



BA-PHALABORWA MUNICIPALITY

Provision of short term insurance – three-year contract

TENDER NUMBER: 01/19/20 (PROPOSAL)

Closing Date: 19/11/2019

Time: 10h00

Venue: Tender Box (Main Office)

Tender Documents: R500. 00 (Free on E-tender and municipal website)

Ba-Phalaborwa Municipality Budget and Treasury Office: Contact: Mogano TJ Chief Financial Officer Tel: (015) 780 6303	Ba-Phalaborwa Municipality Office of the Municipal Manager Contact: TMT Sekwari Assistant Director: Risk Management Tel: (015) 780 6460
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Name of Tenderer:

Type of service to be rendered:

Year one amount:

Year two amount:

Year three amount:

TOTAL AMOUNT TENDERED:

TENDER NO: 02/19/20

1. Tender Notice and Invitation to submit proposals

Ba-Phalaborwa Municipality invites interested service providers to submit proposals for short term insurance to cover municipal assets (both movable and immovable) and employees for a three-year contract period.

TENDER NUMBER	DESCRIPTION	COMPULSORY BRIEFING SESSION			COST	EVALUATION CRITERIA	CLOSING DATE AND TIME	CONTACT PERSON
		DATE	TIME	VENUE				
02/19/20	Proposal for short term insurance for a period of three (3) years.	24/10/2019	10h00	Activity Hall	R500. 00 at the municipality and free on E-Tender and municipal website	80/20	19/11/2019 @ 10h00	Mr Sekwari TMT (015) 780 6300

A compulsory briefing session will be held on the dates and times specified above at Activity Hall, Ba-Phalaborwa Municipality, Main Office, CNR Mandela and Sealene Street

The Proposal are to be deposited in the tender box of Ba-Phalaborwa Municipality Offices situated at CNR Mandela Drive & Sealene Street in Phalaborwa ,by the closing date and time as above mentioned, where after they will be opened in public. No late, telefaxed or Document found in any other place or proposal from service providers who have not attended the compulsory briefing session will not be considered.

Bidders should take note of the following bidding conditions:

1. Ba-Phalaborwa Municipality Supply Chain Management Policy shall apply in the evaluation and awarding of the Tender.
2. Ba-Phalaborwa Municipality does not bind itself to accept the lowest tender, reserves the right to accept the whole or part of the Tender and reserves the right not to appoint.
3. The Bid validity shall be 90 (Ninety) days from the date of closure.
4. Bidders must provide proof of the following to avoid disqualification: CSD report (Printed between the date of advert and closing date, certified ID Copies of all directors, statement of municipal rates and taxes for both company and director (s) (not older than 3 months)/letter from traditional authority not older than 3 months/ lease agreement, key personnel/service team's experience (attach certified copies of qualifications and CV; CK/Company registration, Valid tax clearance or tax pin; Certified or original valid BBB-EE certificate or sworn affidavit, proof of work experience (attach relevant appointment letter).All the relevant returnable documents are attached in the tender document,
5. The minimum score for functionality will be 60 points and bidders who score below 60 points will not be evaluated further on price and BBB-EE preference point scoring system.

MOAKAMELA MI MUNICIPAL MANAGER

2. Scope of the short term insurance

Below please find the scope of the items to be covered at Ba-Phalaborwa Municipality.

No.	Description	Specification
1.	Combined Section (Asset Register)	<input type="checkbox"/> Cover for fixed assets and property against fire, lightning, thunderbolt, explosion, storm, wind, sabotage, water, hail, impact, and damage caused during theft and sudden and unforeseen damage to any municipal buildings/properties i.e. Buildings, Electrical Equipment/ infrastructure, Electrical Substations, Water purification equipment, sewage works, property in the open etc.
2.	Office contents	<input type="checkbox"/> Any damage or loss of Office contents, loss of documents, legal liability of loss of documents etc.
3.	Business Interruption	<input type="checkbox"/> Insured against all risks leading to business interruptions (<i>incl. Loss of income - Sales of Electricity, Sales of sanitation and sewage, loss of rental income etc.</i>).
4.	Business all Risks	<input type="checkbox"/> Cover for business all risks
5.	Theft	<input type="checkbox"/> Loss of any municipal property due to theft.

6.	Money	<ul style="list-style-type: none"> • Loss or damage to business money including loss through criminal activities. • All money in transit • Loss of money and / or property as a result of fraud or dishonesty of an insured employee which result in dishonest personal financial gain for the employee concerned.
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7.	Public liability	<input type="checkbox"/> To cover any form of liability against the municipality
8.	Employers liability	<input type="checkbox"/> Damages which insured shall become legally liable to pay consequently upon death of or bodily injury or illness of any person employed or under contract of services with the insured.
9.	Stated benefits: a) 475 Employees b) 37 Councillors. c) 09 Interns	Death or bodily injury caused by accidental, violent, external and visible means <input type="checkbox"/> Death (24-hour Cover). <ul style="list-style-type: none"> • Permanent disability. • Temporary Total Disability. • Medical expenses. • Additional death benefit. • Repatriation.
10.	Motor Fleet	<ul style="list-style-type: none"> • Comprehensive cover for all vehicles • Executive courtesy vehicle for the Mayor's vehicle. • Commercial and special type vehicles incl. trailers, trucks and tractors.

11.	Electronic Equipment	<ul style="list-style-type: none"> • Office Automation (facsimile machines, photocopiers, multifunctional equipment owned or on finance lease). • Telecommunication equipment • Laptops/Notebooks Computer • Electronic Scanning System • Infrastructure (Data Centre) Servers, Soft wares owned hired or leased by the insured. • Reconstruction of Data
12.	Machinery Breakdown	<input type="checkbox"/> Accidental and violent damage including sudden and unforeseen mechanical or electrical failure to machinery.
13.	Commercial Crime	<input type="checkbox"/> Comprehensive crime cover incorporating employees' fraud/dishonesty and fraudulent acts committed by third parties.
14.	Goods in Transit	<input type="checkbox"/> Loss or damage to insured propertied while being transported.
15.	Accounts receivable	<input type="checkbox"/> Costs to reinstate the records (In the event of the ledger and cashbook being damaged)
16.	Cyber Liability	<input type="checkbox"/> Data Liability – Covering the damages and defence cost associated with a breach of personal or corporate data.
17.	SASRIA	<input type="checkbox"/> SASRIA Cover for all municipal assets (buildings, equipment, office contents etc.)
18.	Councillors property (SASRIA) Special Risk Insurance	<input type="checkbox"/> To cover properties of all councillors as per SASRIA. <input type="checkbox"/> Special Risk Insurance on councillors fixed property limited to R1.5M per councillor and R750 000 for vehicles.

		<input type="checkbox"/> Life and Disability insurance limited to 2x the total remuneration package of a councillor.
		<input type="checkbox"/> House contents

Limits for the Cover

Section	Sum to be Insured
1. Combined	
• Standard Constructed Buildings including Office Buildings Stadiums etc.	R1 513 003 575
• Electrical infrastructure incl. Sub-stations, mini sub-stations, transformers, overhead lines etc.	R150 603 966
• Property in the open	R1 880 264
• Non Standard - Thatch	R5 000 000
• Private dwellings, residential units hostels, Flats	R5 185 374
• Capital Additions (20%)	R334 134 636
• Reasonable precautions	R50 000
• Debris Removal	R100 000
• Professional Fees	R250 000
• Claims preparation costs	R100 000
Sub-Total Combined	R2 010 307 815
2. Business Interruption (Loss of Income)	
• Loss of Revenue	R260 920 800
• Additional Increase in Cost of Working	R1 302 000
• Fines	R300 000
• Claims preparation costs	R100 000
Sub-Total Business Interruption	R261 320 800
3. Office Contents	
• Contents of Office	R27 474 031
• Theft (forcible & violent entry or exit)	Included under theft section
• Loss of Rent (up to 25% of sum insured)	R6 868 508
• Loss of Documents	R716 100
• Legal Liability (Documents)	R716 100
• Capital Additions	R5 350 778
• Lock and keys	R10 000
• Claims Preparation Costs	R30 000
• Debris Removal	R10 000

Section	Sum to be Insured
Sub-Total Office Contents	R35 824 739
4. Business All Risks	
• All other specified items (<i>excluding Cellphones & Laptops</i>)	R4 245 719
• Laptops	R700 645
• Tablets / Ipads	R80 000
• Cellphones	R60 000
• Routers	R40 000
Sub-Total Business All Risks	R 5 126 364
5. Theft	
• First loss limit	R200 000
• Total contents of all buildings	R4 000 000
• Property in the open (within fenced area)	R5 000 000
• Reasonable Precautions	R10 000
• Locks and Keys	R7 500
• Theft of employee property used for Council purpose	R15 000
• Malicious damage	R60 000
• Locks and keys	R10 000
• Claims preparation costs	R50 000
Sub-Total Theft	R9 352 500
6. Glass	
• All fixed internal & external glass at the premises	R110 000
Sub-Total – Glass	R110 000
7. Accounts Receivable	
Sum Insured	R13 000 000
Sub-Total – Accounts Receivable	R13 000 000
8. Money	
• Major limit	R300 000
• Fraud by non-employees	R800 000
• Possessions of Councillors/Employees away from insured premises on a business trip	R5 000
• On the premises outside business hours in locked safe	R200 000
• Loss of or damage to crossed cheques, money or postal	R200 000
• Outside safe	R15 000
• Seasonal increase	R2 000 000

Section	Sum to be Insured
• Receptacles as a result of theft of money or attempt	R40 000
Sub Total Money	R 3 560 000
9. Fidelity Guarantee	
• Limit	R700 000
• Claims preparation	R100 000
Sub-Total Fidelity Guarantee	R800 000
10. Goods in Transit	
• Load limit	R450 000
• Debris Removal	R10 000
• Claims preparation costs	R100 000
Sub-Total – Good in Transit	R560 000
11. Group Personal Accident	
• Death (37 Councillors) 24 hours	2x Annual package
• 20 Community Members (Council activities)	R300 000
• 10 Temporary staff	R200 000
• 9 Interns	R120 000
• 8 Experiential Learners	R120 000
• Permanent Disability	% of Death benefit as specified for particular disability
• Temporary Total Disablement	R3 200 per week max 104 weeks
• Medical expenses	R20 000
• Additional death benefit	R10 000
• Relocation	R10 000
• Repatriation	R10 000
• Mobility	R15 000
12. Stated Benefits	
• 24 hours (All employees on wage bill)	R96 897 510
Benefits	
• Death	3 x Annual earnings
• Permanent Disability	% of Death benefit as specified for particular disability
• Temporary Total Disability	100% of average weekly earnings max 104 weeks
• Medical Expenses	R20 000
• Additional death benefits	R15 000
• Relocation	R10 000
• Repatriation	R10 000
• Mobility	R10 000
Sub-Total – Stated Benefits	
13. Electronic Equipment	

Section	Sum to be Insured
• General Limit (<i>incl. Hardware including servers</i>)	R5 000 000
• Tablets / I pads	R50 000
• Laptops	R2 000 000
• Cellphones	R60 000
• Routers	R50 000
• Software and license	R120 000
Sub-Total – Electronic Equipment	R7 280 000
14. Machinery Breakdown	
• Specified Equipment - Limit	R4 500 000
Sub-Total – Electronic Equipment	R4 500 00
15. Employers Liability	
• Limit of Indemnity	R5 000 000
Sub-Total – Employers Liability	R5 000 000
16. Directors and Officials	
• Limit of Indemnity	R2 000 000
Sub-Total – Directors and Officials	R2 000 000
17. Vehicle Fleet	
• Comprehensive cover for council vehicles incl. trailers, trucks, tractors etc. • Executive courtesy vehicle for the Mayor's vehicle	Market value see the attached list of fleet.
18. Motor Third party Liability	
• Limit	R3 000 000
Sub-Total Motor Third Party Limit	R3 000 000
19. SASRIA for councillors properties	
• Councillors fixed property	R1 500 000
• Councillors vehicle	R750 000
• House Contents	R300 00
20. Life and Disability Cover for Councillors	
• Life Cover (37 Councillors)	2x Annual Total Remuneration (R1.5M limit)
• Disability Cover (37 Councillors)	2x Annual Total Remuneration (R1.5M limit)
21. PUBLIC LIABILITIES	
• Public Liability	R15 000 000
Sub-Total Public Liabilities	R15 000 000
22. Cyber Liability	
• Limit	R3 000 000
Sub-Total Cyber Liability	R3 000 000
23. SASRIA	

Section	Sum to be Insured
<ul style="list-style-type: none"> SASRIA cover for all municipal assets (Combined, Office Contents, Electronic Equipment etc.) 	Limits as per the above sections

NB: Attached please find the following annexures

- **Annexure A:** Asset Register detailing all the assets in the possession of the municipality.
- **Annexure B:** Municipality insurance claim history
- **Annexure C:** Summary of inventory
- **Annexure D:** List of vehicles (Electronic document to be emailed)

3. Expected Outputs to be delivered by the broker/service provider

- 3.1 Signing a Service Level Agreement with the Municipality before the contract could commence.
- 3.2 Bidders should note that the contract is for three years and escalation percent must be indicated for the contract period. Where the escalation percent is not indicated the municipality will assume the bid price will remain the same for a contract period.
- 3.3 Attend quarterly meetings with the municipality to update the insured risks and to discuss any claims made against the policy.
- 3.4 To continuously advise the municipality on any suggested changes to the policy, or make recommendation on self-insurance or any other recommendation regarding insurable risks for the municipality.
- 3.5 In the event of an increase or decrease in the assets and insurable interest, the premium will be adjusted accordingly.
- 3.6 To provide a system to lodge and monitor claims online.
- 3.7 After submission of all relevant supporting documents, claims must be paid/settled within 30 days and the money paid to the main municipal account.
- 3.8 All bidders must attend compulsory briefing on the date set by the Municipality.
- 3.9 Bidders must produce their work experiences
- 3.10 Bidders will be subjected to Security Clearance.
- 3.11 Completion certificate/appointment letter
- 3.12 Premiums and excess payments to be shown separately as per category, if not the tender will be deemed non-responsive.

- 3.13 A monthly report must be submitted before the 3rd working day of the following month, inclusive of all claims outstanding of the previous months. The report must provide clear details that can identify the claim, including date of incident, date reported to the insurers and details of the progress with an indication of the outstanding information in order to finalize the claim.
- 3.14 Any claim that is rejected by the insurance company must be supported by a motivation by the Broker based on legal grounds. The Municipality reserves the right to reconsider any opinion received, to refer it back to the broker for another opinion or recommendation. The Municipality will under no circumstances communicate directly with the Insurers regarding any aspects of a claim.
- 3.15 The bidder must state whether he/she/it is registered as a professional insurance broker with Financial Intermediaries Association of South Africa (FIA), and whether he/she/it is able to provide the necessary guarantees as required by FIA.
- 3.16 Full particulars must be provided regarding the services that will be delivered to the Municipality. Full details must be provided of personnel (number, position, experience, etc.) that will be available to service the Municipality's account.
- 3.17 Proposed Service Team Credentials, experience and qualifications including proof of FSB Regulatory Examination (FAIS) Certificate of the team members that will be involved in the day to day servicing of the municipality portfolio.

4. Requirements

- 4.1 All bidders must attend the compulsory briefing session
- 4.2 MBD's forms to be completed in full
- 4.3 Company registration certificate
- 4.4 Original valid tax clearance certificate / letter from SARS with a valid pin code
- 4.5 BBB-EE certificate (optional)
- 4.6 Power of attorney/ letter of authority for signatory if applicable
- 4.7 Joint venture agreements and consolidated BBB-EEE where applicable
- 4.8 Certified ID copies of the directors/ members/ proprietors not older than three months
- 4.9 Valid Indemnity Insurance
- 4.10 Statement of Municipality Accounts as proof of residential address, if leasing, provide the lease agreement or the proof of residential address by a traditional authority in case of a non-billed area for the **business and all company directors** (Not older than three months)

- 4.11 Terms of reference fully completed and each page to be initialed.
- 4.12 Latest registration report of Central Supplier Database (CSD) with valid reference number. **(Printed between the tender opening and closing date).**
- 4.13 Company structure and profile (Attach).
- 4.14 Profile must at least include:
- 4.15 A detailed description of relevant experience
- 4.16 Full information on the services that will be provided
- 4.17 Names of references at local authorities and private business which are clients of the bidder
- 4.18 The Company proof of registration as an authorized financial service provider
- 4.19 In order to ensure that the Municipality's assets are adequately insured and any risk exposure is minimized, including keeping abreast with the latest insurance developments, it is imperative that the relevant industry related administrative assistance is provided in order to support the existing capacity that the Municipality has. The Service Provider must meet the following minimum requirements:
- The tenderer must be a member of the Financial Intermediaries Association (F.I.A.). An originally certified copy of such membership certificate must be submitted with the tender
 - The tenderer must provide details of their Financial Advisory and Intermediary Services (F.A.I.S.) Act compliancy; i.e. a copy of the F.A.I.S. Certificate. An originally certified copy of such certificate must be submitted with the tender

5. Training and Support

- 5.1 The successful tenderer will provide training on the use of the online claims system to the municipal officials responsible for managing insurance services and provide ongoing support

6. Pricing

- 6.1 The price must be fixed for a period of first 12 months, no escalation.
- 6.2 Bidders must indicate the escalation price for year 2 and year 3 if any, the overall contract price must also be indicated and it must be all inclusive
- 6.3 The actual annual price increment on the contract will be CPI capped.
- 6.4 All other cost must be included in the total tender price (e.g. Vat).

7. Tender Evaluation

7.1 Council is not bound to accept the lowest or any tender.

7.2 The tenderer will be evaluated according to the council's procurement policy.

8. Evaluation Criteria

8.1 The evaluation of this bid will be conducted as follows;

The assessment of functionality will be done in terms of the evaluation criteria indicated below. A bid will be disqualified if it fails to meet the minimum threshold of (60 %) for functionality as per the bid invitation.

All supporting documents must be submitted at the time of tender submission to enable the bid to be evaluated in accordance with the procedure outlined, the evaluation team will score each tender on the information provided (Please index file accordingly).

Criteria	Weight	Points scored
Track record of the tenderer (Company Experience) <ul style="list-style-type: none">• Attach appointment Letters only (where short term insurance projects have been successfully undertaken by the bidder). 1 point per letter.	10	
Experience of key personnel Account Executive <ul style="list-style-type: none">• Less than 3 years = 0• 3-5 years = 3• 6-10 years = 7• More than 10 years = 10	10	
Service team (bidders' employees to manage the account) "One point per certificate" <ul style="list-style-type: none">• FSB Regulatory Examination (FAIS) Certificate of the team members = 5• Registration with AISA of the team members = 5	10	
Methodology <ul style="list-style-type: none">• Provide tracking and feedback process on logged claims and queries raised by the municipality to ensure customer satisfaction = 5 points.• Tenderer proposal on how to negotiate and place the municipality insurance portfolio with insurance underwriters and present the underwriting terms to the municipality acceptance each year = 5 points	15	

<ul style="list-style-type: none"> • Tenderer proposal on how to administer the municipality short term insurance portfolio as the Scope of works = 3 points • How to assess the municipality cover and provide advice on adequate cover to be taken out = 2 points 		
Claims administration system <ul style="list-style-type: none"> • (Claims procedures to be clearly documented and relevant forms to be attached) 	5	
Social Responsibility <ul style="list-style-type: none"> • Proof of social responsibility projects into relevant organisations (Reference letters with contacts to be attached) 2 points per letter 	10	
Total	60	
Percentage= Total scored/ Total weight x 100		$= \frac{\quad}{100} \times 60$ $= \quad \%$

Only those qualifying bids (which scored 60% or more) will be evaluated in terms of the 80/20 preference points systems, where the 80 will be used for price only and the 20 for points awarded for B-BBEE status level of contribution.

Functionality Criteria

Criteria to be used for functionality.

8.2 Points awarded for price

The 80/20 Preference Point Systems

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

80/20

$$P_s \leq 80 \times \frac{P_t - P_{min}}{P_t - P_{min}}$$

$$P_t \leq P_{min}$$

$$P_{min} \leq$$

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{min} = Comparative price of lowest acceptable bid

8.3 Evaluation in terms with B-BBEE

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

9. APPOINTMENT OF SERVICE PROVIDER

9.1 The contract will be awarded to the tenderer who scores the highest total number of points during the evaluation process, except where the law permits otherwise.

9.2 Appointment as a successful service provider shall be subject to the parties agreeing to mutually acceptable contractual terms and conditions (Signing a Service Level Agreement). In the event of the parties failing to reach such agreement municipality reserves the right to appoint an alternative supplier.

9.3 Awarding of contracts will be published on the municipal website and no regret letters will be sent to unsuccessful bidders.

MBD 1

INVITATION TO BID

(a) YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE BA-PHALABORWA LOCAL MUNICIPALITY

BID NUMBER:CLOSING DATE: CLOSING TIME:

DESCRIPTION.....

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:

Cnr Nelson Mandela & Sealane Street

Phalaborwa

1390

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

(b) The bid box is generally open 24 hours a day, 7 days a week.

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

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017

, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

(d) **NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (as defined in Regulation 1 of the**

Local Government: Municipal Supply Chain Management Regulations)

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

NAME OF BIDDER

POSTAL ADDRESS.....

STREET ADDRESS.....

TELEPHONE NUMBER CODE.....NUMBER.....

CELLPHONE NUMBER

FACSIMILE NUMBER CODE NUMBER.....

E-MAIL ADDRESS

VAT REGISTRATION NUMBER

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN ATTACHED? (MBD 2)

YES/NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (MBD 6.1)

YES/NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN NATIONAL ACCREDITATION SYSTEM (SANAS)

A REGISTERED AUDITOR

(Tick applicable box)

(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE 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)

SIGNATURE OF BIDDER

.....
DATE

CAPACITY UNDER WHICH THIS BID IS SIGNED
.....

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS
OFFERED.....

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Municipality / Municipal Entity: Ba-Phalaborwa Local Municipality

Department: Finance

Contact Person: Mr. TJ Mogano

Tel: (015) 780 6303

ANY ENQUIRIES REGARDING SPECIFICATION INFORMATION MAY BE DIRECTED TO:

Mr. T Sekgwari

015 780 6300

TAX CLEARANCE CERTIFICATE

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

1. In order to meet this requirement bidder are required to complete in full form TCC001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids. Copies of form TCC 001 are available from any SARS branch office nationally or on the website www.sars.gov.za.
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
4. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
5. Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.
6. Exemption to the provision of a Tax Clearance Certificate will be granted provided that:
 - a) The bidder is registered on the vendor database of the municipality and a valid tax clearance certificate was submitted together with the application for registration

- b) If the closing date of the price quotation or bid falls within the expiry date of the tax clearance certificate that is in the municipality's possession.

MBD 4

DECLARATION OF INTEREST

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

3.1 Full Name of bidder or his or her representative:

3.2 Identity Number:

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

3.4 Company Registration Number:

3.5 Tax Reference Number:

3.6 VAT Registration Number:

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

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

3.8.1 If yes, furnish particulars.....

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

(a) a member of –

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

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

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

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

of the accounting authority of any national or provincial public entity; or (f) an employee of Parliament or a provincial legislature.

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

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

3.9.1 If yes, furnish particulars.....

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

3.10.1 If yes, furnish particulars.....

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

3.11.1 If yes, furnish particulars.....

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

3.12.1 If yes, furnish particulars.....

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

3.13.1 If yes, furnish particulars.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. **YES / NO**

3.14.1 If yes, furnish particulars:.....

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

Full Name	Identity Number	State Employee Number

.....

Signature

.....

Date

.....

Capacity

.....

Name of Bidder (Company Name)

i. PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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

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

1. 1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable.

1.3 Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. 2. DEFINITIONS

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

3. 3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

4. 80/20 or 90/10

$$P_s = \frac{100 - P_t}{100 - P_{min}} \times 80 \quad \text{or} \quad P_s = \frac{100 - P_t}{100 - P_{min}} \times 90$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{min} = Price of lowest acceptable bid

5.

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

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

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

6. 5. *BID DECLARATION*

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

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

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

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

8. 7. SUB-CONTRACTING

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

a. (Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....% ii) The name of the subcontractor..... iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE b. (Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		

Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

9. 8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6

COMPANY CLASSIFICATION

- Manufacturer

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

[TICK APPLICABLE BOX]

8.7 MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account Number:

Stand Number:.....

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

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

- i) The information furnished is true and correct; ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;

- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....

DATE:

ADDRESS:

.....

.....

SIGNATURE(S) OF BIDDERS(S)

MBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011 and the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as required in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on <http://www.thedti.gov.za/industrialdevelopment/ip.jsp> at no cost.

1.6. A bid may be disqualified if –

- (a) this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and
- (b) the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

2. Definitions

2.1. **“bid”** includes written price quotations, advertised competitive bids or proposals;

2.2. **“bid price”** price offered by the bidder, excluding value added tax (VAT);

2.3. **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;

2.4. **“designated sector”** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;

2.5. **“duly sign”** means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility (close corporation, partnership or individual).

2.6. **“imported content”** means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour and intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;

2.7. **“local content”** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;

2.8. **“stipulated minimum threshold”** means that portion of local production and content as determined by the Department of Trade and Industry; and

2.9. **“sub-contract”** means the primary contractor’s assigning, leasing, 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.

3. **The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

4. Does any portion of the services, works or goods offered have any imported content?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

4.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by the SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za.

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

5. Were the Local Content Declaration Templates (Annex C, D and E) audited and certified as correct?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

5.1. If yes, provide the following particulars:

- (a) Full name of auditor:
- (b) Practice number:
- (c) Telephone and cell number:
- (d) Email address:

(Documentary proof regarding the declaration will, when required, be submitted to the satisfaction of the Accounting Officer / Accounting Authority)

6. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the Accounting Officer / Accounting Authority provide directives in this regard.

LOCAL CONTENT DECLARATION

(REFER TO ANNEX B OF SATS 1286:2011)

<p>LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)</p> <p>IN RESPECT OF BID NO.</p> <p>ISSUED BY: (Procurement Authority / Name of Municipality / Municipal Entity):</p> <p>NB</p>

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thedti.gov.za/industrialdevelopment/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
 - (ii) the declaration templates have been audited and certified to be correct.

(c)The local content percentages (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C;

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Municipality /Municipal Entity has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Municipal / Municipal Entity imposing any or all of the remedies as provided for

in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

MBD 7.1

CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)..... in accordance with the requirements and specifications stipulated in bid number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.

2. The following documents shall be deemed to form and be read and construed as part of this agreement:

- (i) Bidding documents, *viz*
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Technical Specification(s);
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
- (ii) General Conditions of Contract; and
- (iii) Other (specify)

3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1
2.
DATE:	

CONTRACT FORM - PURCHASE OF GOODS/WORKS PART 2 (TO BE FILLED IN BY THE PURCHASER)

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

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

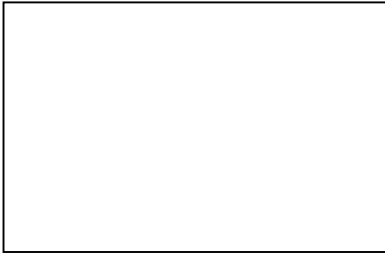
4. I confirm that I am duly authorized to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP



WITNESSES

1.

2.

DATE

CONTRACT FORM - RENDERING OF SERVICES

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

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.

2. The following documents shall be deemed to form and be read and construed as part of this agreement:

- (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of Bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
- (ii) General Conditions of Contract; and
- (iii) Other (specify)

3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

.....

DATE

.....

WITNESSES	
1
2
DATE:	

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity as.....
accept your bid under reference numberdated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).

2. An official order indicating service delivery instructions is forthcoming.

3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP



WITNESSES

1

2

DATE:

MBD 8

8. DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>

4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>(To access this Register enter the National Treasury’s website, www.treasury.gov.za, click on the icon “Register for Tender Defaulters” or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No

4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

**CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION
FORM TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST
ME SHOULD THIS DECLARATION PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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 consortium³ will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation);
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may

be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Annexure A

SUMMARY OF MOVABLES, IMMOVABLES AND LIST OF VEHICLES WILL BE EMAILED

Annexure B



Ba-Phalaborwa Municipality

Insurance Claim History for the past three years as at 30 June 2019

No.	Claim Description	Risk Type	Date of Loss	Gross	Claims Paid	Excess
1.	Vehicle Accident	Motor Fleet	03/01/2016	100 150.00	88 742.50	11 407.50
2.	Building damaged due to fire	Combined	09/06/2016	210 120.84	199 614.80	10 506.04
3.	Theft of Cables	Theft	30/08/2016	13 007.40	13 007.40	-
4.	Building damaged due to fire	Combined	03/11/2016	464 124.72	441 911.65	22 213.07

5.	Storm damage to overhead 11KV Electrical Lines (Insured Perils)	Combined	08/11/2016	150 000.00	135 000.00	15 000.00
6.	Windscreen damage	Motor - Fleet	27/02/2017	1 240.32	740.32	500.00
7.	Windscreen damaged	Motor - Fleet	22/02/2017	1 399.35	899.35	500.00
8.	Third party vehicle accident claim (Third party only)	Motor Liability	20/06/2017	31 565.84	31 565.84	-
9.	Third party vehicle accident claim (Third party only)	Motor Liability	13/07/2017	25 872.40	25 872.40	-
10.	Vehicle Accident (Third party hit insured)	Motor - Fleet	13/07/2017	85 754.90	78 629.90	7 125.00
11.	Vehicle Damage	Motor - Fleet	09/05/2018	14 881	9 881	5000
12.	Vehicle Damage	Motor - Fleet	05/06/2018	9100	4100	5000
13.	Damage to third party property	Public Liability Claim	20/06/2018	37, 491.90	27 491. 90	10 000
14.	Theft of a Laptop	All Risks	30/12/2018	R3168	R668	R2500
15.	Windscreen Damage	Motor - Fleet	14/04/2019	R20778	R15548	R5195
16.	Theft Of Laptop	All Risks	24/04/2019	R5548	R3048	R2500
				826 439.93	760 871.86	65533.07

Annexure C



Ba-Phalaborwa Municipality Inventory as at 30 June 2019

Inventory Category	Total Value of Inventory as at 30 June 2019
Cleaning Materials	R221 964,68
Electrical Services	R17 116 100,10
General	R231 506,31
Protective Clothing	R72 100,91
Printing and Stationary	R364 964,89
Traffic	R245 625,30
Refreshments	R27 456
Water and Sanitations	R4 640 199,62
Total	R22 919 917,82

