bank manager to assess the bidder's financial ability to execute the contract and the bidder hereby grants his consent for this purpose.

7. Good standing with SA Revenue Service

Establish whether a valid original tax clearance certificate or copy thereof has been submitted with the Bid document on closing date of the bid. If no such Certificate or copy thereof has been submitted, the bid must be rejected. If a valid original tax clearance certificate has not been submitted, the bidder must be requested in writing and in the standard format approved by the Executive Director: Legal & Administration, to submit a valid original tax clearance certificate by a specific date and at a specific venue.

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

The bidder must affix a valid original Tax Clearance Certificate or copy thereof, to the last page of the bid document.

If the bid does not meet the requirements contained in the DLM Supply Chain Management Policy, and the mentioned framework, it shall be rejected by the Municipality, and may not subsequently be made acceptable by correction or withdrawal of the non-conforming deviation or reservation.

8. Total Bid Adjudication Points

The total number of bid adjudication points awarded, is the sum of:
Bid price points + meeting specific goals points (not to exceed 100)

9. Penalties

The City Manager must act in terms of paragraph 15 of the Preferential Procurement Policy Regulations 2001, as published on 10 August 2001, against the person awarded the contract upon detecting that a preference in terms of the Preferential Procurement Policy has been obtained on a fraudulent basis, or any specified goals are not attained in the performance of the contract.

Regulation 15 of the Preferential Procurement Policy provides as follows:

“15 (1) An organ of state must, upon detecting that a preference in terms of the Act and these regulations has been obtained on a fraudulent basis, or any specified goals are not attained in the performance of the contract, act against the person awarded the contract.

(3) An organ of state may, in addition to any other remedy it may have against the person contemplated in sub-regulations (1) –

- (a) recover all costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
- (b) 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;
- (c) impose a financial penalty more severe than the theoretical financial preference associated with the claim which was made in the tender; and
- (d) restrict the contractor, its shareholders and directors from obtaining business from any organ of state for a period not exceeding 10 years.

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

GENERAL INFORMATION TO BE SUPPLIED BY THE BIDDER:

(SHOULD THE INFORMATION REQUIRED ON THIS FORM NOT DULY BE SUPPLIED, THIS BID WILL BE REJECTED)

1. Name of bidding entity: _____

2. Contact details

Address : _____

Tel no : (_____) _____

Fax no : (_____) _____

E-mail address : _____

3. Legal entity: Mark with an **X**.

| | |
|-------------------|--|
| Sole proprietor | |
| Partnership | |
| Close corporation | |
| Company (Pty) Ltd | |
| Joint venture | |

In the case of a Joint venture, provide details on joint venture members:

| Joint venture member | Type of entity (as defined above) |
|----------------------|-----------------------------------|
| | |
| | |
| | |
| | |
| | |

BIDDER:**Initial:** Authorized Signatory 1)

2)

DLM:**Initial:** DLM

NAME OF BIDDER:.....

4. Income tax reference number: **(COMPULSORY)**
(In the case of a joint venture, provide for all joint venture members)

5. VAT registration number **(COMPULSORY)**:
(In the case of a joint venture, provide for all joint venture members)

6. Company or closed corporation registration number **(COMPULSORY)**:
(In the case of a joint venture, provide for all joint venture members)

7. Municipal rates and taxes or service charges account numbers of bidding entities OR its directors / members **(COMPULSORY)** (**ATTACH LATEST STATEMENT/S**)
(In the case of a joint venture, provide for all joint venture members)

ACCOUNT NUMBERS LOCAL AUTHORITY

8. Details of proprietor, partners, closed corporation members, or company directors, indicating technical qualifications where applicable (Form on the next page).

9. For joint ventures the following must be attached:
- Written authority *of each JV partner*, for authorized signatory.
 - The joint venture agreement.
 - The major partner to satisfy at least 40 percent of the turnover and credit amount criteria, and each other partner at least 25 percent of the criteria.

SIGNATURE OF AUTHORIZED PERSON :

DATE :

BIDDER:
Initial: Authorized Signatory 1)

DLM:
Initial: DLM

2)

NAME OF BIDDER:.....

DETAILS OF PROPRIETOR, PARTNERS, CLOSED CORPORATION MEMBERS OR COMPANY DIRECTORS

(In the event of a joint venture, to be completed by all joint venture partners)

| <i>Name and Surname</i> | <i>Identity Number</i> | <i>Members or Directors Addresses</i> |
|-------------------------|------------------------|---------------------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

DETAILS OF BIDDING ENTITY'S BANK

If the bidder is a Joint Venture or partnership, the information requested below is required for each member / partner.

I/We hereby authorize the Employer/Engineer to approach all or any of the following banks for the purposes of obtaining a financial reference:

| DESCRIPTION OF BANK DETAIL | DETAILS APPLICABLE TO BIDDER |
|--|-------------------------------------|
| Name of bank | |
| Contact person | |
| Branch name | |
| Branch code | |
| Street address | |
| Postal address | |
| Telephone number | |
| Fax number | |
| Account number | |
| Type of account, (i.e. cheque account) | |

BIDDER'S TAX DETAILS

Bidder's VAT vendor registration number:

Bidder's SARS tax reference number:

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

AUTHORITY FOR SIGNATORY

All signatories, excluding sole proprietors, shall confirm their authority by attaching to the last page of this bid a duly signed and dated original or certified copy of the relevant resolution of their meeting of members or their board of directors, as the case may be, *or by completing one of the following:*

1: COMPANIES / CLOSE CORPORATIONS

EXAMPLE SHOWN BELOW

"By resolution of the board of directors or meeting of members passed on 15 January 2006,

Mr A. APPLE has been duly authorised to sign all documents in connection with the Bid for

Contract number RTCW 10/2006 and any Contract, which may arise there from on behalf of the Bidding

Entity, namely, "ABCD (PTY) LTD"

SIGNED ON BEHALF OF THE BIDDING ENTITY: NAME: B.J. JONES

SIGNATURE: _____

IN HIS/HERS CAPACITY AS:

DIRECTOR / MEMBER

DATE:

15 January 2006

AUTHORISED PERSON'S SPECIMEN SIGNATURE:

SIGNATURE OF A. APPLE

AUTHORISED PERSON'S SPECIMEN INITIAL

INITIAL OF A. APPLE

*AND/OR _____ (SIGNATURE) _____ (INITIAL)

*AND/OR _____ (SIGNATURE) _____ (INITIAL)

*AND/OR _____

* DELETE WHICH IS NOT APPLICABLE

AS WITNESS: 1. B. XABA

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

AUTHORITY FOR SIGNATORY**1: COMPANIES / CLOSE CORPORATIONS****FORM TO BE COMPLETED**

"By resolution of the board of directors or meeting of members passed on

_____ ,

(Mr/Me) _____ has been duly authorised to sign all documents in connection with the Bid for _____ and any Contract, which may arise there from on behalf of the Bidding Entity, namely,

_____ SIGNED ON BEHALF OF THE

BIDDING ENTITY: **NAME:** _____

SIGNATURE: _____ IN HIS/HERS

CAPACITY AS: _____

DATE: _____

AUTHORISED PERSON'S SPECIMEN SIGNATURE: _____

AUTHORISED PERSON'S SPECIMEN INITIAL _____

***AND/OR** _____ (SIGNATURE) _____ (INITIAL)

***AND/OR** _____ (SIGNATURE) _____ (INITIAL)

***AND/OR** _____

*** DELETE WHICH IS NOT APPLICABLE**

AS WITNESS: 1. _____

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

2: JOINT VENTURE / CONSORTIUM / PARTNESHIP :

EXAMPLE SHOWN BELOW

We, the undersigned are submitting this bid and hereby authorize Mr. B. BROOK,
to sign all documents in connection with the
bid for **Contract number** RTCW 10/2006 and any contract resulting from it on our behalf.

| NAME OF FIRMS | ADDRESS, TEL. NO., FAX. NO. | DULY AUTHORIZED SIGNATORY |
|-------------------|---------------------------------|--|
| Name of Firm no1 | P.O. Box 111 Springs 1560 | Signature:..... Name:..... Designation:..... |
| Name of Firm no 2 | Address of 2 nd Firm | Signature:..... Name:..... Designation:..... |
| Name of Firm no 3 | Address of 3 rd Firm | Signature:..... Name:..... Designation:..... |
| Name of Firm no 4 | Address of 4 th Firm | Signature:..... Name:..... Designation:..... |
| Name of Firm no 5 | Address of 5 th Firm | Signature:..... Name:..... Designation:..... |

SPECIMEN SIGNATURES AND INITIALS OF PERSON AUTHORIZED TO SIGN ALL DOCUMENTATION

1. _____ (SIGNITURE) _____ (INITIAL)

2. _____ (SIGNITURE) _____ (INITIAL)

DATE: _____

AS WITNESS: 1. _____

PLEASE TURN OVER FOR FORM TO BE COMPLETED
AUTHORITY FOR SIGNATORY

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

2: JOINT VENTURE / CONSORTIUM / PARTNESHIP :

FORM TO BE COMPLETED

We, the undersigned are submitting this bid and hereby authorize 1) _____,

2) _____, 3) _____

to sign all documents in connection with the bid for *Contract number* _____ and any contract resulting from it on our behalf.

| NAME OF FIRMS | ADDRESS, TEL. NO., FAX. NO. | DULY AUTHORIZED SIGNATORY |
|---------------|--|--|
| | ADDRESS _____ _____ _____ TEL NO. _____ FAX NO. _____ | Signature:..... Name:..... Designation:..... |
| | ADDRESS _____ _____ _____ TEL NO. _____ FAX NO. _____ | Signature:..... Name:..... Designation:..... |
| | ADDRESS _____ _____ _____ TEL NO. _____ FAX NO. _____ | Signature:..... Name:..... Designation:..... |
| | ADDRESS _____ _____ _____ TEL NO. _____ FAX NO. _____ | Signature:..... Name:..... Designation:..... |

SPECIMEN SIGNATURES AND INITIALS OF PERSON AUTHORIZED TO SIGN ALL DOCUMENTATION

1. _____ (SIGNITURE) _____ (INITIAL)

2. _____ (SIGNITURE) _____ (INITIAL)

2. _____ (SIGNITURE) _____ (INITIAL)

DATE: _____

AS WITNESS: 1. _____

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

JOINT VENTURE INFORMATION
(Complete only if applicable)

The parties hereto form a Joint Venture for the purpose of jointly bidding and obtaining the award of contract

for.....

.....

.....

..... \ (hereinafter called the "Project") and of jointly performing such contract under joint and several responsibility .

The share of the partners in the Joint Venture shall be :

Full Name and address of Lead enterprise

..... %

.....

Full Name and address of 2nd enterprise

..... %

.....

Full Name and address of 3rd enterprise

..... %

.....

The Lead Partner is hereby authorised to incur liabilities, receive instructions, payments, sign all documents in connection with the bid, and to be responsible for the entire execution and administration of the contract for and on behalf of the partners.

The parties hereto shall make available to the Joint Venture the technical advice and benefit of their individual experience and shall, in all other respects, endeavour to share the responsibility and burden of the performance of the Joint Venture.

To this end the parties hereto shall share, in the above proportions, in all risks and obligations arising out of or in connection with the Contract, especially in the provisions of all necessary working capital and guarantees, in profit and loss and personnel.

The Lead Partners shall supply, in its name, Professional Liability Insurance for the amount and period as stated in the Contract Data.

The Joint Venture may not be terminated by any of the parties hereto until either:

The contract has been awarded to another bidder

or

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

The work undertaken by the Joint Venture under the contract has been completed and all liabilities and claims incurred by and made by the Joint Venture have been settled, the bid is cancelled or the period of validity of bid extended.

No party to the Agreement shall be entitled to sell, assign or in any manner encumber or transfer its interest or any part thereof in the Joint Venture without obtaining the prior written consent of the other party hereto.

The Parties of the Joint Venture shall cooperate on an exclusive basis. No Party shall during the validity period of the bid submit a bid to or enter into a Contract with the DLM or any other party for the Project, either alone or in collaboration with a third party.

Authorised Signature Lead Partner

Name

Designation

Signed at..... on

Authorised Signature of 2nd Partner

Name

Designation

Signed at on

Authorised Signature of 3rd Partner

Name

Designation

Signed at..... on

ALL SIGNATORIES SHALL CONFIRM THEIR AUTHORITY BY ATTACHING TO THE LAST PAGE OF THE BID, ORIGINAL OR CERTIFIED COPIES OF DATED AND SIGNED RESOLUTIONS OF THE MEMBERS/DIRECTORS/PARTNERS AS THE CASE MAY BE.)

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

GENERAL CRITERIA

Provide information on the following:

Infrastructure and resources available

Physical facilities

| Description | Address | Area (m ²) |
|-------------|---------|------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |

| Description : Owned Plant / Equipment | Number of Units |
|---------------------------------------|-----------------|
| | |
| | |
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| | |
| | |
| | |
| | |

BIDDER:

Initial: Authorized Signatory 1)

2)

DLM:

Initial: DLM

| Description : Owned Plant/ Equipment(continued) | Number of Units |
|---|-----------------|
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| Description : Hired Plant/ Equipment | Number of Units |
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| | |
| Description : Plant/ Equipment to be purchased | Number of Units |
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Size of enterprise and current workload

What was your turnover in the previous financial year? R _____

What is the estimated turnover for your current financial year? R _____

List your current contracts and obligations

| Description | Value (R) | Start date | Duration | Expected completion date |
|-------------|-----------|------------|----------|--------------------------|
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Do you have the capacity to supply the goods and services described in this bid, should the contract be

Awarded to you? _____

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Staffing Profile

Provide information on the staff that you have available to execute this contract (attach a separate list if the space provided is insufficient)

| Own staff : gender and race | Number of staff |
|---|-----------------|
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| Staff to be employed for the project: gender and race | Number of staff |
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Proposed Key Personnel

Provide information on key staff you intend utilising on this contract, should it be awarded to you. (In case of engineering construction projects key staff is defined as staff of foreman level and above)

| Name and surname | Position in your organisation | Qualification | Experience | HDI Status (Y/N) |
|------------------|-------------------------------|---------------|------------|------------------|
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Previous experience

Provide the following information on relevant previous experience (indicate specifically projects of similar or larger size and/or which is similar with regard to type of work.

No points will be awarded if reference cannot be reached or if it refuses to supply information.

| Description | Value (R, VAT excluded) | Year(s) execution | Reference | | |
|-------------|-------------------------|-------------------|-----------|--------------|--------|
| | | | Name | Organisation | Tel no |
| | | | | | |
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COMPULSORY SITE INSPECTIONS / INFORMATION / CLARIFICATION MEETINGS

Where Compulsory Site Inspections and Compulsory Information, Briefing or Clarification Meetings are to be held, it shall be subject to the following conditions:

- 1 Necessity for Compulsory Site Inspection and Compulsory Information / Briefing / Clarification Meetings.** Compulsory Inspections / Meetings must only be held where the nature of the contract is such that it requires either an inspection of a site or a briefing session. The Bid Specification Committee should indicate to the Tender Office that such a compulsory inspection or briefing is regarded as a necessity.

- 2 Attendance Register**
An attendance register of potential bidders and the firms they represent shall be kept and signed by attendees. A copy of such Attendance Register shall immediately after the inspection/briefing be sent to the Tender Office.

- 3 Confirmation Notes of Inspection/Briefing Sessions**
Confirmation Notes of the Compulsory Inspection or Briefing Session shall be held by or on behalf of the contact person of the Department for whom the Bid is being advertised. A copy of the notes shall be sent to each firm that was represented at the inspection/meeting as soon as possible after the inspection or meeting and before the closing date of the bid. A copy of the notes shall also be sent to the Tender Office. The relevant Department will ensure that the notes are submitted to the Bid Evaluation Committee and to the Bid Adjudication Committee.

- 4 Bid Documents**
The bid documentation shall clearly state that where the inspection of a site or the attendance of a briefing session is compulsory, non-attendance thereof will lead to the disqualification of the bidder in question. The bid documentation shall further clearly state that if bid documents are obtained **after** the compulsory briefing session or site inspection, it will only be made available to firms that were represented at the meeting. The mere fact that a firm that was not represented at a compulsory meeting, but nevertheless submitted to the municipality a set of bidding documents, should not be construed as creating any expectations that a bid will be considered by the Municipality.

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Government Gazette, 26 November 2003

NB: Attach all documents to this page...

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