

UMZIMVUBU LOCAL MUNICIPALITY PROVINCE OF THE EASTERN CAPE



INFRASTRUCTURE & PLANNING DEPARTMENT

**TURNKEY PROJECT FOR NQALWENI/MATYENI 170(163) RURAL HOUSING
PROJECT**

CONTRACT No.: UMZ/2022-23/INFRA/ECDHS/006

Bidder

Name:

.

CIDB CRS NO:

.

Total of the prices inclusive of value added tax: R

.

***BIDDER'S CLOSES AT THE OFFICES OF: UMZIMVUBU LOCAL MUNICIPALITY OFFICES KWABHACA
AT 12H00 ON TUESDAY the 02 May 2023.***

Documents are to be delivered by hand in the tender box as no faxed copies will be acceptable; the box is situated at '**Reception**' of Umzimvubu Municipality, New Offices Sophia Park

NO LATE SUBMISSION WILL BE CONSIDERED

Issued and by:
UMZIMVUBU LOCAL MUNICIPALITY
DABULA STREET
MOUNT FRERE
5010

Municipal Manager : G.P.T. Nota
Telephone : 039 – 255 8500

CONTENTS	PAGE
1. ADVERT.....	3
2. BACKGROUND.....	8
3. PROJECT LOCATION.....	8
4. PROJECT DESCRIPTION.....	8
5. SCOPE OF WORKS.....	10
6. MINIMUM SPECIFICATION.....	11
7. PROJECT DELIVERABLES.....	13
8. PROPOSAL FORMAT.....	13
9. FINANCIAL SCHEDULE OF RATES	14
10. PAYMENT MILESTONE.....	18
11. EVALUATION CRITERIA	19
12. EVALUATION ON LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS	
13. SUBCONTRACTING.....	22
14. OBJECTIVE CRITERIA.....	24
15. LEGALITIES OF CONTRACT AND TENDER RULES.....	24
16. CONTRACT DATA AND AGREEMENT.....	26
17. DOCUMENTS TO BE SUBMITTED	28
18. DURATION OF PROJECT.....	28
19. RETURNABLE SCHEDULE.....	28
20. COLLECTION OF BID DOCUMENTS.....	41
21. SUBMISSION OF BID DOCUMENTS.....	41
22. BID VALIDITY.....	41
23. BRIEFING SESSION.....	41
24. CLOSING DATE.....	41
25. CONTACT DETAILS FOR TERMS OF REFERENCE.....	41
26. SIGNATORIES.....	42
27. FINAL SUMMARY.....	44



ADVERT DATE: 30 March 2023

Umzimvubu Local Municipality hereby invites bidders for the listed below with a below listed projects.

Project Name	Contract No	Number of Units	Project Address	Min CIDB Grading	Briefing date	Closing Date	Ward
Turn Key Project For Nqalweni/Matyeni 170 (163) Rural Housing Project	UMZ/2022-23/INFRA/ECDHS/006	163	Matyeni Location	7 GB or Higher	13 April 2023	02 May 2023	14

MANDATORY DOCUMENTS TO BE SUBMITTED, FAILURE TO DO SO WILL RESULT IN THE BID BEING DEEMED TO BE NON-RESPONSIVE.

Umzimvubu Local Municipality Supply Chain Management policy will apply. A confirmation from SARS with a verification pin, certified copy of company Registration/Founding Statement/CIPC Document. Specific Goals will be utilised where 10 Points will be allocated to 100% black owned companies, 5 Points to Disability owned companies(Proof of disability certificate to be attached) and 5 points for Female owned companies (non-elimination item). JV Agreement for Joint venture. 80/20 evaluation criteria. P. Certified ID Copies of Managing Directors/ Owners. Compulsory submission MBD form 4, 5, 6.1, 8 and 9 and Billing Clearance certificate or Statement of Municipal Accounts. Tender documents will be available on E tender Portal for free to be downloaded and those that needs hard copies will be available at Municipality Offices at a fee of R451.00 to cover printing costs **No couriered, faxed, e-mailed and late tenders will be accepted.** **Certification of documents must be within a period of 90 days. Bidders must be registered on CSD and provide confirmation of registration. compulsory briefing session and proceed to Site provided GPS co-ordinates.** Umzimvubu Local Municipality reserves the right not to appoint and value for money will be the key determinant of appoint. All tenders must be deposited in the tender box situated at **Umzimvubu Local Municipality Offices at Dabula Street, KwaBhaca, Eastern Cape 5090 (30° 54' 30" S, 28° 58' 53" E)** not later than **12h00** noon as per provided closing dates, where they will be opened in public. All tenders must be clearly marked "Name of the project indicated above. **The municipality will not make any award to a person or persons working for the state.**

PRE – QUALIFICATION

All bids will be subjected to a pre-qualification and will be required to achieve a minimum of 60 in order to be evaluated further.

Criteria	Maximum Points to be scored
Experience on Similar Project	25
Personnel Experience	15
Equipment Relevant to Project	10
Financial Capacity	20
Methodology	30
Total	100

Enquiries: All technical enquiries may be directed to Infrastructure and Planning department: Mr. L. Moleko 039 255 8550 and SCM Mr T Mbukushe 0392558555. Other enquiries regarding this Bid may be directed to the office of the Municipal Manager: Mr GPT Nota.

**GPT NOTA
MUNICIPAL MANAGER**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (UMZIMVUBU LOCAL MUNICIPALITY)					
BID NUMBER:	BID NO: UMZ/2022-23/INFRA/ECDHS/006	CLOSING DATE:	02 May 2023	CLOSING TIME:	12H00 noon
DESCRIPTION	TURNKEY PROJECT FOR MATYENI/NQALWENI 170 (163) RURAL HOUSING PROJECT				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS

The Reception Area					
Umzimvubu Local Municipality- New Offices Sophia Park					
Dabula Street					
Mount Frere					
5090					
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	☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN	☐ Yes ☐ No	

ON CERTIFICATE [TICK APPLICABLE BOX]		AFFIDAVIT	
[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?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R
SIGNATURE OF BIDDER		DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	Budget and Treasury-SCM	CONTACT PERSON	Mr. L. MOLEKO
CONTACT PERSON	Mr T Mbukushe	TELEPHONE NUMBER	039 255 8512
TELEPHONE NUMBER	039 255 8555	FACSIMILE NUMBER	N/A
FACSIMILE NUMBER	N/A	E-MAIL ADDRESS	Moleko.Lebohang@Umzimvubu.gov.za
E-MAIL ADDRESS	Mbukushe.themba@Umzimvubu.gov.za		

PART 1

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION: 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE. 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE JOINT BUILDING CONSTRUCTION CONTRACT COUNCIL 2000 SERIES EDITION 5 2007 (JBCC) 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-SERVICE PROVIDERS 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)? ☐ YES ☐ NO 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO 3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

2. BACKGROUND

UMzimvubu Local Municipality working with Eastern Cape Department of Human is engaged in an effort to improve and accelerate delivery of RDP houses in the Province for people in Rural Villages and to fast track the implementation of this project. The Municipality is calling on contractors and developers with high performing capacity to undertake planning activities that include beneficiary registration/administration, social facilitation, design and construction of engineering and top structures and other project related activities to assist in the implementation and completion of this project in UMzimvubu Local Municipality.

This Project is in a Rural Village in UMzimvubu Local Municipality at Dundee and surroundings village area and surroundings. The appointed contractor is to complete the remaining 163 housing unit.

3. PROJECT LOCATION

The project is at Matyeni village and surroundings under Umzimvubu Local Municipality.

4. PROJECT DESCRIPTION

The project details are as follows: -

Table 1: project details

NO.	AREA AND WARD NO.	LOCAL MUNICIPALITY	DISTRICT MUNICIPALITY	NO. OF PARTIAL SERVICES		NO. OF UNITS
				VIP TOILETS	WATER TANK & STAND	
1.	Matyeni Location and surrounding Ward05	Umzimvubu	Alfred Nzo	163	163	163
TOTAL				163	163	163

The available information for the project is as follows:

Table 2: Project Information

NO.	DESCRIPTION	STATUS	COMMENT
1.	Number of approved beneficiaries	163	Appointed turnkey contractor to verify approved beneficiaries
2.	Environmental Impact Assessment (EIA)	outstanding	In-situ project, the appointed service provider to request exemption letter from DEAT
3.	Geo-technical Investigation	outstanding	Appointed turnkey contractor to review existing report
4.	House Plan	outstanding	To be done by appointed turnkey contractor
5.	Foundation Design	outstanding	To be done by appointed turnkey contractor
6.	Water Tank and Stand Design	outstanding	To be done by appointed turnkey contractor
7.	VIP Toilet Design	outstanding	To be done by appointed turnkey contractor
8.	Occupational Health and Safety specification	outstanding	Appointed turnkey contractor to compile OHS file and do monitoring during construction
9.	NHBRC Home Enrolment	Done	Appointed service provider to perform change of home builder and competent person
10	Global Positioning System (GPS) – Co-ordinates for each beneficiary stand	outstanding	To be done by appointed turnkey contractor

5. SCOPE OF WORK

There will be one (1) turnkey contractor to be appointed for this project. It must be noted that the contractor will be instructed to build as per following house typologies:-

Table 3: House typologies

HOUSE TYPOLOGIES	SIZE	NO. OF UNITS
1. Normal House	40 m ²	163

5.1. CONSTRUCTION

This phase entails the construction of the partial services (VIP and Water tanks with stand) and top structure. The contractor will be responsible for the following during this phase:

- 5.1.1. Construction of the required infrastructure, including Ventilated Improved Pits (VIP's) toilet and water tank on stand;
- 5.1.2. Construction of forty square meter (40m²);
- 5.1.3. Monthly progress reporting and Expanded Public Works Programme (EPWP) reports;
- 5.1.4. Compilation and Implementation of Occupational Health and Safety Plan
- 5.1.5. Implementation of Environmental Management Plan;
- 5.1.6. Conduct fortnightly technical site meetings;
- 5.1.7. Turnkey team to provide completion certificates, Certificate of compliance (COC) for Electrical work;
- 5.1.8. Further engagement with NHBRC to obtain Final Unit Reports (FURs) for all completed units;
- 5.1.9. Obtaining completion certificates ("Happy Letters") for all completed units;
- 5.1.10. Handover of houses and partial services;
- 5.1.11. Provide necessary reports on project completion for project close-out and commissioning.

6. MINIMUM SPECIFICATION

6.1. GENERAL

- 6.1.1. All works to be carried out in compliance with the Department of Housing Generic Specifications (GFSH 1 to 11), the Technical Guidelines contained in the Housing Code, NHBRC Home Builders Manual and SANS 10400;
- 6.1.2. All Department of Labour and Expanded Public Works Program (EPWP) requirements should be met;
- 6.1.3. All works to be done in compliance with the current Occupational Health & Safety Regulations;
- 6.1.4. All works must also be done in compliance with all Environmental Regulations;
- 6.1.5. All relevant Local Authority requirements to be adhered to and relevant permission obtained and;
- 6.1.6. All works must be done in compliance with the Department of Local Government Covid 19 regulations as well as the NHBRC guidelines for the management of projects under construction, during and post covid 19.

6.2. INFRASTRUCTURE.

In addition to the above, the minimum requirements for infrastructure will be in accordance with the following:

- 6.2.1. Guidelines for Human Settlements Planning and Design Vol. 1 & 2 ("Redbook");
- 6.2.2. NHBRC Technical Requirements, SANS 10400 and
- 6.2.3. Department of Housing Generic Specification.

6.3. VIP TOILETS

Must be constructed in line with the approved designs and specification.

- 6.3.1. Must be constructed to withstand all weather conditions.
- 6.3.2. Top structure floor area must be a minimum of 1 m² for normal size and minimum 4.8m² for disabled; and a minimum internal height of 1.8m.
- 6.3.3. Walls must be prefabricated concrete walls that can be disassembled and reassembled with ease (panel sizes must allow assembly without mechanical assistance).

6.3.4. Top structure must be anchored to the floor.

6.3.5. Doors must be stainless steel fully galvanized lockable and spring-loaded door.

6.3.6. Roof must be concrete slab.

6.3.7. Floors must be concrete.

6.3.8. 200mm black ventilation pipe fixed to the back of the toilet top structure, extending minimum 200mm above the roof (to ventilate the pit).

6.3.9. Pan with toilet seat

6.3.10. Pit to have a minimum volume of 2.2m³ and to be lined; and

6.3.11. Pit to be sealed if dictated by the Groundwater Protocol investigation.

6.4. WATER TANKS AND STAND

Must be constructed in line with the approved designs and specification.

6.4.1. Must be a minimum size of 5000 litres (SABS approved);

6.4.2. Tanks to be seated on a plinth of minimum height of 0.5m;

6.4.3. Tank stand must be constructed to support the full tank as well as withstand all weather conditions;

6.4.4. Gutters and downpipes provided to drain the entire roof into the tank and gutters must be fixed to the wall up to the water tank and must be constructed to withstand all weather conditions while the tank is empty or full.

6.5. TOP STRUCTURE

In addition to the specification already mentioned, the following are additional minimum requirements,

6.5.1. 2011 revised National Building regulations; South African National Standards (SANS) 10400 XA Energy Usage in Buildings and therefore all work must comply with SANS 10400;

6.5.2. All external doors must be SABS approved hardwood such as meranti frame ledged button doors or similar approved doors

6.5.3. All door locks must be SABS approved with a minimum of five-year guarantee

- 6.5.4. SABS approved roof trusses to be used and Roof Covering to be cement roof tiles;
- 6.5.5. Smaller size windows and special low E clear and E opaque safety glass for all window types as prescribed;
- 6.5.6. Concrete aprons to be provide on all 4 sides with a minimum width of 1000mm including storm water management precautionary measures (as per NHBRC project enrolment requirement);
- 6.5.7. Fascia's and barge boards to be provided;
- 6.5.8. House to be plastered and painted both internally and externally;
- 6.5.9. Installation of a ceiling with the prescribed air gap for the entire dwelling.
- 6.5.10. Installation of above ceiling insulation comprising a 130mm mineral fibre glass blanket for the entire house; and
- 6.5.11. Installation of a pre-paid meter with distribution board including plugs and lights to all living areas of the house.

7. PROJECT DELIVERABLES

7.1. GENERAL

The scope of works detailed in Section 4 clearly describes the extent of what is expected from the contractor. Project deliverables can, however, be summarized as follows:

- 7.1.1. Completing the actual construction of partial services and top structures as described in the scope of works, including providing FURs and "Happy Letters".

8. TECHNICAL PROPOSAL.

8.1.1. FIRM IDENTIFICATION: Bidders should provide the full legal corporate name of each Company/Individual identified in the proposal, the name, title, address, telephone number, facsimile number, and email address of the individual to be contacted with respect to the submission. Include the URLs (website address), if applicable.

8.1.2. PROJECT TEAM AND EXPERIENCE: Bidders should identify all proposed team members and their role in the project and for each proposed member indicate:

Name and firm association if different from contact;

Role in the project;

A brief description of the individual's qualifications and their experience, both professional and practical;

A list of relevant previous assignments and brief description of their roles;
and
Three (3) references for similar projects

8.1.3. COMPREHENSION OF THE ASSIGNMENT: Bidders must indicate their understanding of the scope and complexity of the assignment as well as challenges/issues likely to be encountered (see table 3).

8.1.4. APPROACH/METHODOLOGY: Bidders must describe their methodology, any additional reference material and documentation sources to be used as well as any other relevant and/or unique attributes of their approach.

8.1.5. PROJECT PLAN AND SCHEDULE: Bidders should include a proposed project plan (including schedule/timetable and deliverables, with the identification of team member involvement).

8.2. FINANCIAL PROPOSAL

8.2.1. The Financial Proposal provided shall specify and state a firm and fixed price, including total fees and expenses (VAT zero rated), in order to complete the project.

8.2.2. Bidders must ensure that they fill in the following document as part of Financial Proposal:

9. FINANCIAL SCHEDULE OF RATES

The Average Construction Rate is firm and fixed as per table 4 below, including total fees and expenses (**VAT zero rated**), in order to complete the project.

Table 4: Schedule of rates

HOUSE TYPOLOGIES	SIZE	NO. OF UNITS
1. Normal House	40 m ²	163

NB: Construction rate shall include all extra ordinary development site conditions i.e. double handling, difficult terrain, all Geo Technical site condition.

Bidders must ensure that they fill this document **with black ink**, Failure to completely fill this document will result in your bid not to be considered

Table 5: Bill of Quantities for inception activities of the 40m² house

INCEPTION (40m²)					
NO	DESCRIPTION	UNIT	QTY	RATE	AMOUNT

1	Attend all project related meetings, Stakeholder engagement through on-going interaction with the Department, Local & District Municipality, and public participation (through Social Facilitation)	NO.	163		
2	Determine the availability of data, drawings, and plans relating to the project and review all data provided by the Department and the identified outstanding information to be included in the project implementation plan;	NO.	163		
3	Inspect the site and advise on necessary surveys, analyses, tests and site or other investigations where such information will be required and Review the project scope and visit the site to get familiar with all the details of the project and the possible geographical and logistical challenges. Any risks to the project must be identified and mitigating measures devised for next phase.	NO.	163		
5	Compile Occupational Health and Safety Specification	NO.	1		
6	Advice on criteria and rights, constraints, consent, and approvals. that could influence the project life cycle cost significantly.	NO.	1		
7	Conduct social facilitation (a process will run throughout the entire project);	NO.	163		
SUB TOTAL FOR INCEPTION Carried to Final summary					R
TOTAL FOR INCEPTION					R

Table 6: Bill of Quantities for planning and design activities for 40m² house

PLANNING AND DESIGN (40m²)					
NO	DESCRIPTION	UNIT	QTY	RATE	AMOUNT
1	Attend necessary meetings and continuation of the social facilitation	NO.	163		
2	Conduct Environmental Impact Assessment	NO.	163		
3	Conduct Geotechnical investigation (including ground water protocol): report as per (GSFH2 compliance & SANS 634) to suite rural nature of the project	NO.	163		

4	<i>Prepare the following design to comply with NHBRC and Department's minimum requirements including Norms & Standards; - - Foundation,</i>	NO.	163		
5	<i>Prepare the following designs to comply with NHBRC and Department's minimum requirements including Norms & Standards; - - Water Tank stand design</i>	NO.	1		
6	<i>Prepare the following designs to comply with NHBRC and Department's minimum requirements including Norms & Standards; - - VIP Toilet design</i>	NO.	1		
7	<i>Prepare the following designs to comply with NHBRC and Department's minimum requirements including Norms & Standards; - - House designs</i>	NO.	1		
8	<i>Prepare layout plan and site plan per erven (erf).</i>	NO.	163		
9	<i>Review and evaluate designs and outline specification and exercise cost control. And prepare detailed estimate of construction costs.</i>	NO.	1		
10	<i>Issue construction documentation in accordance with the documentation schedule including in the case of structural engineering, reinforcing bending schedules and detailing and specification of structural steel sections and connections for preparation of change of home builder and competent person and submit to Project Manager for NHBRC project enrolment.</i>	NO	1		
11	<i>Preparation of monthly progress reports detailing progress, challenges, and mitigating measures;</i>	NO	163		
SUB TOTAL FOR PLANNING AND DESIGN Carried to Final summary					R
TOTAL FOR PLANNING AND DESIGN					R

Table 7: Bill of quantity for construction of 40m² house

ITEM NO	DESCRIPTION MILESTONES	OF	UNIT	QTY	RATE	AMOUNT
1	Foundation/ Slab – Normal – R,S,C,H	NO.		1		RATE ONLY
2	Foundation/ Slab- Modified – H2 (Earthworks, Concrete & reinforcement)	NO.		163		
3	Foundation/ slab – Stiffened – H3	NO.		1		RATE ONLY
4	Wall plate (Brickwork, doors & frames, windows,	NO.		163		
5	Roof (structure, covering & Beam filling)	NO.		163		
6	Completion (ceiling& insulation, finishing, Aprons, plastering & painting, Electrical, fascia & badge boards	NO.		163		
7	Water tank with rainwater goods & stand	NO.		163		
8	VIP toilet	NO.		163		
9	Compilation and Implementation of Occupational Health and Safety Plan	NO.		1		
10	Implementation of Environmental Management Plan	NO.		163		
11	Obtaining of FUR's from NHBRC, Happy letters and completion certificates	NO.		163		
12	Monthly progress & EPWP reports	NO.		163		
SUB TOTAL 7 Carried to Final summary						R

NB: Construction rate must include all extra ordinary site conditions i.e double handling, difficult terrain, all Geo Technical site condition

10. PAYMENT MILESTONE

10.1. Payment will only be made upon the completion of each (milestones (payment milestones) as per financial schedule of rates above:

Table 8: Payment Milestone

ITEM	MILESTONE (as per tables)	UNIT	QUANTITY
1.	INCEPTION	NO.	163
2.	PLANNING & DESIGN	NO	163
3.	CONSTRUCTION: • Foundation • Wall Plate • Roof • Finishes • Completion	NO	163

NB: A sectional completion plan must be provided as a proposal by the contractor, agreed upon and approved by the municipality. A written approval of the sectional completion plan must form part of the contract.

11. EVALUATION CRITERIA

11.1. Regulation 3 of the Preferential Procurement Policy Framework Act 2000: Preferential Procurement Regulations 2017, (the Regulations) stipulates that an organ of state must, prior to making an invitation for tenders, determine and stipulate the appropriate preference point system to be utilized in the evaluation and adjudication of tenders.

11.2. Regulation 6 stipulates that the 80/20 preference point system for acquisition of works, services, or goods with a rand value with a Rand value equal to or above R30 000 and up to a Rand value of R50 million with the following formula must be used to calculate points for price:

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

Where:

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid under consideration

Pmin= Comparative price of lowest acceptable bid

11.3. Regulation 6 further stipulates that a maximum of 20 points must be awarded in accordance with the below specific goals:

SPECIFIC GOALS	NUMBER OF POINTS
100% black owned	10
Disability owned companies	5
Female owned companies	5

11.4. This bid will be subjected to one stage of evaluation which is Price and specific goals Evaluation.

11.5. NB: Bidders must provide sufficient proof and supporting documentation in respect of the above evaluation criteria for functionality and specific goals. Bidders who do not submit the required information shall not be scored for the respective/relevant evaluation criteria.

11.6. This bid will be subjected to two (2) stages of evaluation which are: **Stage 1** - Functionality Evaluation; and **Stage 2** – Price and specific goals Evaluation.

11.7. Bidders should obtain at least **sixty (60)** points out of the **hundred (100)** points on functionality evaluation to qualify for the Price and specific goals evaluation.

11.8. Only bids which have achieved the required minimum points of 60 for functionality will proceed to Stage 2 of evaluation. **NB:** Points scored in Stage 1 will not be taken into consideration for the evaluation in Stage 2.

11. FUNCTIONALITY CRITERIA

Table 9: Functionality criteria

NO	CRITERION	POINTS
1.	PREVIOUS EXPERIENCE IN RDP HOUSING PROJECTS; bidders must attach completion certificates of previous projects	25
1.1	Completed a project with a project scope of 123 Houses or more	25

1.2	Completed a project with a project scope of 98 to 121 Houses	20
1.3	Completed a project with a project scope of 84 to 96 Houses	15
1.4	Completed a project with a project scope of 1 to 82 Houses	10
2.	EXPERIENCE OF PERSONNEL IN RDP HOUSING PROJECTS (EXPERIENCE OF PERSONNEL); bidders must attach CVs and qualification certificates.	15
2.1	Professional Registered Civil Structural Engineer, Architect/Quantity Surveyor with minimum 4 years degree qualification and site experience of 10 years or more. Housing Administrator compulsory to have (for Beneficiary registration / administration/Social Scientist)	15
2.2	Professional Registered Civil Structural Engineer, Architect/Quantity Surveyor with minimum 4 years degree qualification and site experience of 7 years or more. Housing Administrator compulsory to have (for Beneficiary registration / administration/Social Scientist)	10
2.3	Professional Registered Civil Structural Engineer, Architect/Quantity Surveyor with minimum 4 years degree qualification and site experience of 4 years or more. Housing Administrator compulsory to have (for Beneficiary registration / administration/Social Scientist)	5
3.	EQUIPMENT RELEVANT FOR THE ASSIGNMENT	10
3.1	Access to all five (05) the following: 1. TLB; 2. Tipper Truck or Drop-side Truck; 3. Compactor/Roller; 4. Bakkie; and 5. Batch Plant or Concrete Mixer (If owned Proof of Ownership) (If hired or Contracted Owner must write Confirmation and Proof of ownership)	10
3.2	Access to four (04) from the following: 1. TLB; 2. Tipper Truck or Drop-side Truck; 3. Compactor/Roller; 4. Bakkie; and 5. Batch Plant or Concrete Mixer. (If owned Proof of Ownership) (If hired or Contracted Owner must write Confirmation and Proof of ownership)	8
3.3	Access to three (03) from the following: 1. TLB; 2. Tipper Truck or Drop-side Truck; 3. Compactor/Roller; 4. Bakkie; and 5. Batch Plant or Concrete Mixer. (If owned Proof of Ownership) (If hired or Contracted Owner must write Confirmation and Proof of ownership)	6
3.4	Access to two (02) from the following: 1. TLB; 2. Tipper Truck or Drop-side Truck; 3. Compactor/Roller; 4. Bakkie; and 5. Batch Plant or Concrete Mixer. (If owned Proof of Ownership) (If hired or Contracted Owner must write Confirmation and Proof of ownership)	4
3.5	Access to one (01) from following: 1. TLB; 2. Tipper Truck or Drop-side Truck; 3. Compactor/Roller; 4. Bakkie; and 5. Batch Plant or Concrete Mixer. (If owned Proof of Ownership) (If hired or Contracted Owner must write Confirmation and Proof of ownership)	2

4.	FINANCIAL CAPACITY	30
4.1	Bank Rating C (Confirmation from Registered Financial Institution	30
6	PROJECT IMPLEMENTATION METHODOLOGY; Bidder must submit sound methodology to cover following headings as; Organogram, Execution Plan, Maximum of 8 Months Programme of Works, and Health & Safety Measures.	20
6.1	Organogram	3
6.2	Execution Plan	7
6.3	Programme of Works	5
6.5	Health & Safety Measures	5
TOTAL POINTS		100

a. DESCRIPTION OF CONTRACTOR CRITERIA

11.1.1 PREVIOUS EXPERIENCE IN SIMILAR PROJECTS: This refers to previously completed projects of RDP housing projects works or value, within **the past five (5) years**. **Points will be allocated on submission** of either a certified copy of a completion certificate or a copy of a testimonial from the client with contactable references including duration and values of the project. Only projects conducted within **the past five (5) years** will be considered.

11.1.2 EXPERIENCE OF NOMINATED SITE AGENT IN SIMILAR PROJECTS: This shall be the RDP housing projects site experience of a nominated person that would be placed permanently on site and in charge of the construction works for the duration of the project. **Points will be allocated on submission** of a curriculum vitae of the nominated site agent showing the required experience.

11.1.3 EQUIPMENT RELEVANT FOR THE ASSIGNMENT: This refers to the minimum machinery and plant required for the project as indicated, wherein each item will be allocated 2 out of 10 allocated points. **Points will be allocated on submission** of lease agreement or certified copies of TLB/Tipper Truck registration papers either in the Company name or in the name of one of the Directors/Shareholders of the company.

12 OBJECTIVE CRITERIA

The ULM reserves the right not to appoint the highest point's scorer when:

12.1 Wherein contractor has been terminated due to the fault of the Contractor, the ULM reserves the right not to consider the Contractor for appointment for a cooling period of 5 (five) years.

12.2 The highest points scorer has already been awarded another project from the UMzimvubu Local Municipality (ULM) within a period of ninety (90) days starting from the approval of the appointment letter irrespective of whether the project has

started or not. In an exceptional case where all the service providers in that category have all benefited within 90 days then the highest point scorer can be considered.

12.3 The highest points scorer has been awarded a project/s from the ULM consisting of five hundred (500) units within a period of twelve (12) months including ninety (90) days mentioned above. In exceptional cases where all the service providers in that category have all benefited and exceeded five hundred 500 units, the highest point scorer can be considered.

12.4 If the price offered by a tenderer scoring the highest points is not market related, the Department may **not** award the contract to that tenderer.

12.5 The Municipality may

12.5.2 Negotiate a market-related price with the tenderer scoring the highest points or cancel the tender;

12.5.3 If the tenderer does not agree to a market-related price, negotiate a market-related price with the tenderer scoring the second highest points or cancel the tender;

12.5.4 If the tenderer scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the tenderer scoring the third highest points or cancel the tender;

12.5.5 If a market-related price is not agreed as envisaged, the Department will cancel the tender.

13 LEGALITIES OF CONTRACT AND TENDER RULES

13.1 GENERAL CONDITIONS OF CONTRACT–

13.1.2 The JBCC shall apply

13.2 SPECIAL CONDITIONS OF BID

13.2.2 Appointed turnkey contractors who implement the Department of Human Settlements' projects within the jurisdiction of the municipality, must procure goods within that local municipality and district. Where it is proven beyond reasonable doubt that these goods and material could not be found, the service provider must inform the client before proceeding to the district jurisdiction. When they are convinced that no supplier in the area, then they can proceed to the jurisdiction of the district municipality.

13.2.3 Where possible the appointed turnkey contractor will source the following locally found commodities that are used in the construction of a house in accordance with the Department of Human Settlements' norms and standards of housing designs and specification:

13.2.4 Sand and cement, Concrete using aggregates such as 19mm stone, cement and sand, Mesh reinforcement – Ref 193 / 245, Damp proof Membrane 250 micron, M4 or M6 Blocks, Timber, steel and aluminium windows, Timber, steel and aluminium doors, Timber roof trusses, Clay roof tiles, Fibre cement or rhino board ceiling, Fibre cement Fascia's and Barge board, Paints, PVC Rainwater goods, Rainwater tanks, and Plumbing material.

13.3 SPECIFIC CONDITIONS OF CONTRACT

13.3.2 The Contractor (along with Professional team) will have to sign a valid contract agreement with the ULM immediately upon approval of the award.

13.3.3 The Contractor will be liable for any recollection of missing data, as a result of poor completion of questionnaire by the appointed entity;

13.3.4 The Department reserves the right to cancel the bid;

13.3.5 The Department is not obliged to appoint the bidder with the highest number of points scored;

13.3.6 Bidders must ensure that the professional team is indemnified and with active registration; and

13.3.7 Copyright of the reports to be delivered by the bidder to the municipality will vest upon the Department on acceptance of the final reports.

13.3.8 municipality reserves the right to conduct risk analysis on whether to appoint a contractor or not.

13.3.9 The contractor must have access to internet as basis of communication (email).

13.3.10 The Contractor will draft and submit its own detailed Bill of Quantities (BOQ).

13.3.11 The contractor will furnish the municipality with an invoice upon Completion of each milestone (along with other required supporting documentation).

13.3.12 Contractor will be required to attend an initial meeting organized by the ULM to introduce the relevant project stakeholders.

13.3.13 The contractor will be liable for any recollection of missing data because of poor completion of questionnaire by the appointed entity.

13.3.14 Tariffs must not exceed the tariffs published by ECSA, DPSA or the Department of Public Works for specified Consultant's categories.

13.3.15 All works must be done in compliance with the Department of Local Government Covid 19 Regulations as well as the NHBRC Guidelines for the Management of Projects Under Construction, During and Post Covid 19

14 AGREEMENTS AND CONTRACT DATA

15.1.1 Form Of Offer And Acceptance

A. OFFER

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract in respect of the following works:

TURN KEY PROJECT FOR NQALWENI/ MATYENI 170 (163) RURAL HOUSING PROJECT: Contract No: UMZ/2022-23/INFRA/ECDHS/007

The Tenderer, identified in the Offer signature block below, has examined the documents listed in the Tender Data and addenda thereto as listed in the Tender Schedules, and by submitting this Offer has accepted the Conditions of Tender.

By the representative of the Tenderer, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance, the Tenderer offers to perform all of the obligations and liabilities of the Contractor under the Contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the Conditions of Contract identified in the Contract Data.

The offered total of the prices inclusive of Value Added Tax is:

Amount in Words.....

.....

.....

R..... (in figures)

This Offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the Tender Data, whereupon the Tenderer becomes the party named as the Contractor in the Conditions of Contract identified in the Contract Data.

Signature: *(of person authorised to sign the tender):*

Name: *(of signatory in capitals):*

Capacity : *(of Signatory):*

Name of Tenderer: *(organisation):*

Address:.....

.....

Telephone/cell number: **email:**

Witness: Signature:

Name: *(in capitals):*

Date:

[Failure of a Tenderer to sign this form will invalidate the tender]

B. ACCEPTANCE

By signing this part of the Form of Offer and Acceptance, the Employer identified below accepts the Tenderer's Offer. In consideration thereof, the Employer shall pay the Contractor the amount due in accordance with the Conditions of Contract identified in the Contract Data. Acceptance of the Tenderer's Offer shall form an agreement between the Employer and the Tenderer upon the terms and conditions contained in this Agreement and in the Contract that is the subject of this Agreement.

The terms of the contract are contained in

- Part 1 Agreements and Contract Data (which includes this Agreement)
- Part 2 Pricing Data, including the Schedule of Quantities
- Part 3 Scope of Work
- Part 4 Site Information

and the schedules, forms, drawings and documents or parts thereof, which may be incorporated by reference into Parts 1 to 4 above.

Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto listed in the Tender Schedules as well as any changes to the terms of the Offer agreed by the Tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Agreement. No amendments to or deviations from said documents are valid unless contained in this Schedule, which must be duly signed by the authorised representatives of both parties.

The Tenderer shall deliver the Guarantee in terms of Clause 7 of the General Conditions of Contract 2010 within the period stated in the Contract Data, and he shall, immediately after receiving a completed copy of this Agreement, including the Schedule of Deviations (if any), contact the Employer's agent (whose details are given in the Contract Data) to arrange the delivery of any other bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the Conditions of Contract identified in the Contract Data, within 14 days of the date on which this Agreement comes into effect. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this Agreement.

Notwithstanding anything contained herein, this Agreement comes into effect on the date when the Tenderer receives one fully completed original copy of this document, including the Schedule of Deviations (if any). Unless the Tenderer (now Contractor) within five days of the date of such receipt notifies the Employer in writing of any reason why he cannot accept the contents of this Agreement, this Agreement shall constitute a binding contract between the parties.

Signature:

Name: (*in capitals*).....

Capacity:

Name of Employer (*organisation*)

Address:

.....

Witness: Signature: **Name:**

Date:

MBD 4

D. DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state ☐.

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:

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**

If so, furnish particulars.

.....

.....

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.

.....

.....

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 MUNICIPALITY MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

MBD 6.1

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:

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

Where

- Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis: **80/20**
or **90/10**

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

Where

- Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Disability owned companies.		5		
100% Black Designated Group owned		10		
Female owned companies		5		

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:	
	
	
	

E. 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 of Restricted Suppliers as companies or persons 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 Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	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?	Yes ☐	No ☐
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 ☐	No ☐
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 ☐	No ☐
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.

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
Js9141w 4

.....
Name of Bidder

16 DOCUMENTS TO BE SUBMITTED

16.1 The following documents **MUST** be submitted with the proposal and failure to submit will lead to **elimination**. In case of a Joint Venture/Consortium all parties are expected to submit individual documentation:

16.1.1 Signed Joint Venture/Consortium Agreement (where applicable).

16.1.2 Valid National Home Builders Registration Council (NHBRC) Certificate;

17 DURATION OF PROJECT

17.1 The duration of the project (Construction) is expected to be a maximum period of 24 months.

18 RETURNABLE SCHEDULE

18.1 The contractor must ensure that the following documents are completed and returned with the bid proposal:

18.1.1 Tax Clearance Pin;

18.1.2 Municipal Rates Proof of Payments

18.1.3 Certified Identity Documents of Directors

18.1.4 MBD 4,8, 9; and properly filled Form Of Offer

18.1.5 National Industrial Participation Programme;

18.1.6 Certificate Of Independent Bid Determination;

18.1.7 Final Summary;

18.1.8 National Home Builders Registration Council (NHBRC) Certificate; And

18.1.9 Companies and Intellectual Property Commission (Cipc) Certificate.

18.1.10 Profile of the company;

18.1.11 CV's of personnel to be deployed;

18.1.12 Proof of Audited Financial Statements;

18.1.13 Current and completed projects with contactable references and values;

18.1.14 A letter from the bank which stipulates your company's financial risk in terms of low, medium or high in terms of financial standing at the bank;

19 COLLECTION OF BID DOCUMENTS

19.1 Tender/Specification Documents will be available at Cashiers, Umzimvubu Offices Mount Ayliff, 67 Church Street Block C Revenue Office Cahier and Sophia Park Dabula Street, Kwa-Bhaca at Revenue Office Cahier from 09H 00 to 13H00 and from 14H 00 to 16H 30 daily from the date of the advert closing date.

Tender Documents will be on E- tender Portal However If Service Providers are requesting hard copies will be charged R451 to cover printing costs.

20 SUBMISSION OF BID DOCUMENTS

- 20.1 Bid proposals must be deposited in a Bid Box (that is accessible during working hours; from 08h00 to 16h30 Monday to Thursday and 08h00 to 15h00 on Fridays excluding holidays) situated at the Umzimvubu Local Municipality.
- 20.2 Faxed or emailed bid proposals will not be accepted. The Bid Proposal may be opened in public on the closing day.

21 BID VALIDITY

- 21.1 This bid will be valid for one hundred and twenty (90) days after the closing date.

22 BRIEFING SESSION

- 22.1 Compulsory site briefing will be held at Umzimvubu Local Municipality town hall at 10:00am on the 13 April 2023 then proceed to site

23 CLOSING DATE

- 23.1 All responses to this tender should reach the Umzimvubu Local Municipality Offices Kwa-Bhaca at Reception not later than 12:00 on the 02 May 2023
The bid proposals must be deposited in the Tender Box, situated in Second Floor at Reception, Umzimvubu Local Municipality Offices New Offices Sophia Park, KwaBhaca, 5090

24 CONTACT DETAILS FOR TERMS OF REFERENCE

24.1 ☐ CONTACT PERSON FOR TECHNICAL ENQUIRIES

All enquiries related to this bid call must be forwarded to:

Mr. X. YAKOBI Project Manager – 039 254 6000 Yakobi.Xolisa@umzimvubu.gov.za

Mr. L. MOLEKO Manager; Infrastructure & Planning 039 255 8500
Moleko.Lebohang@umzimvubu.gov.za

☐ CONTACT PERSON FOR SUPPLY CHAIN MANAGEMENT ENQUIRIES:

Mr. T. Mbukushe

TEL: 039 255 8500

Mbukushe.Themba@Umzimvubu.gov.za

Returnable Schedule

The Service Provider must ensure that the following documents are completed and returned with the response to proposal:

C. SCHEDULE OF DEVIATIONS

The extent of deviations from the tender documents issued by the Employer prior to the tender closing date is limited to those permitted in terms of the Tender Data and the Conditions of Tender.

A Tenderer's covering letter will not necessarily be included in the final contract document. Should any matter in such letter, which constitutes a deviation as aforesaid, become the subject of agreement reached during the process of offer and acceptance, the outcome of such agreement shall be recorded here.

Any other matter arising from the process of offer and acceptance either as a confirmation, clarification or change to the tender documents and which it is agreed by the Parties becomes an obligation of the contract shall also be recorded here.

Any change or addition to the tender documents arising from the above agreement and recorded here shall also be incorporated into the final draft of the Contract.

1. **Subject:**
Details:
.....
2. **Subject:**
Details:
.....
3. **Subject:**
Details:
.....
4. **Subject:**
Details:
.....
5. **Subject:**
Details:
.....
6. **Subject:**
Details:
.....

By the duly authorised representatives signing this Schedule of Deviations, the Employer and the Tenderer agree to and accept the foregoing Schedule of Deviations as the only deviations from and amendments to the documents listed in the Tender Data and addenda thereto as listed in the Tender Schedules, as well as any confirmation, clarification or change to the terms of the offer agreed by the Tenderer and the Employer during this process of offer and acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the Tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this Agreement.

FOR THE TENDERER:

Signature:
Name:
Capacity:
Tenderer: *(Name and address of organisation)*
.....
Witness:
Signature:
Name:
Date:

FOR THE EMPLOYER

Signature:
Name:
Capacity:
Employer: *(Name and address of organisation)*
.....
Witness:
Signature:
Name:
Date:

25 FINAL SUMMARY

Table 10: Final Summary

FINAL SUMMARY				
[end user to populate aligned to Bill of quantities]				
NO.	ITEM	QTY	RATE PER UNIT	TOTAL
1.	40 m ² – Construction	163		
TOTAL				
TOTAL ABOVE IN WORDS CARRIED TO FORM OF OFFER;				

SIGNED BY/ON BEHALF OF THE BIDDER

NAME

SIGNATURE

DATE

COMPANY STAMP