



BID NO: COM 30/2023

**TRIENNIAL TENDER FOR SUPPLY AND
DELIVERY OF PREPAYMENT
METERS FOR CITY OF MBOMBELA**

**CLOSING DATE:
22 MAY 2023 AT 11:00**

COMPANY NAME: _____

MAAA NO: _____



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**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE CITY OF MBOMBELA					
BID NUMBER:	COM 30/2023	CLOSING DATE:	22 MAY 2023	CLOSING TIME:	11:00
DESCRIPTION	TRIENNIAL TENDER FOR SUPPLY AND DELIVERY OF PREPAYMENT METERS FOR CITY OF MBOMBELA				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7). BID RESPONSE DOCUMENTS MUST BE SUBMITTED IN THE TENDER BOX LOCATED @ NO: 1 NEL STREET; MBOMBELA; 1200; MBOMBELA CIVIC CENTRE NEXT TO THE MAIN ENTRANCE.					
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		TOTAL BID PRICE INCL. VAT			R
SIGNATURE OF BIDDER	.....			DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
Financial Management: SCM Christopher Nkambule Tell: 013 759 2358 christopher.nkambule@mbombela.gov.za			Financial Management: Logistics Project Manager: Baldwin Shongwe Tell: 013 759 2026 Email: baldwin.shongwe@mbombela.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, 2022, 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)? 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? 3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.	

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:



BID NO: COM 30/2023
CLOSING DATE: 22 MAY 2023 @ 11:00

**TRIENNIAL TENDER FOR SUPPLY AND DELIVERY OF
PREPAYMENT METERS FOR THE CITY OF MBOMBELA**

Bids are hereby invited from capable service providers for supply, delivery and off-loading of prepayment meters for City of Mbombela for a period of thirty six (36) months on an ad-hoc basis.

It is compulsory that service providers download a copy of the bid document that will ONLY be available as **from 21 April 2023** on the City's website: www.mbombela.gov.za on the tenders and notices' folder and National e-Tender Portal: www.mbombela.gov.za, free of charge.

Duly completed bid documents and supporting documents which are, COPY OF TAX COMPLIANCE STATUS, CERTIFIED COPY OF B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE LEVEL 1, LATEST RATES AND TAXES CLEARANCE FROM RELEVANT LOCAL AUTHORITY OR PROOF OF RES FROM A TRIBAL AUTHORITY OR LEASE AGREEMENT ACCOMPANIED BY THE LESSOR'S LATEST RATES AND TAXES CLEARANCE FOR BOTH THE BUSINESS DIRECTORS AND COMPANY AND CSD REGISTRATION FULL REPORT (Summary Report will not be considered), together with the bid document must be sealed in an envelope clearly marked: "BID NO.: COM 30/2023 TRIENNIAL TENDER FOR SUPPLY AND DELIVERY OF PREPAYMENT METERS FOR THE CITY OF MBOMBELA, CLOSING DATE: 22 MAY 2023" with the name of the bidder shall be placed in the bid box at MBOMBELA CIVIC CENTRE at 1 NEL STREET, MBOMBELA, before 11:00 on the closing date.

Bids received by telegram, fax or e-mail will not be considered. Late bids shall not be accepted or considered.

No compulsory briefing session, technical enquiries may be directed to the project manager on the below contact details.

Bidders are advised not to commit fraudulent activities or forge documents. All abusers of the SCM system, including forging or faking of returnable documents, may be reported to SAPS and restricted from doing business with any Public Institutions for a period NOT exceeding 10 years which is in line with section 28 and 29 of the Prevention and Combating of Corrupt Activities Act 12 of 2004.

A preferential point system shall apply whereby this contract will be allocated to a bidder in accordance with the Preferential Procurement Policy Framework Act, No 5 of 2000 and as defined in the conditions of bid in the bid document, read in conjunction with the Preferential Procurement Regulations, 2022, where 80 points will be allocated in respect of price and 20 points in respect of specific targeted goals.

Supply Chain Management	:	Christopher Nkambule (013) 759 2358
Project Manager	:	Baldwin Shongwe (013) 759 2026
Employer	:	City Manager: Mr W. Khumalo
		City of Mbombela
		Po Box 45; Mbombela; 1200

NB: The results of this bid will be published on council website as prescribed on the MFMA sec 75 (1) (g) and SCM regulations, sec. 23 (c).

SPECIAL CONDITIONS OF THE BID

1. SUBMISSION OF TENDERS

The tender is to be made out on the tender form attached hereto, which must not be detached from this document, and the completed document, fully priced, extended and totalled, completed in all respects, signed and is to be sealed in an envelope which is to be enclosed and delivered in accordance with the instructions contained on the Invitation to Tender.

Proof of posting of a tender will not be accepted as proof of delivery to the appropriate place for the receipt of tender.

Tenders will be opened in public immediately after the advertised closing date.

The information to be submitted by prospective bidders will only be used for tender purposes taking into consideration the Protection of Personal Information Act (POPI Act).

2. TENDER DEPOSIT

Tender documents can be downloaded from the following link: www.mbombela.gov.za, in the tenders and notices folder and National e-Tender Portal: www.etenders.gov.za, free of charge.

3. ADJUDICATION OF TENDER

The City of Mbombela will not be bound to accept the lowest or any tender and also reserves the right to cancel the tender when deemed necessary.

The tender will be adjudicated by City of Mbombela in terms of the Preferential Procurement Policy Framework Act, no. 5 of 2000 and as defined in the conditions of bid in the bid document, read in conjunction with the preferential procurement regulations, 2022, where 80 points will be allocated in respect of price and 20 points in respect of specific targeted goals.

Prospective service providers may not make any alterations or additions to the Bid document, except to comply with instructions issued by the employer. The tender document must be furnished with non-erasable black ink (black pen) and all corrections made by the service provider should be dated and signed by the authorised signatory. Erasures and the use of masking fluid, tippex, pencil or erasable ink are prohibited and failure to adhere to this condition will render your submission non responsive.

Certified copy of B-BBEE Certificate OR Original Sworn Affidavit for B-BBEE / certified copy of a Sworn Affidavit for B-BBEE (Level 1). Failure to adhere will lead to non-claiming on preferential points.

A bid not complying with the mandatory requirements stated in the bid document will be regarded as non-responsive and as such will be rejected. If a Bid has not been

properly signed by a party having the authority to do so, according to the example of “Authority for Signatory” will be rejected. This condition will not apply to companies owned by one director / member / sole proprietorship.

A bid will be rejected if any municipal rates and taxes or municipal service charges owed by the bidder (business) or any of its directors to the municipality, or to any other municipality or municipal entity, are in arrears for more than three months. Similarly, none submission of proof of valid and up-to-date rates and taxes statement will render the submission non-responsive.

Bids will be rejected if the bidders or any of the directors are listed on the Register of Bid Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector. Bids will be rejected if the bidder has abused the CoM's Supply Chain Management System or SCM processes of any state institutions.

MBD 1 will regarded as a FORM OF OFFER and if the forms is not completed in full and signed by the authorised signatory, the submission will be regarded as non-responsive.

4. COMPLETION OF TENDER DOCUMENTS

Tenders will only be considered on receipt of this tender document correctly completed with all insertions in black ink and signed.

The following **compulsory** documentation **must** be attached in order for the bid to be considered:

- Company Registration Certificate
- Formal agreement (in case of consortia/Joint Ventures)
- Copy of a valid Tax Compliance Status (TCS)
- Full CSD Registration report **NOT OLDER THAN 30 DAYS** (Summary Report will **NOT** be acceptable).
- Relevant Annual Financial Statements (AFS) for the latest 3 consecutive years.
- Copies of municipal rates and taxes certificates from relevant local authority / proof of residential from tribal authority (if the business is operating or the directors are residing in rural areas) / lease agreement with the lessor's up-to-date municipal rates and taxes **for both the business and all business directors**. Prospective bidders should ensure that the physical address details of the company and directors reflected on the CSD is similar to the one reflected on the company registration certificate. The municipality reserves the right to verify both the municipal rates and taxes of the company details reflected on the CSD and company registration certificates. The municipality further reserves the right to use ID numbers of the directors to verify if any municipal rates and taxes are not owned by each director. It is prudent and remains the responsibilities of the prospective bidders to ensure that each director, lessor and company rates are cleared with regards to the municipal rates and taxes.

NB: Certified copies of documentation must not be older than three months to be regarded as valid. Copies of “**certified copies**” will not be acceptable as true copies of original documents. Failure to adhere will lead to immediate disqualification.

4.1 COMPULSORY SAMPLES SUBMISSION

Prospective bidders are compulsory required to submit samples and detailed specifications of the item(s) offered and must be physically delivered at the **City of Mbombela Municipal Stores, Office M1 or M2, Kanaal Street, on or prior the closing date and time of the bid**. The samples will be tested as part of the technical evaluation by the Electrical Engineering Section. Bids may not be included in parcels containing samples and samples will not be accepted after the stipulated date and time. The City will only accept meters that are compatible with its current infrastructure and specification compliant.

Samples must be offered on the following items:

1. Pre-paid Split; 2 wire Din-Rail
2. Three Phase split Din-RAIL
3. Customer Interface Unit-CIU with plug top
4. Conventional Residential electronic Meters Single Phase
5. Conventional electronic Meters Three Phase
6. Bulk Connection Meter 3-phase 120amp
7. Bulk Connection Meter 3-phase 1-5amp

If samples are not submitted as required in the bid document, the bid shall be declared none responsive.

The samples must be packaged as set out in the specifications, indicating the following:

- Name of the bidder
- Name of manufacturer
- Contract number
- Contact person and telephone number

The bidder will be required to complete the sample submission form at the above address and be handed a copy which must be annexed and submitted together with the bid document. Failure to adhere to this condition will render submission non responsive.

4.2 PROOF CAPABILITY OR ABILITY TO DELIVER

Prospective bidders are required to submit a certified copy of supporting letter from the manufacturer accompanied by certified proof of a valid accreditation as a manufacturer. The supporting letter must have a stamp confirming legitimacy and authenticity of the letter. If the bidder is a manufacturer, he/she will be required to only submit a certified proof of a valid accreditation as a manufacturer.

Failure to adhere to the above will immediately lead to non-responsiveness of bidder and the submission will not be evaluated further.

5. TAXES AND DUTIES PAYABLE

Bidders shall allow in their tender for the payment and recovery of all taxes and other duties. No claims for additional payment in this respect will be considered. Prices and rates quoted shall be inclusive of Value Added Tax (VAT). VAT shall be recorded as a lump sum in the tender summary and the total inclusive of VAT carried to the Form of Tender.

6. WITHDRAWAL OF TENDER

In the event of the successful tender failing to execute the service in terms of this tender, the Municipality shall be entitled to cancel the contract summarily, in which event the Bidder shall be liable for any additional expense incurred by reason of the Municipality having to call for fresh tenders or having to accept any less favourable tender.

7. PERIOD OF VALIDITY OF TENDERS

The period of validity of tenders shall be **120** days as stated in the tender form and be calculated from the closing date for submission of tenders.

8. NOTICE OF BIDDERS

Should any additions or alterations to the document as issued to Bidders be deemed necessary prior to the date for submission of tenders, they will be issued to Bidders in the form of Notices and will form part of the tender document. Bidders should ensure that both website are visited timeously to ensure that erratum/addendum loaded on the websites are noted and responded too as expected.

The Notices to Bidders shall be completed where applicable by Bidders, signed, dated and returned with the tender documents.

9. DURATION OF CONTRACT & PENALTIES

Prospective bidders must indicate realistic time frames of delivery and it is important that deliverables be effected within the time frames as indicated by the bidder. In the event of the service provider failing to do so, he/she will be required to pay to the Council a penalty charge equal to 5% of the purchase order per week or part thereof. The contract duration will be a period of thirty six months. Successful bidder(s) will be expected to enter into an agreement with the City in form of a service level agreement (SLA).

10. PRICING INSTRUCTIONS

- 10.1. State the rates and prices in Rands (ZAR) unless instructed otherwise in the tender conditions.

- 10.2. Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except Value Added Tax (VAT), and other levies payable by the successful tenderer, such duties, taxes and levies being those applicable 14 days before the closing time stated in the General Tender Information.
- 10.3. All prices tendered must include all expenses, disbursements and costs (e.g. transport, accommodation etc.) that may be required for the execution of the tenderer's obligations in terms of the Contract, and shall cover the cost of all general risks, liabilities and obligations set forth or implied in the Contract as well as overhead charges and profit (in the event that the tender is successful). All prices tendered will be firm and binding.
- 10.4. All prices shall be tendered in accordance with the units specified in this schedule.
- 10.5. Where a value is given in the quantity column, a rate and price (the product of the quantity and rate) is required to be inserted in the relevant columns.
- 10.6. The successful tenderer is required to perform all tasks listed against each item. The tenderer must therefore tender prices/rates on all items as per the section in the price schedule. **An item against which no rate (or rates, in the case of rate categories if provided) is/are entered, or if anything other than a rate or a nil rate (for example, a zero, a dash or the word "included" or abbreviations thereof) is entered against an item, it will also be evaluated as a nil rate having been entered against that item, i.e. that there is no charge for that item.**
- 10.7. Tenderer must submit fixed prices for the first 12 months and there after CPI will take effect.
- 10.8. Tenderers tendering on Main items must price for the applicable sub-items:
- Items 1 and 1.1
 - Items 2 and 1.1
 - Items 5 and 6.1 , 6.2 and 6.3
 - Items 6 and 6.1, 6.2 and 6.3

11. DELIVERY PERIOD

A maximum of 8 weeks delivery period shall be accepted, failure to comply with the delivery maximum period or indicate the delivery period on the pricing schedule will render the submission non responsive.

NOTES / CHECKLIST FOR RETURNABLE DOCUMENTS STIPULATED UNDER SPECIAL CONDITIONS OF TENDER DOCUMENTS AS MANDATORY REQUIREMENTS. THIS DOCUMENT SHALL BE APPLICABLE TO ALL TENDER DOCUMENTS OF THE CITY.

Preamble

The objective of this checklist is aimed at ensuring that interpretation and application of the special conditions and other mandatory requirements at Bid Evaluation Committee (BEC) & Bid Adjudication Committee (BAC) are aligned as envisaged by the Bid Specification Committee (BSC). This will enhance consistency and uniformity in the entire bid committee system whilst promoting “user friendly” principles by simplifying tender requirements to all interested prospective bidders.

ITEM NO:	DESCRIPTION / RETURNABLE DOCUMENTS	NOTES	FOR OFFICE USE ONLY	
			CHECKLIST	YES or NO or N/A
1.	Company Registration Certificate	<p>a) It's a certificate issued by the Companies and Intellectual Property Commission in line with section 14 of the Companies Act 78 of 2008</p> <p>b) A Certificate issued by CIPRO in line with section 2 of the Close Corporation Act 69 of 1984</p> <p>NB: The registration of Close Corporations (CCs) was replaced by introduction of the New Companies Act which came to effect in April 2011. CCs to be recognized as valid registration certificate will be up to 2010.</p>	Has the bidders attached a valid company registration document in line with the applicable legislation?	
2.	Company Profile	<p>a) A Company Profile is a professional introduction of your Business that aims to inform Clients about its purpose, vision, trustworthiness, products and services, and experience of your Company. It is basically a “CV for your Business/Company”</p>	Has the bidder attached a company profile and its experience is relevant to add value on this project?	

3.	<p>Certification of documents to be submitted together with the tender document.</p> <p>I.e. ID Copies of business owners, qualifications, Licenses and certificates, accreditation by professional bodies, proof of ownership document, appointment letters, completion certificates, etc.</p>	<p>a) The certification of documents must be done by a commissioner of oath as prescribed in the Justices of the Peace and Commissioners of Oaths Act 16 of 1963 and its Regulations.</p> <p>b) Acceptable certified copies are copies originally certified from any police station, post office, Lawyers or notary public (who are members of a recognised professional body), Actuaries or accountants (who are members of a recognised professional body), Members of the judiciary, Directors, managers or company secretaries of a banks or regulated financial services business.</p> <p>c) <i>Commissioner of Oaths stamps can be purchased at Stationary shops, but it can be custom made following the below example:</i></p> <div data-bbox="757 802 1507 1206" data-label="Form"> <div>CERTIFIED TRUE COPY OF THE ORIGINAL DOCUMENT. THERE ARE NO INDICATIONS THAT THE ORIGINAL DOCUMENT HAS BEEN ALTERED BY UNAUTHORISED PERSONS.</div> <div> Designation (rank)ex officio: RSA Date: Place Business Address: Commissioner of Oaths Signature Full Names </div> </div> <p>NB: All certified copies must NOT exceed three months and be originally certified.</p>	<p>Has the bidder certified all documents to be certified as per special conditions of bid?</p> <p>Check validity on the date, check if the commissioner of oaths stamp is compliant as per example copied from the Regulations.</p>	
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4.	<p>Central Supplier Database (CSD) Full report, (Summary report will NOT be acceptable).</p> <p>N/B CSD Report date should not be more than 30 days before Bid closing date.</p>	<p>a) The City requires that all prospective bidders should be registered on CSD. This is aimed at verification of email addresses, phone numbers, banking details, company registration numbers, tax status with SARS, state employees, etc.</p>	<p>Has the bidder attached a full CSD report, are tax matters in good order, are the directors not in the employment of any state and the CSD report is not older than 30 days from the closing date?</p>	
5.	<p>Tax Compliant Status (TCS)</p>	<p>a) Prospective bidders are required to attach a valid TCS together with the tender document.</p>	<p>Has the bidder attached a valid (not expired) TCS?</p> <p>The designated official should verify the bidder's tax compliance status prior to finalization of the award of a bid or prize quotation. Where the recommended bidder is not tax compliant, the bidders should be notified of their non-compliant status and the bidder must be requested to submit to the City within 7 working days, written proof from SARS of their tax compliance status or proof from SARS that they have made arrangements to meet</p>	

			<p>their outstanding tax obligations. The proof of tax compliance status submitted by the bidder to the City must be verified via the CSD report or e-Filing. The City should reject a bid submitted by the bidder if such a bidder fails to provide proof of tax compliance status within the timeframe stated above (See MFMA Circular No: 90).</p>	
6.	<p>Certified copy of B-BBEE Certificate / affidavit for B-BBEE status level of contributor (to claim points only).</p>	<p>a) EMEs in terms of the B-BBEE Act 53 of 2003 may submit a sworn affidavit confirming annual total revenue and level of black ownership or Certified Copy of B-BBEE Certificate.</p> <p>b) Bidders other than EMEs and QSEs MUST submit their certified copies of valid B-BBEE status level verification certificate, substantiating their B-BBEE rating issued by a registered auditor approved by IRBA or a verification agency accredited by SANAS.</p> <p>c) A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.</p>	<p>Is the copy B-BBEE Certificate valid?</p> <p>Is the sworn affidavit for EME / QSE in line with the threshold for EME and EME and valid?</p> <p>If the tendering entity is a JV / Consortium / Large company, has the bidder attached a certified copy of a valid and consolidated B-BBEE certificate in order to claim points as prescribed by the MSCM</p>	

		<p>NB: There is NO consolidated affidavit for B-BBEE status level of contributor. Only consolidated B-BBEE certificate will be considered for JVs / Consortium & large companies that are making an annual turnover in excess of R50 million including value added tax (VAT). <i>This is not a disqualifying factor, non-adherence will lead to no allocation of B-BBEE points.</i></p>	<p>Regulations?</p> <p>Is the copy of B-BEE certificate certified by the Commissioner of Oaths reflects as prescribe on the regulations of the Act?</p> <p>Is the affidavit for B-BBEE stamped and signed by commissioner of oaths?</p> <p>I.e. full names and signature, force/practice number, designation / rank, date and address.</p> <p>Is the certification date not older than 3 months and original ink is clear on the document to confirm if it is originally certified?</p>	
7.	Formal agreement must be attached in case of a joint venture (JV) or consortium.	<p>a) The JV/consortium must amongst others, reflect clear profit and losses sharing percentages. It is compulsory that the lead partner must have at least 51% majority shares in the JV/consortium.</p>	<p>If the tendering entity / bidder is a JV/Consortium, has the bidder attached a detailed JV/Consortium agreement with all critical information?</p>	

8.	In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit separate required returnable documents.	a) This will not be applicable to functionality and B-BBEE requirements.	If the tendering entity / bidder is a JV/Consortium, have the parties involved attached all individual required documents as per special condition of bid?	
9.	<p>Latest municipal rates and taxes certificates from relevant local authority for the business and all business directors</p> <p>OR</p> <p>Proof of resident from tribal authority for the business and all business directors</p> <p>OR</p> <p>Lease agreement with the Lessor's latest municipal rates and taxes certificates from relevant local authority.</p> <p>NB: All accounts owing any municipality for more than 90 days will be disqualified as prescribed on the MSCM Regulations.</p>	<p>a) If the business is operated and its director(s) are residing within a municipal area, bidders are expected to attach latest municipal rate and taxes certificates for the business and ALL its directors.</p> <p>b) If the business is operated and its director(s) are residing within a tribal authority. Bidders are expected to attach proof of resident for the business and ALL its directors.</p> <p>c) If the business directors are leasing a facility for residential purposes, they are required to attach individual lease agreement with lessor's latest municipal rates and taxes for a facility is within a Municipal boundary and if the business is renting office / business facility, the bidders are required to attach lease agreement for the business with lessor's latest municipal rates and taxes for a facility within a municipal boundary. If the facility leased is in a rural area, lease agreement will be accompanied with the lessor's proof of residential from a tribal authority.</p> <p>NB: <i>Domicilium citandi at executandi</i>: Domicilium citandi et executandi is a Latin legal term meaning the address nominated by a bidder in a legal contract where legal notices may be sent.</p> <p>Bidders are encouraged to update their addresses when they</p>	<p>Has the bidder attached latest municipal rates and taxes from relevant local authority for the company / business and all company directors / owners?</p> <p>In case of lease, has the bidders attached lease agreements and lessor's proof of res from a tribal authority or latest municipal rates and taxes certificate?</p> <p>Is the account not in areas for more than 90 days (3 months)?</p>	

		relocate their businesses and the preferred address on the CSD should be in line with the address on the Company Registration Document. It is the responsibility of the bidder to ensure that all physical addresses reflected either on the company registration document and CSD are not owing any municipal rates and taxes for more than three months including the Lessor's municipal account in case of lease. The rationale behind this requirement is the enhance revenue in RSA municipalities as enshrined on the Municipal Systems Act 32, 2000. Failure to attach is an immediate disqualification but failure to align addresses will not be a disqualifying factor, however all addresses reflected on the both the CSD and company registration document will be subjected to this requirement.		
10.	<p><u>Forging of documents/certificates</u></p> <p>The City has noted that prospective bidders are allegedly submitting fraudulent and forged documents when bidding for tenders.</p> <p>Bidders are advised not to commit fraudulent activities and forge documents. The City will ensure that this Act is adhered to by reporting all abusers of the SCM system to SAPS and enlist them on the Register of Tender Defaulters as prescribed on section 29 of the Prevention and Combating of Corrupt Activities Act 12 of 2004.</p>	<p>Section 34(1)(b) of the Prevention and Combating of Corrupt Activities Act 12 of 2004, stipulates that: <i>“any person who holds a position of authority and who knows or ought reasonably to have known or suspected that any other person has committed the offence of theft, fraud, extortion, forgery or uttering a forged document involving an amount of R100 000 or more, must report such knowledge or suspicion or cause such knowledge or suspicion to be reported to any police official”.</i></p> <p>Section 34(2) of the same Act stipulates that: <i>“subject to the provision of section 37(2), any person who fails to comply with subsection (1), is guilty of an offence”.</i></p>	<p>Are there any suspicious / alleged fraudulent or forged documents?</p> <p>If yes, has the matter been reported to the nearest SAPS following correct institutional protocol?</p> <p>Has the matter been registered with the Registrar to enable due processes and per the Act?</p> <p>NB: The minutes of the BEC / BAC should detail all the elements of alleged fraud and forged</p>	

	Abusers of the SCM system, amongst other penalties, may be restricted to do business with any Public Institutions for a period NOT exceeding 10 years (see section 28 of this Act).		documents.	
11.	Copy of Public Liability insurance. Only insurance covers from registered and authorized financial service providers will be accepted.	a) Public liability insurance may vary from one project to another on the basis of the level of risk and complexity of the project. Minimum cover to be determined by the BSC prior consultation with the project manager if deemed necessary.	If applicable, is the bidder compliant with the minimum cover stipulated in the bid document? Is the public liability insurance from a registered financial institution?	
12.	Recent audited / independently reviewed financial statements for three consecutive years. NB: if a company provides any financial statements in terms of section 29 of the Companies Act, such statements must comply with the provision of the Act.	a) Applicable to private companies that are not managed by its owners, if: <ul style="list-style-type: none"> - It compiles its financial statement internally and its public interest score is less than 100. - It has its financial statements compiled independently and its public interest score is between 100 and 349. - The public interest score is 350 points or more, is required for an audit to be conducted. 	Has the bidder furnished MBD 5 as mandatory for all projects estimated to be in excess of R10 million? Has the bidder attached the relevant AFS as required by law and is it aligned with his/her declaration on MBD 5? False / mismatched / inconsistent declaration may lead to immediate disqualification.	
13.	Recent annual financial statement (AFS) for three consecutive years (unaudited AFS). NB: if a company provides any financial statements in terms of	a) Applicable to private companies with a public interest score of less than 100. b) If, with respect to a particular company, every person who is a holder of, or has a beneficial interest in, any	Has the bidders furnished MBD 5 as mandatory? Has the bidder attached the relevant AFS as	

	section 29 of the Companies Act, such statements must comply with the provision of the Act.	<p>securities issued by that company is also a director of the company, that company is exempt from the requirements in this section to have its annual financial statements audited or independently reviewed.</p> <p>NB: An independent review will suffice if the company has opted to have its financial statement audited or is required by its Memorandum of Incorporation (MOI) to do so.</p>	required by law in line with his/her declaration on MBD 5?	
14.	Functionality / Quality for evaluation of complex projects	<p>a) Functionality test refers to evaluation of bidders on various aspects of the contract to establish if the bidders has the capabilities to execute the contract or not. The various aspect may include but not limited to: track record and experience on similar projects, human resource and their individual experience, financial capabilities, relevant technology, etc.</p> <p>NB: Functionality will not be compulsory for all projects but for complex projects. Functionality criteria will vary from one project to another.</p>	<p>Has the bidder met the minimum threshold on functionality in order to qualify for further evaluation on price and B-BBEE?</p> <p>Has the bidders been scored in line with the evaluation criteria set on the tender document?</p> <p>All portfolio of evidence attached and certified as stated on the bid document?</p>	
15.	The Compensation for Occupation Injuries and Diseases Act 130 of 1993 (COIDA)	<p>a) The COIDA provides for compensation for disablement caused by occupational injuries or diseases sustained or contracted by employees in the course of their employment, or for death resulting from such injuries or diseases, hence bidders are expected to attach COIDA certificates in line with their specialize area aligned to the type/nature of business.</p>	If applicable, is the COIDA certification / letter of good standing attached, valid and reflects the nature of work in line with the scope of works?	

SPECIFICATIONS AND PRICING SCHEDULE

Item No	Description	Unit Price (Excl. VAT)	Delivery Period To be indicate by the bidder (Weeks)	Name of Manufacturer
1	ELECTRIC METER - TYPE: Pre-paid Split; 2 wire Din-Rail smart PLC Single Phase ; AMPS:80 Amp; VOLTAGE: 230 V; 50 Hz; SPECIFICATIONS: Communication via Power Linecommunication (G3 PLC) protocol using OFDM (minimum communication distance 120 meters) Technology (Mains Borne) for self-powered commonbase CIU. Reverse line or load protection. Advanced tamper detection. Meter housing with security seals.	R		
1 . 1	KEYPAD (Customer Interface Unit-CIU) - TYPE: with plug top and battery back-up; using (One that interface with Item -1 & 2) Protocol using OFDM (minimum communication distance 120 meters) (G3 PLC) technology; AMP: 80A; CIU fitted with battery to enable sleep mode; battery to enable credit tokens to be entered; (minimum communication distance 120 meters) VOLTAGE: 230V. CIU Meter must be of the British Standard (BS) footprint type	R		
2	ELEC METER - TYPE: Three Phase split Din-RAIL: BS; Amps: 100Amp; Rated voltage: 230v; 50Hz; SPECIFICATIONS: Communication via Power Line Communication (G3 PLC) protocol using OFDM technology (Mains Borne). Reverse line or load protection. Advanced tamper detection. (Minimum communication distance 120 meters) CIU Meter must be of the British Standard (BS) footprint type .	R		

Item No	Description	Unit Price (Excl. VAT)	Delivery Period to be indicated by the bidder (Weeks)	Name of Manufacturer
3	ELECT METER – TYPE: Conventional Residential electronic Meters Single Phase; LED indicator up to ± 7 digits; Multi-function LCD with optical backlight; Single tariff; Temper mode protector; Currency 10A - 100 Amp kwh max; Starting current of .004lb; Rated voltage of 230v/400v with 50Hz frequency. The Meter must comply with IEC Standards: IEC61052-11 & IEC61053-21	R		
4	ELECT METER – TYPE: Conventional electronic Meters Three Phase, Rated voltage:3 x 230v/400; operational frequency 50Hz; pulse constant 1000imp/kWh; Window for LED & LCD display and symbol instructions; Full screen digital. The Meter must comply with IEC Standards: IEC62052-11; IEC62053-21; IEC62053-23; IEC620	R		
5	ELECT METER – TYPE: Bulk Connection Meter 3-phase 4-wire connector network M-circuit. SPECIFICATIONS: Window for LED or arrows on LCD display up to ± 10 digits ± 8 mm digit size. Programmable passive tables and emergency settings to manage workload. Able to record up to 26 channels. Rated voltages: 3 X 110/190 to 133/230V @ 50 – 60Hz $\pm 2\%$ tolerance. Rated Currency: From 40 -120AMP. Short circuit current <10ms – 5000Amp. With direct connection	R		

Item No	Description	Unit Price (Excl. VAT)	Delivery Period to be indicated by the bidder (Weeks)	Name of Manufacturer
6	ELECT METER – TYPE: Bulk Connection Meter 3-phase 3/4-wire connector network F - M- circuit. SPECIFICATIONS: Window for LED or arrows on LCD display up to ±10 digits ± 8mm digit size. Programmable passive tables and emergency settings to manage workload. Able to record up to 26 channels. <u>Rated voltages: 3 X 58/100 to 240/415V @ 50 – 60Hz ±2% tolerance.</u> <u>Rated Currency: From 1A, 2A, 5AMP. Short circuit current <0.5s – 20 X I_{max}.</u> Transformer operated Meter.	R		
6.1	Modem for above meter -APN communication associated with item 6 & 7	R		
6.2	Antenna for item 6 & 7	R		
6.3	APN sim cards (changeability to any Cell network)	R		
TOTAL EXCL. VAT		R		
15 % OF VAT		R		
TOTAL BID PRICE INCL. VAT		R		

NB: THE CONTRACT WILL BE RATES BASED, QUANTITIES WILL BE REFLECTED ON PURCHASE ORDERS ON AN AD-HOC BASES. THE PRICING SCHEDULE ABOVE MUST BE COMPLETED IN FULL AND FAILURE TO ADHERE WILL RENDER THE BID NON RESPONSIVE!

SPECIFICATIONS

TRADE NAMES OR PROPRIETARY PRODUCTS

Bid specifications may not make any reference to any particular trade mark, name, patent, design, type, specific origin or producer, unless there is no other sufficiently precise or intelligible way of describing the characteristics of the work, in which case such reference must be accompanied by the words "Similar or Equivalent to"

1 SCOPE OF SPECIFICATION

- 1.1 This specification provides for the supply, delivery and off-loading of Standard Transfer Specification (STS) prepayment electricity dispensers as per price schedule.
- 1.2 Tenderer must tender for both the main item and any sub-items required in order for the unit to functionally operate as required.
- 1.3 Actual quantities are not available as the City will procure on an as and when required basis inline with operational requirements.

2 APPLICABLE STANDARDS

- 2.1 The STS ED's shall generally comply with the latest versions of the following standards:
- 2.2
 - SANS 1524 - 1 - Electricity payment systems Part 1: Prepayment meters
 - SANS 62052-11 - Electricity metering equipment (a.c.) – General requirements, tests and test conditions Part 11: Metering equipment
 - BS 5685 - Electricity meters bases
 - NRS 009 - Electricity sales systems
 - NRS 047 - Pre paid meters
 - SANS 2859-1 - Sampling procedures for inspection by attributes –
 - Part 1IEC 62053-52 - Standard Electricity Metering Equipment
- 2.3 The prepayment meters offered must be capable of operating within a Common Vending System(CVS) as specified in the latest revision of NRS 009.

3 COMPLIANCE OR NON-COMPLIANCE WITH SPECIFICATION

Tenderers shall complete Returnable Schedule 16A – Table of Non-Compliance and list all non- compliance items and submit with their tender a schedule listing clause-by-clause specific details indicating compliance or non-compliance with the requirements of the specification for each item.

4 SUPPLY VOLTAGE

The prepayment meters shall operate within the specified supply voltage range as follows:

- 4.1 The supply voltage for a single phase prepayment meters is 230 V AC \pm 10% 50 Hz.
- 4.2 The supply voltage for a three phase prepayment meters is 400 V AC \pm 10% 50 Hz.

5 GENERAL

- 5.1 No tender will be considered unless accompanied by a full description and technical details of the equipment offered. Any special features shall be detailed.
- 5.2 The prepayment meters shall be of accuracy Class 2 or better.
- 5.3 The prepayment meters offered shall be field proven with an acceptable failure rate, not exceeding 2% per annum, giving a Mean Time between Failure (MTBF) of 50 years. **MCU removed from field due to communication failure shall be included in the calculation of the failure statistics.**
- 5.3.1 Tenderers shall state the Mean Time Between Failure (MTBF) in years of the products offered.
- 5.4 The build quality and components used shall be consistent with the design life and failure rates as specified.
- 5.5 Tenderers shall state the percentage MCUs removed from field due to communication failures.
- 5.6 All components delivered shall be batch tested by the utility for functionality with 1 % batch limit rate in accordance with SANS 2859-1. All meters shall be tested by the utility except where calibration failures clearly exceed the 1 % batch limit.
- 5.7 The design of the prepayment meters shall be such as to inhibit tampering to any part. Tenderers shall state what measures they have adopted to achieve this requirement. Tenderers to note that any tamper detection device for common base meters shall be subject to the approval of the Engineer.
- 5.8 Interrogation software requirements shall be discussed and finalised with the successful Tenderer. It will be advantageous if the following information can be retrieved from the ED:
- Date and time of grab ☐
 - Prepayment meter number ☐
 - Type
 - Total kWh entered/accepted ☐
 - Total kWh consumed ☐
 - Remaining kWh ☐
 - Negative kWh consumed ☐
 - Number of valid transactions/tokens accepted
 - Power fail counter
 - Number of times the internal switch or circuit-breaker disconnected/reconnected the Customer load
 - Tamper status ☐
 - Last 15 credit tokens entered or token identification stack ☐
 - Key revision number ☐

- Tariff index□
- Software version□
- Supply group code□
- Number of clock-over on cumulative kWh register (if applicable)

* Essential information required.

- 5.9 The eleven digit meter number of the meter shall be generated by the manufacturer. The numbering must be in accordance with NRS009 Part 4 Section 2.
- 5.9.1 The meter numbers shall be supplied to the stores by e-mail prior or on delivery in electronic format. The batch of meters will be accompanied with a hard copy of all the meter numbers in the specific batch. Both the electronic and hard copy will be in the same format.
- 5.10 The prepayment meters offered shall be of the standard wide and high keypad type to fit in the CoM meter boxes.
- 5.11 The prepayment meters shall comply with the 400v withstand test.
- 5.12 The prepayment meters shall not incorporate earth leakage protection.
- 5.13 Provision shall be made for an official of Electricity to seal the prepayment meters in an approved manner if delivered without seals.
- 5.14 All printed circuit boards in the prepayment meters shall be conformally coated.
- 5.15 Terminals shall be suitable to accommodate 8mm in diameter conductors.
- 5.16 The prepayment meters housings shall be manufactured from an approved non-metallic self-extinguishing material such as polycarbonate or similar.
- 5.17 All the prepayment meters supplied shall be fitted with appropriate internal disconnecting devices.
- 5.18 All the prepayment meters supplied shall have a default software power limit setting equal to 100 % of rated current. The meter will be tested at 95 % of maximum current.
- 5.19 All three phase prepayment meters shall have no unbalance power limit settings, i.e the imbalance settings shall be factory disabled.
- 5.20 The prepayment meters shall have LED and LCD to display parameters requested via the keypad. In the case of the split prepayment meters this display shall be on the Customer interface unit.

Tenderers must provide full details of information and functionality that can be retrieved via the keypad and LCD interface, preferably by entering an engineering mode or making use of short codes.

- 5.21 The following information should be retrievable via the keypad and LCD interface:
- Remaining kWh
 - Total kWh units consumed since prepayment meters was initialized
 - Number of clock-over on cumulative kWh register (if applicable)
 - Tamper device (enabled/disabled)
 - Tampering status (on/off)
 - Software Version
 - Power limit trip level
 - Prepayment meters Number
 - Power fail counter
 - Supply group code
 - Tariff index
 - Key revision number
 - Voltage, current, power and related engineering information
- 5.22 The magnetic card provided with each prepayment meters shall be programmed according to NRS 009 and the information shall be placed on both tracks 1 and 2 on the magnetic strip.
- 5.23 Commission guides in credit card format to be supplied on request. Tenderers must submit six samples after award for approval.
- 5.24 LCD character size shall be a minimum of 7.5 mm high.
- 5.25 The IP rating shall be 54 for outdoor components and 51 for indoor components.
- 5.26 Potential links, if applicable, will be situated and sealed under the meter cover.
- 5.27 The size of all DIN rail mount MCU device including the antenna shall not exceed 150 mm high x 110 mm deep x 65 mm wide.
- 5.28 Tenderers shall provide full communication protocol descriptions to third parties on request at no charge.
- 5.29 **No internal batteries** are allowed in the meters.

6 EQUIPMENT DETAILS

6.1 Constructional Requirements

6.1.1 For all common base equipment

- 6.1.1.1 The base shall make provision for back/rear connection of the incoming and outgoing cables. The base shall be supplied with four fixture points and shall be supplied as IP 51.
- 6.1.1.2 Tenderers shall specify what provision has been made in the form of a safety cover to inhibit access to live terminals prior to the installation of the active meter unit.

6.1.1.3 The ED's shall incorporate an anti- tampering device to inhibit unlawful access to the metering element and terminals.

6.1.1.4 The common base construction type shall be fitted with a y-shaped earth bar to accommodate 3 separate terminations. The bridge connection between the earth bar and the neutral terminal shall be flat copper. No stranded wiring shall be allowed.

6.1.1.5 The LCD shall display an appropriate message or flag to highlight the tamper condition together with an indication that it has registered negative values of consumption. **No negative kWh values shall be displayed on the LCD.**

6.1.2 For all radio and PLT technologies

6.1.2.1 Only **G3 PLC** communication in the CENELEC A Band (30 kHz to 95 khz) will be permitted.

The measuring and control unit (MCU) shall contain the metering and control electronics as well as the disconnecting device. The Customer interface unit (CIU) shall contain the LCD and keypad and be the main input device on the Customer's premises.

6.1.2.2 The communication between the measuring and control unit (MCU) and CIU shall be guaranteed over a minimum distance of 100 meters. Tenderers shall specify the maximum distance over which their split prepayment meters can operate.

6.1.3 Tenderers shall document the communication security features implemented to protect customer consumption details.

6.1.4 Tenderers shall provide full communication protocol descriptions to third parties on request at no charge.

6.1.5 Where measuring and control unit (MCU), customer interface unit (CIU) and related equipment are delivered with similar enclosures but with different technological compatibilities, the nameplates will be clearly identified by **model numbers and coloring** for field use.

6.1.6 For a common base CIU with a contactor the MCU will allow 5 x 200 w/h disconnections, after credit ran out,

6.2 Operational Requirements - All Items

6.2.1 The disconnecting device shall automatically interrupt the load circuit under the following conditions:

6.2.1.1 When the credit reaches zero.

6.2.1.2 When tampering is detected

6.2.1.3 When the set power limit setting is exceeded, the LCD shall indicate an overload condition and the control electronics shall at pre-determined intervals check if the overload condition persists before it permanently restores the load circuit.

When the load circuit has been restored the overload indication on the LCD shall be cleared automatically. A short code for the reason of last trip will indicate in this instance a trip condition as a result of overloading.

6.2.1.4 On the three phase meters the communication shall be on all three phases or phase selectable.

- 6.2.2 If the disconnecting device interrupts the load circuit for reasons outlined in 6.2.1.1 above, it shall automatically reset when the prepayment meters is loaded with a valid number of pre- purchased units of electricity or by means of an engineering token.
- 6.2.3 No token demand to bypass or disable prepayment functionality shall be implemented.
- 6.2.4 The prepayment meters shall have a flashing red LED to indicate the rate of consumption of electricity which shall also be suitable to verify the accuracy of the prepayment meters. It is important to note that in case of the split prepayment meters both MCU and the CIU shall have this provision. The contrast of the calibration LED shall be suitable for automatic testing.
- 6.2.5 In the event of loss of communication between the MCU and CIU, the MCU shall continue to register electricity usage accurately.
- 6.2.6 Terminal shrouds shall be supplied where applicable.
- 6.2.7 When a tamper signal is detected and the internal disconnection device fails to interrupt the load circuit, the prepayment meters shall continue to decrement the "available credit" register as electricity is being consumed. When this register reaches zero, the display shall be locked but, the meter shall continue to register negative values of the consumption and store it in memory for future retrieval preferably via the LCD and keypad, after the entry of an engineering code, or by means of an optic port for on-site retrieval or alternatively via direct probe connection or otherwise to the approval of the Engineer.

6.3 Programming/Software Requirements

- 6.3.1 All the prepayment meters supplied shall be pre-programmed with **10 units** of credit.
- 6.3.2 The prepayment meters shall be pre-configured with a standard supply group code (**000214**) for White River, (**000215**) for Nelspruit Central and (**000280**) for Umjindi for the entire **City of Mbombela**
- 6.3.3 On request, the meters shall be supplied in pre- commission mode to enable calibration without tamper detect and without the credit register decrement, prior to installation.
- 6.3.4 Tenderers shall provide comprehensive user-friendly commissioning procedure which will ensure correct installation and activation of the tamper mechanism by means of a non-meter specific token, utilizing a once off tamper enabling function, or subject to the approval of the Engineer.
- 6.3.5 If applicable – No-power tamper mode shall only be activated once the meter is paired or connected to a CIU.
- 6.3.6 The Electric Meters must be capable of operating within an existing Common Vending System used by the City of Mbombela as prescribed by the NRS version.

7 ORDERING

- 7.1 Orders will be placed when required and will officially be confirmed by e-mail containing the following relevant information:
- Reference to this specification and contract
 - Quantities per item
 - Order number per item

- Delivery location and detail regarding delivery time

8 PACKAGING

- 8.1 Prepayment meters shall be crated, packed or battened securely in such a manner as to prevent damage during loading, transport and off-loading. All meter be marked in bold-Property of city of Mbombela 9 close to the meter number)
- 8.2 Each prepayment meter shall be packaged into a separate protective container to limit possible mechanical damage, and not plastic wrapped.
- 8.3 Each prepayment meter shall be delivered complete with an identification magnetic card. The magnetic cards and the tamper plugs shall be placed into separate protective plastic bags and affixed to the prepayment meter. Any other method used to affix the magnetic card to the prepayment meter shall be subject to the approval of the Engineer.
- 8.4 Each CIU that is battery operated, shall have the battery included loose in the container but not installed into the CIU. The battery shall be insulated/covered in such a way that it will not cause any short circuits across the negative and positive terminals of the battery.
- 8.5 Customer information booklet with electricity saving tips shall be supplied with each meter. The user-friendly instruction and commissioning leaflets approved by this Directorate must be included in the package with each prepayment meter, clearly indicating operating instructions for the user in **English, Afrikaans and African Language**. Detail finalization of the leaflets will be discussed with the successful Tenderer.

9 DESIGN REQUIREMENTS

- 9.1 all materials used shall be suitable for working under the atmospheric conditions Prevailing in the City of Mbombela and under such sudden variations of load and voltage, including in short circuit.

The Electricity Meters shall comply with the 415 Volt withstand test and be Manufactured to NRS 047

The design shall incorporate every reasonable precaution and provision for the safety of all those concerned in the operation and maintenance of the system.

10 GUARANTEE AND AFTER SALES SERVICES

The tenderer/ bidder shall state in respect of goods offered the extent of the guarantee and coverage under which any portion of the goods in which any defect due to fault design or manufacturer may develop within that period, will be replaced free of all repairs and transport to Council.

The tenderer / bidder shall be required when necessary to offer group tokens for the City of Mbombela as the City as 3 regions with different SGC respectively.

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

MBD 3.1

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED, NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASE WHERE DIFFERENT DELIVERY POINTS INFLUENCES THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder..... Bid number: COM 30/2023

Closing Time 11:00, Closing Date: 22 MAY 2023

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID

ITEM NO.	QTY	DESCRIPTION	BID PRICE IN RSA CURRENTLY (INCLUDING VAT)
-	Required by	.....
-	At:	.....
-	Brand and model	.....
-	Country of origin	.....
-	Does the offer comply with specification?		*YES/NO
-	If not to specification, indicate deviation(s)	.....
-	Period required for delivery	.....
-	Delivery basis (all delivery costs must be included in the bid price)	.....	*Delivery: Firm/not firm

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

Any enquiries regarding the bidding procedure may be directed to:

Financial Management
Christopher Nkambule
(013) 759 2358

OR

Financial Management
Baldwin Shongwe
(013) 759 2026

christopher.nkambule@mbombela.gov.za

baldwin.shongwe@mbombela.gov.za

DECLARATION OF INTEREST

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

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

3.1 Full Name of bidder or his or her representative:.....

3.2 Identity Number:

3.3 Position occupied in the Company (director, trustee, shareholder²):...

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

3.7 The names of all directors / trustees / shareholders members, their individual identity Numbers and state employee numbers must be indicated in paragraph 4 below.

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

3.8.1 If yes, furnish particulars.....

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

(a) a member of –

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

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

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

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

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

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

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

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

3.9.1 If yes, furnish particulars.....

.....

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?..... **YES / NO**

3.10.1 If yes, furnish particulars.

.....

.....

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

3.11.1 If yes, furnish particulars

.....

.....

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

YES / NO

3.12.1 If yes, furnish particulars.

.....

.....

3.13 Are any spouse, child or parent of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

3.13.1 If yes, furnish particulars.

.....

.....

3.14 Do you or any of the directors, trustees, managers,

principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract.

YES / NO

3.14.1 If yes, furnish particulars:

.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

MBD 5

DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (VAT INCLUDED)

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

1 Are you by law required to prepare annual financial statements for auditing? **YES / NO**

1.1 If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.

.....
.....

2 Do you have any outstanding undisputed commitments for municipal services towards a municipality or any other service provider in respect of which payment is overdue for more than 30 days? **YES / NO**

2.1 If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days.

2.2 If yes, provide particulars.

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

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

3.1 If yes, furnish particulars

.....
.....

4. Will any portion of goods or services be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic?

YES / NO

4.1 If yes, furnish particulars

.....
.....

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 point 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:

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

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:

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

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

Item no.	The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Number of points claimed (80/20 system) (To be completed by the tenderer)
A total of 8 preference points shall be allocated on a proportional or pro rata basis for contracting an enterprise owned by historically disadvantaged persons or individuals who meet the following requirements -			
1.	for 100% black person or people owned enterprise	2 points	
2.	for at least 30% woman or women shareholding or owned enterprise	2 points	
3.	For at least 30% youth shareholding or owned enterprise	2 points	
4.	for at least 30% people living with disability shareholding or owned enterprise	2 points	
A total of 12 preference points shall be allocated on a proportional or pro rata basis for implementing of programmes for RDP -			
5.	for enterprise located within the local area of jurisdiction	2 points	
6.	for enterprise who will sub-contract minimum of 30% of the contract value to EMEs in the ward or local communities where the services to be rendered of works to be undertaken	2 points	
7.	for Corporate Social Investment (CSI) or Social Labour Plan proposition (2% of the total budget allocated)	5 points	
8.	for valid B-BBEE level 1 contribution (SANAS verified B-BBEE certificate for generic enterprise, and for EME and SME a sworn affidavit or CIPC issued certificate confirming annual turnover and level of Black Ownership)	3 points	
The City will utilize the CSD report for the above-mentioned information.			

Corporate Social Investment (CSI)

NB: The minimum total value of the CSI should not be less than 2% of the total project value excluding vat and contingencies. The CSI project should be delivered concurrently with the project. The final product should be delivered prior to the issuing of completion certificate. The nature of the CSI project must benefit the community at large. (1 page, Arial font size 12) Prospective bidders will be expected to provide the City with a written explanation on how to implement the Corporate Service Investment on that particular ward, community or region. The investment must benefit the community at large. In order to claim points, a detailed one page report must be included in the list of returnable documents. The corporate social investment initiatives must be implemented by the company/successful bidder. The final details of the CSI project will be finalized prior to the signing of the contract in consultations with relevant stakeholders.

DECLARATION WITH REGARD TO COMPANY/FIRM

- 4.3. Name of company/firm.....
- 4.4. Company registration number:
- 4.5. TYPE OF COMPANY/ FIRM
- ☐ Partnership/Joint Venture / Consortium
 - ☐ One-person business/sole propriety
 - ☐ Close corporation

- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

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

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

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

THIS MBD FORM MUST NOT BE COMPLETED PRIOR TO APPOINTMENT. IT WILL BE ONLY BE FURNISHED AND SIGNED BY THE SUCCESSFUL BIDDER/SERVICE PROVIDER

CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)..... in accordance with the requirements and specifications stipulated in bid number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Technical Specification(s);
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2022;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

2.

DATE:

(BIDDERS / SERVICE PROVIDERS MUST NOT FILL THIS PART TWO OF THIS MBD 7)

CONTRACT FORM - PURCHASE OF GOODS/WORKS

PART 2 (TO BE FILLED IN BY THE PURCHASER / CITY OF MBOMBELA)

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

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

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

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1.

2.

DATE

2.2 DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <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 bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a) take all reasonable steps to prevent such abuse;
 - b) reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c) cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

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.

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.

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

AUTHORITY TO SIGN A BID

1. COMPANIES AND CLOSE CORPORATIONS

- a. If a Bidder is a **COMPANY**, a **certified copy of the resolution by the board of directors**, duly signed, authorising the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company **must be submitted with this bid**, that is, before the closing time and date of the bid
- b. In the case of a **CLOSE CORPORATION (CC)** submitting a bid, **a resolution by its members**, authorizing a member or other official of the corporation to sign the documents on their behalf, **shall be included with the bid**.

PARTICULARS OF RESOLUTION BY BOARD OF DIRECTORS OF THE COMPANY / MEMBERS OF THE CC

Date Resolution was taken			
Resolution signed by (name and surname)			
Capacity			
Name and surname of delegated Authorized Signatory			
Capacity			
Specimen Signature			
Full name and surname of ALL Director(s) / Member (s)			
Is a CERTIFIED COPY of the resolution attached?	YES		NO
SIGNED ON BEHALF OF COMPANY / CC:		DATE:	
PRINT NAME:			
WITNESS 1:		WITNESS 2:	

2. SOLE PROPRIETOR (SINGLE OWNER BUSINESS)

I, _____, the undersigned, hereby confirm

that I am the sole owner of the business trading as _____

3. PARTNERSHIP

We, the undersigned partners in the business trading as _____

hereby authorize Mr/Ms _____ to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and /or contract for and on behalf of the abovementioned partnership.

The following particulars in respect of every partner must be furnished and signed by every partner:

Full name of partner	Signature

SIGNED ON BEHALF OF PARTNERSHIP:		DATE:	
PRINT NAME:			
WITNESS 1:		WITNESS 2:	

CERTIFICATE OF AUTHORITY FOR JOINT VENTURES
--

This returnable schedule is to be completed by JOINT VENTURES

We, the undersigned, are submitting this tender offer in joint venture and hereby authorize Mr/Ms _____
 _____ authorized signatory of the Company/Close
 Corporation/Partnership (name) _____, acting in the capacity of
 lead partner, to sign all documents in connection with the tender offer and any contract resulting
 from it on our behalf.

1. Name of firm (Lead partner)			
Address			
		Tel. No.	
Signature		Designation	

2. Name of firm			
Address			
		Tel. No.	
Signature		Designation	

3. Name of firm			
Address:			
		Tel. No.	
Signature		Designation	

4. Name of firm			
Address			
		Tel. No.	
Signature		Designation	

NOTE: A copy of the Joint Venture Agreement showing clearly the percentage contribution of each partner to the Joint Venture, shall be appended to this Schedule.

SUPPLY CHAIN POLICY USING 80/20 PREFERENCE POINT SYSTEM

		MAXIMUM POINTS TO BE ALLOCATED	POINTS CLAIMED BY BIDDER	ALLOCATED POINTS
PRICE AND COMPETENCE GOALS (80 POINTS)	PRICE	80		
	SUB TOTAL	80		
EQUITY PROMOTION GOALS (20 POINTS)				
	B-BBEE STATUS LEVEL OF CONTRIBUTION	20		
	SUB TOTAL	20		
	TOTAL	100		