

CHIEF ALBERT LUTHULI MUNICIPALITY



MULTI-UTILITY ONLINE VENDING SYSTEM AND THIRD-PARTY VENDING CONTRACT NO. ALMT23/2021

Chief Albert Luthuli Municipality

PO Box 24
CAROLINA
1185

Contact for Administration:
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Telephone. (017) 843 4025

Chief Albert Luthuli Municipality

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Tenderer

Commission %

CLOSING DATE & TIME: 20 May 2022

@ 12H00

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1. INVITATION TO BID

MULTI-UTILITY ONLINE VENDING SYSTEM AND THIRD-PARTY VENDING
--

You are hereby invited to submit proposals for Appointment of a service provider for the provision of a Multi-Utility Online Vending System and Third-Party Vending

BID NUMBER: ALMT23/2021

CLOSING DATE: 20 May 2022 @ 12H00

DESCRIPTION: Multi-Utility Online Vending System and Third-Party Vending

The successful bidder will be required to fill in and sign a written Contract Form (MBD 7).

BID DOCUMENTS MAY BE

DEPOSITED IN THE BID BOX SITUATED AT:

- the ground floor in the Chief Albert Luthuli Municipality Head Office in CAROLINA

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

- The bid box is generally open during normal office hours from 07h30 to 16h15.

The following conditions will apply:

- Price(s) of the bid must be valid for at least ninety (90) days from date of your offer.
- Price(s) of the bid must be firm and must be inclusive of VAT.
- Submission of an Original Valid Tax Clearance Certificate or SARS Pin.
- This bid will be evaluated in terms of the 80/20 point system as per our SCM Policy. **Please refer to Bid Forms numbered 9.4. to 9.9 in this document.**

The onus lies with applicant to supply proof for any of the criteria in the abovementioned forms. Please note that if no information is supplied, the bidder will score “0” for the applicable section.

- The successful service provider will be the one scoring the highest points.
- No telegraphic or facsimile proposals will be considered.
- The service providers must provide clearance from the municipality where they are based indicating that they are not in arrears with regard to their respective municipal services accounts.

Failure to comply with these conditions will invalidate your offer.

NB: No bids will be considered from persons in the service of the state¹

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

¹ * MSCM Regulations: “in the service of the state” means to be –

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

THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO WILL RESULT IN YOUR BID BEING DISQUALIFIED)

NAME OF BIDDER

POSTAL ADDRESS
..... CODE:

STREET ADDRESS
..... CODE:

TELEPHONE NUMBER: (CODE) (NUMBER)

CELLPHONE NUMBER

FACSIMILE NUMBER: (CODE) (NUMBER)

VAT REGISTRATION NUMBER:

HAS AN ORIGINAL TAX CLEARANCE CERTIFICATE BEEN ATTACHED (MBD 2)?
YES/NO

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/
SERVICES OFFERED BY YOU?
YES/NO

(IF YES ENCLOSE PROOF)

SIGNATURE OF BIDDER:

DATE:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Municipality/ Municipal Entity: Chief Albert Luthuli Local Municipality

Department: Supply Chain Management Unit

Contact Person: Mr J.A Nkosi

Tel: 017 843 4025

Fax: 017 843 4001

ANY EQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact Person: Mr. GT Mnisi

Tel: 017 843 4000

Fax: 017 843 4001

2. TERMS OF REFERENCE (TOR)

PROSPECTIVE BIDDERS ARE HEREBY INVITED TO SUBMIT PROPOSALS MULTI-UTILITY ONLINE VENDING SYSTEM AND THIRD-PARTY VENDING

2.1 General Information:

Purpose

The Municipality is soliciting proposals for the Appointment of a service provider to provide Multi-Utility Online Vending System and Third-Party Vending

Type of contract

The contract will be for 36 months.

Submission of proposals

A single Envelope System will be used. Bidders must submit proposals in sealed envelopes marked clearly **MUNICIPAL MANAGER, CHIEF ALBERT LUTHULI MUNICIPALITY, BID ALMT23/2021, “MULTI-UTILITY ONLINE VENDING SYSTEM AND THIRD-PARTY VENDING”**

The sealed tenders must be deposited in the Tender Box of the Municipality on or before the closing date of 20 May 2022 at 12:00 where after they will be opened in public. Late proposals will not be accepted\considered as well as those submitted via facsimile or email.

Proposals must be accompanied by:

- completed tender documents
- a company profiles,
- curriculum vitae of proposed members of the team,
- Original valid tax clearance certificate/ SARS Pin
- Municipal Rates
- B-BBEE status level Verification Certificates
- Company's Certificate
- Company's Profile
- Proof of CSD

Failure to submit all required documents will lead to disqualification of the tender.

Proposals must be signed by an authorized agent to bind the service provider to its provisions.

SPECIFICATIONS AND PRICING

1. BACKGROUND

The Chief Albert Luthuli Local Municipality wishes to appoint a suitably Multi-Utility Online Vending System and Third-Party Vending

2. CONTRACT OBJECTIVES

Provision of a Multi-Utility Online Vending System and Third-Party Vending

3. SCOPE OF WORK

General

- 3.1.1 The system offered must be windows based system comprising a complete and fully functional prepayment vending and management system including all the operating and database modules needed to operate such a system.
- 3.1.2 The minimum hardware, software and communications requirements on which to run the system must be detailed for all the different components of the system.
- 3.1.3 The system must provide for the following types of payment: o
- Cash
 - Credit Card
 - Debit Card
 - Electronic Bank Transfer
- 3.1.4 The system must provide for the Electricity Base Support Services Token (EBSST). The system must not allow the issue of more than one EBSST per customer per month.
- 3.1.5 The system must vend in real time on-line to all installed, existing and commissioned and newly prepayment meters in the municipal area of supply.
- 3.1.6 All system functions must be accessed via a user-friendly graphics user interface.
- 3.1.7 The system must be able to collect all municipal account payments at the vending points. The system must interface seamlessly with the municipal financial billing system on transactional level as per agreed timing.
- 3.1.8 The system must be capable of interfacing with Chief Albert Luthuli Municipality's GIS and other 3rd party systems.
- 3.1.9 The system must be operational on a 24 hour per day x 7 days per week x 365 days a year (24 x 7 x 365) basis.
- 3.1.10 All new hardware and software must be guaranteed for the contract period.
- 3.1.11 The maintenance on both the hardware and software must be provided for during the contract period.
- 3.1.12 All new hardware, software and communication equipment installed must be covered by the Service Provider's insurance for the contract period.
- 3.1.13 The necessary access must be available to the system for the purposes of auditing and inspection by the internal audit section and the office of the Auditor-General.
- 3.1.14 The system must also provide the option for off-line mode of operation.
- 3.1.15 The system must be able to vend to all consumers through up to +-3 vending points.

3.1.16 The vending system must comply with the requirements of National Treasury's Standard Chart of Account specific to local government (m-SCOA for Municipalities).

3.1.17 Mandatory Requirements

- Software Architecture The hosted online vending system software must be hosted in at least a Tier 3 data centre.
- The vending management system must have sufficient system queries to allow for operational management and customer support.
- The vending management system must have a separate hosted dedicated reporting environment where operational and management reports can be accessed securely via on-line connection as per the prescribed format of the Chief Albert Luthuli Municipality
- Chief Albert Luthuli Municipality must have the ability to design and extract their own reports.
- The vending management system must have the capability to interface with reporting applications supporting customizable reports.

The Service Provider must provide comprehensive local (on site) support for the duration of the contract.

The Service Provider must for the duration of the contract have a technical person on standby 24 hours per day 365 days a year to respond to technical as well as financial problems.

The Service Provider must provide remote (telephonic) support for the system via a help desk facility which is available 24 hours per day x 7 days per week x 365 days a year (24x7x365) for the duration of the contract.

Remote support must include an offsite backup and disaster recovery service through the mirroring of data on at least a weekly basis. The proposed system must conform to best industry standard backup and disaster recovery procedures.

4. EVALUATION CRITERIA (FUNCTIONALITY)

Tenders will be evaluated on the functionality criteria as set out below. Bidders that score less than **64 out of 80 points** for these criteria will be regarded as non-responsive and will not be evaluated on price and preference. Unclear, vague, fragmented or incomplete information provided will result in no points being allocated.

NO	CATEGORY	POINTS
1	Number of qualified fulltime employees of bidder	25
2	Company Experience	20
3	References Related to that Experience	15
4	Financial Viability	20

PLEASE NOTE: IF LESS THAN 64 OUTS OF THE 80 POINTS FOR THESE CRITERIA IS OBTAINED; THE TENDER WILL BE DEEMED NON-RESPONSIVE AND WILL NOT BE CONSIDERED.

Criterion 1: Number of qualified fulltime employees of Bidder

Management Staff & Personnel Required: Max points For proof of compliance provide bid document reference page number	Max points
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Contract Manager Must be suitably skilled and have CV verifiable experience managing Pre-Paid Vending Services projects. This person will be overall responsible for the execution of the contract. The CV of the person must be attached to verify the qualification and experience and allocate the points as follow:		
Qualification of contract manager in relevant field either in pre-paid vending services or project management:	1	
Matric		
Degree	2	
Post Graduate, for example Hons	3	
Experience of contract manager in pre-paid vending services projects:	1	
0 - 3 years, 11 months		
4 – 6 years 11 months	2	
7 – 10 years 11 months	3	
11 years and above	4	
Vendor Manager Must be suitably skilled and have CV verifiable experience managing Pre-Paid Vendors. This person will be overall responsible for the management of vendors. The CV of the person must be attached to verify the experience and allocate the points as follow:		
Qualification of vendor manager in relevant field either in pre-paid vending services or project management:	1	
Matric		
Degree	2	
Post Graduate, for example Hons	3	
Experience of vendor manager in pre-paid vending services projects:	1	
0 - 3 years, 11 months		
4 – 6 years 11 months	2	
7 – 10 years 11 months	3	
11 years and above	4	
At least 2 Technical Support Personnel relating to Vending Services and Vendor Management (Must be suitably skilled and have CV verifiable experience in technical support work in Pre-Paid Vending Services. - Must have good human relations and communication skills. - Must be able to apply all Municipal Policies relating to the tender. - The CV of the persons must be attached to verify the qualification and experience. The average number of year experience of the 2 persons will be used to allocate the points as follow:		
Qualification of the technicians in relevant field either in pre-paid vending services or project management:	1	
Matric		
Degree	2	
Post Graduate, for example Hons	3	
Experience in pre-paid vending services projects:	1	
0 - 3 years, 11 months		
4 – 6 years 11 months	2	
7 – 10 years 11 months	3	
11 years and above	4	
At least 3 Inspectors / Law Enforcement Officers relating to Data management and revenue protection, Inspection of Pre-paid meters and		

tamper management and Compliance relating to token identifiers (TID) on STS vending systems	
• Must be suitably skilled and have CV verifiable experience on Law Enforcement. • Must have good human relations and communication skills. • Must be able to apply all Municipal Policies relating to the tender. • The CV of the persons must be attached to verify the experience. The average number of year experience of 3 persons will be used to allocate the points as follow:	
• 0 - 3 years, 11 months	1
• 4 – 5 years 11 months	2
• 6 years and above	3
At least 2 Administrative Clerks relating to Vending Services and Vendor Management and 2 Administrative Clerk relating to Data management and revenue protection, Inspection of Pre-paid meters and tamper management and Compliance relating to token identifiers (TID) on STS vending systems • Must be suitably skilled and have CV verifiable experience in administration work in Pre-Paid Vending Services. • Must have good human relations and communication skills.	
Must be able to apply all Municipal Policies relating to the tender. • The CV of the persons must be attached to verify the experience. The average number of year experience of 4 persons will be used to allocate the points as follow:	
• 0 - 3 years, 11 months	1
• 4 – 5 years 11 months	2
• 6 years and above	3
TOTAL	25

Criterion 2: Company (or JV) Experience

Experience required: Successfully completed years relevant to prepayment electricity vending services as set out in tender specifications.	Maximum points
3 to 5 years	10
6 to 7 years	15
More than 7 years	20
TOTAL	20

To claim points for the above, bidders must submit sufficient information as well as documentary proof of: information on how long the business has been in existence

Criterion 3: References related to Experience

Please note that this section refers to the Company's and its legacy firms' references related to the experience. It also takes into account that the references are related & relevant to pre-paid vending services.

Bidders should provide copies of three (3) reference letters, on an official letterhead of the reference, in relation to the experience gained on projects relevant to the scope of work.

5 POINTS PER LETTER.

Criterion 4: Financial Viability

Points for bidders financial standing will be scored based on the information provided by a financial institution. A maximum of 20 points may be awarded. Proof to be submitted with the tender document. Failure to provide proof will result in no points being allocated.

<u>Requirement: Financial Viability</u>	<u>Max points</u>
Allocation of resources (Bank rating)	
Code A	20
Code B	15
Code C Code	10
Code D – H	5
TOTAL	20

2.9 Terms & Conditions of a Service Provider

The service provider will be expected to sign a Service Level Agreement (SLA) with the Municipality prior to commencement of the service.

2.10 Format & Submission of the Proposal

- All the forms (MBD) that are included in the bid document must be completed in all respects by bidders. Failure to comply will invalidate a bid.

4. BID FORMS

4.1. MBD 2 - TAX CLEARANCE

TAX CLEARANCE REQUIREMENTS

IT IS A CONDITION OF BIDDING THAT –

1. The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.
2. The attached form “Application for Tax Clearance Certificate (in respect of bidders)”, must be completed in all respects and submitted to the Receiver of Revenue where the bidder is registered for tax purposes. The Receiver of Revenue will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of twelve (12) months from date of issue. This Tax Clearance Certificate must be submitted in the original together with the bid. Failure to submit the original and valid Tax Clearance Certificate may invalidate the bid.
3. In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificates are available at any Receiver’s Office.

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

4. Name of taxpayer
/bidder:

5. Trade name:

3. Identification number:

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4. Company / Close Corporation registration number:

--	--	--	--	--	--	--	--	--	--

5. Income tax reference number:

--	--	--	--	--	--	--	--	--	--	--	--

6. VAT registration number (if applicable):

--	--	--	--	--	--	--	--	--	--	--	--

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

--	--	--	--	--	--	--	--	--	--	--	--

Signature of contact person requiring Tax Clearance
Certificate:

Name:

Telephone number: Code: Number:

Address:

.....

.....

DATE: 20____ / ____ / ____

PLEASE NOTE THAT THE COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE (SARS) WILL NOT EXERCISE HIS DISCRETIONARY POWERS IN FAVOUR OF ANY PERSON WITH REGARD TO ANY INTEREST, PENALTIES AND / OR ADDITIONAL TAX LEVIABLE DUE TO THE LATE- OR UNDERPAYMENT OF TAXES, DUTIES

OR LEVIES OR THE RENDITION RETURNS BY ANY PERSON AS A RESULT OF ANY SYSTEM NOT BEING YEAR 2000 COMPLIANT.

4.2 MBD 3.3 – PRICING SCHEDULE

It is expected of the proposing service provider(s) to outline their detailed fee structure, indicating all concomitant service(s) together with their relevant cost(s).

PRICING SCHEDULE

Name of Bidder:

Bid Number:

- The commission, expressed as a percentage on the sales, plus VAT, and%

Closing Time:

Closing Date:

4.3 MBD 4 - DECLARATION OF INTEREST

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

3.1 Full Name:

3.2 Identity Number:

3.3 Company Registration Number:

3.4 Tax Reference Number:

3.5 VAT Registration Number:

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

3.6.1 If so, furnish particulars.

.....

.....

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

3.7.1 If so, furnish particulars.

.....

.....

3.8 Do you, have any relationship (family, friend, other) with 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?

3.10.1 If so, furnish particulars. YES/NO

.....

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.

.....

Full details of directors/ trustees/ members/ shareholders

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL
PROCUREMENT REGULATIONS 2001**

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF EQUITY OWNERSHIP BY HISTORICALLY DISADVANTAGED INDIVIDUALS (HDIs), AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2001.

1. GENERAL CONDITIONS

1.1 The following point systems are applicable to all bids:

- the 80/20 system for the procurement of services with a Rand value of up to R50 000 000; and
- the 90/10 system for the procurement of services with a Rand value above R50 000 000.

1.2 Points for this bid shall be awarded for:

- (a) Price (80 points)
- (b) BEE (20 points)

1.3.1 The points for this bid are allocated as follows:

1.3.1.2 Direct Referencing

Points will be awarded to a Tenderer for attaining their B-BBEE status level contributor in accordance with the table below:

B-BBEE Status Level of Contributor	Number of Points
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2
Non-Compliant Contributor	0

Total points for Price and B-BBEE status level must not exceed 100.

1.4 Failure on the part of a bidder to fill in and/or to sign this form may be interpreted to mean that preference points are not claimed.

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

2. **GENERAL DEFINITIONS**

- 2.1 **“Acceptable bid”** means any bid which, in all respects, complies with the specifications and conditions of bid as set out in the bid document.
- 2.2 **“Bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods, works or services.
- 2.3 **“Comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration.
- 2.4 **“Consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skills and knowledge in an activity for the execution of a contract.
- 2.5 **“Contract”** means the agreement that results from the acceptance of a bid by an organ of state.
- 2.6 **“Specific contract participation goals”** means the goals as stipulated in the Preferential Procurement Regulations 2001.
- 2.6.1 In addition to above-mentioned goals, the Regulations [12.(1)] also make provision for organs of state to give particular consideration to procuring locally manufactured products.
- 2.7 **“Control”** means the possession and exercise of legal authority and power to manage the assets, goodwill and daily operations of a business and the active and continuous exercise of appropriate managerial authority and power in determining the policies and directing the operations of the business.
- 2.8 **“Disability”** means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being.
- 2.9 **“Equity Ownership”** means the percentage ownership and control, exercised by individuals within an enterprise.
- 2.10 **“Historically Disadvantaged Individual (HDI)”** means a South African citizen
- (1) who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No 110 of 1983) or the Constitution of the Republic of South Africa, 1993, (Act No 200 of 1993) (“the interim Constitution); and/or
 - (2) who is a female; and/or
 - (3) who has a disability:

provided that a person who obtained South African citizenship on or after the coming to effect of the Interim Constitution, is deemed not to be a HDI;

- 2.11 **“Management”** means an activity inclusive of control and performed on a daily basis, by any person who is a principal executive officer of the company, by whatever name that person may be designated, and whether or not that person is a director.
- 2.12 **“Owned”** means having all the customary elements of ownership, including the right of decision-making and sharing all the risks and profits commensurate with the degree of ownership interests as demonstrated by an examination of the substance, rather than the form of ownership arrangements.
- 2.13 **“Person”** includes reference to a juristic person.
- 2.14 **“Rand value”** means the total estimated value of a contract in Rand denomination that is calculated at the time of bid invitations and includes all applicable taxes and excise duties.
- 2.15 **“Small, Medium and Micro Enterprises (SMMEs)”** bears the same meaning assigned to this expression in the National Small Business Act, 1996 (No 102 of 1996).
- 2.16 **“Sub-contracting”** means the primary contractor’s assigning or leasing or making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.
- 2.17 **“Trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person.
- 2.18 **“Trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ESTABLISHMENT OF HDI EQUITY OWNERSHIP IN AN ENTERPRISE

- 3.1 Equity ownership shall be equated to the percentage of an enterprise which is owned by individuals classified as HDIs, or in the case of a company, the percentage shares that are owned by individuals classified as HDIs, who are actively involved in the management and daily business operations of the enterprise and exercise control over the enterprise, commensurate with their degree of ownership.
- 3.2 Where individuals are not actively involved in the management and daily business operations and do not exercise control over the enterprise commensurate with their degree of ownership, equity ownership may not be claimed.

4. ADJUDICATION USING A POINT SYSTEM

- 4.1 The bidder obtaining the highest number of points will be awarded the contract.
- 4.2 Preference points shall be calculated after prices have been brought to a comparative basis.
- 4.3 Points scored will be rounded off to 2 decimal places.
- 4.4 In the event of equal points scored, the bid will be awarded to the bidder scoring the highest number of points for specified goal.

5. POINTS AWARDED FOR PRICE

5.1 THE 80/20 OR 90/10 POINT SYSTEMS

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

80/20 or 90/10

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

P_s = Points scored for price of bid under consideration

P_t = Rand value of bid under consideration

$P_{\min}$ = Rand value of lowest acceptable bid

6. MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account No:

Stand No:

7. TOTAL NUMBER OF YEARS THE FIRM HAS BEEN IN BUSINESS?

.....

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 ☐	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)? (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 ☐	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

MBD 9

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 consortium¹ will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- a) prices;
 - b) geographical area where product or service will be rendered (market allocation)
 - c) methods, factors or formulas used to calculate prices;
 - d) the intention or decision to submit or not to submit, a bid;
 - e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - f) Bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No. 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No. 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder