



## BA-PHALABORWA MUNICIPALITY

### SUPPLY, DELIVERY TO SITE, INSTALLATION , TESTING, COMMISSIONING AND MAINTENANCE OF ENERGY EFFICIENT HIGH MAST LUMINAIRES (RETROFITTING)

Closing Date: 15/09/2021

Time: 10H00

TENDER NUMBER: **08/21/22**

<b>Ba-PhalaborwaMunicipality</b> Budget and Treasury Office: Contact: A.T Ndzimande Acting Chief Financial Officer Tel: (015) 780 6303 Fax: (015) 780 6381	<b>Ba-Phalaborwa Municipality</b> Technical Services Department: Contact: C.J.Lourens Chief Electrical Engineer Tel: (015) 780 6414 Fax: (015) 780 6393
<b>Name of Tenderer</b> .....	
<b>TOTAL AMOUNT TENDERED</b> .....	
<b>All Inclusive</b>	

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- C3 Scope of Work

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- C4 **Project Specification**

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## BA- PHALABORWA MUNICIPALITY

Ba-Phalaborwa Municipality hereby invites suitable professional services providers to render service, for the below listed project in the BaPhalaborwa Municipality of the Mopani District in Limpopo Province.

Tender documents are obtainable from Ba-Phalaborwa Municipality (civic centre) during the following times: 07:00 to 12:00 and from 13:00 to 15:30 (Monday to Friday).

Below are the significant details per project:-

TENDER NUMBER	CIDB GRADING	DESCRIPTION	COMPULSORY BRIEFING SESSION			FUNCTIONALITY	EVALUATION CRITERIA	CLOSING DATE AND TIME	Minimum Score for functionality	CONTACT PERSON
			DATE	VENUE	COST					
08/21/22	3 EP OR HIGHER	Supply , delivery to site, installation , testing ,commissioning and maintenance of energy efficient high mast luminaires (Retrofitting)	31/08/2021 @10h00	Municipal Activity Hall	Free at the municipal website and E-tender portal	Profile of key Staff (35) Company experience in applied field (35) Methodology (05) Plant and equipment (10) Locality (10) Financial Capacity (05)	80/20	15/09/2021 @10H00	60%	CJ LOURENS (015) 780 6308

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.

**NB: Covid 19 principles should be adhered to. I.e. Wearing of masks, Social distancing, and Sanitizing (No bidder will be allowed if not wearing a mask)**

The bids 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 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 as stated above and bidders who score below will not be evaluated further on price and BBEE preference point scoring system.

MOAKAMELA MI  
MUNICIPAL MANAGER  
Notice No. 19/21

# BA-PHALABORWA MUNICIPALITY

## 1.1. DETAILED SCOPE OF WORK

The service providers required must be practicing within the following category:

- Electrical Engineering Works- Infrastructure (CIDB Grading EP 3)

The purpose of the project is to acquire the services of a suitably qualified electrical service provider for Supply, delivery to site, installation, testing, commissioning and of the following:

- 1) Supply and Installation of 450 new 216 W LED High Mast Luminaires as per specification on existing 30m High masts, as well as removal of existing luminaires
- 2) Transportation to demolishing site.
- 3) Testing and certifying the installation
- 4) Handing Over the Project to the Municipality
- 5) Providing a certificate of destruction (crushing) of all removed equipment
- 6) Project Duration is six (06) months, Guarantee and maintenance for twelve (12) months from date of handover, and 5 years for luminaires. (Factory guarantee)
- 7) Provision of all necessary safe Storage Facility, Tools, Equipment, vehicles, etc. The Municipality will not supply any assistance in this regard.
- 8) Complying with all Safety Regulations as applicable at the time, compile and maintain an approved safety file
- 9) Employing Local Labourers, keeping proper records of them and reporting on a monthly basis.
- 10) Retention to be withheld by the Municipality as prescribed by the latest edition of the General Conditions of Contract.

## 3.2 EVALUATION CRITERIA

### 3.2.1 Service Provider Prerequisites / Requirements

- All bidders must attend the compulsory briefing session
- The 80/20 evaluation criteria will be used to evaluate the tenders (where 80 will be price and the 20 BBB-EE)
- Bidders must sign all the attached MBD forms

- Company registration certificate
- Original valid tax clearance certificate / letter from SARS with a valid pin code
- BBB-EE certificate (optional)
- Power of attorney/ letter of authority for signatory if applicable
- Joint venture agreements where applicable
- CIDB grading certificate.
- Certificate of Compliance for Electrical works
- COIDA Certificate
- Certified ID copies of the directors/ members/ proprietors not older than three months
- Statement of Municipality Accounts as proof of residential address. If leasing, provide the lease agreement and the owner Municipal Account or the proof of residential address by a traditional authority in case of a non-ratable area for the business and all company directors (Not older than three months).
- Terms of reference fully completed and each page to be initialed.
- Latest registration report of Central Supplier Database (CSD) with valid reference number. (**Printed between the tender opening and closing date**).
- Proof of work experience. Attach appointment letters and/or Work orders (No referral letters) and Completion certificates

### 3.2.2 Functionality Evaluation Criteria

- Responsive bids will be evaluated using a point system which awards on the basis set out in the table below:
- The minimum score for functionality will be 60%, bidders who score below 60% will not be considered for further evaluation.
- The service Providers shall comply with the following specific key competencies /requirements

BIDDER EVALUATION CRITERIA FOR FUNCTIONALITY		WEIGHTING
PROFILE OF KEY STAFF		35
Attach CV's with certified Qualifications and proof of professional body registration of own staff (No free lancers)  ** Years of experience will be calculated from the date on which the Professional Certificate was issued by a professional council.	<b><u>Project Manager</u></b>  BSc/B-Tech (Prof Reg. ECSA, Eng.) or (SACPCMP, Pr. CPM) + 5 years' experience :10 points	MAX 10
	BSc/B-Tech (Candidate Reg. ECSA, Eng.) + 5 years' experience :07 Points	
	National Diploma (Candidate Reg. ECSA, Eng.)+ 5 years' experience 05 Points	
	No formal education. :00 Points	
	<b><u>Electrician (1 of 2)</u></b>  Trade Test Certificate ( Electrician) with more than 5 years' experience :10 points	MAX 10
	Trade Test Certificate (Electrician) with more than 3 years' experience :08 points	
	Trade Test Certificate (Electrician) with less than 3 years' experience :03 Points	
	No formal education :00 Points	
	<b><u>Electrician (2 of 2)</u></b>  Trade Test Certificate ( Electrician) with more than 5 years' experience :10 points	MAX 10

	<p>Trade Test Certificate (Electrician) with more than 3 years' experience :08 points</p> <p>Trade Test Certificate (Electrician) with less than 3 years' experience :03 Points</p> <p>No formal education :00 Points</p> <p><b><u>Plant / Equipment operators</u></b></p> <p>1 x Lifting Equipment Operator with valid Driver's licence plus proof of hydraulic lowering &amp; lowering equipment training :03 points</p> <p>1 x Cherry Picker operator with valid with valid Driver's licence plus proof of plant operator training :02 points</p> <p>Operator/Driver with no equipment/plant training :00 Points</p>	<b>MAX 05</b>
<b>COMPANY EXPERIENCE IN APPLIED FIELD</b>		<b>35</b>
<p>Bidder to submit Attach copy of valid company CIDB Grading</p> <p>Bidder to submit proof of <b>number</b> of similar projects previously completed by the company. Proof of company experience only to be through <b>appointment letters and/or work orders and completion certificates.</b></p>	<p>CIDB rating of Electrical Engineering Works Infrastructure 4EP and above is required.</p> <p><b>CIDB Grading</b></p> <p><b>EP 3 and higher :10 Points</b></p> <p><b>EP 3 and lower :00 Points</b></p> <p><b>Number of projects completed:</b></p> <p><b>0 projects :00 Points</b></p> <p><b>1 project :05 Points</b></p> <p><b>2 projects :10 Points</b></p>	<p><b>MAX 10</b></p> <p><b>MAX 25</b></p>

	<p><b>3 Projects :15 Points</b></p> <p><b>4 Projects :20 Points</b></p> <p><b>5 projects :25 Points</b></p> <p><i>* Referral letters will not be accepted as credible proof of company experience.</i></p> <p><i>**Similar projects refers to the supply, delivery and/or installation of High Mist installation projects and any other high mist and area lighting.</i></p>	
<b>METHODOLOGY</b>		<b>05</b>
Bidder to submit description of methodology to execute this project, with specific reference to complete within <b>6 months.</b>	<p><b>Comprehensive methodology with time frame : 05 Points</b></p> <p><b>No Methodology : 00 Points</b></p>	<b>MAX 05</b>
<b>FINANCIAL CAPACITY</b>		<b>05</b>
<ul style="list-style-type: none"> <li>Bidder to submit proof of bank rating not older than three (03) months. Bank rating should be of the Lead Partner in case of a Joint Venture.</li> </ul>	<p><b>Bank Rating</b></p> <p><b>A :05 Points</b></p> <p><b>B :04 Points</b></p> <p><b>C :03 Points</b></p> <p><b>D :02 Points</b></p> <p><b>E and below :01 Points</b></p>	<b>MAX 05</b>
<b>PLANT AND EQUIPMENT</b>		<b>10</b>



<ul style="list-style-type: none"> <li>Tenderer to submit proof of ownership with certification</li> </ul> <p><i>*In case of hiring/leasing, a letter of intent must be submitted with proof of ownership with certification not older than three (03) months.</i></p>	<table border="1"> <thead> <tr> <th>Required Plant</th> <th colspan="2">Minimum Quantity</th> </tr> </thead> <tbody> <tr> <td>Cherry Picker</td> <td>01</td> <td>:03 Points</td> </tr> <tr> <td>Electrical Sling lowering equipment</td> <td>01</td> <td>:03 Points</td> </tr> <tr> <td>Safety Harnesses</td> <td>Item</td> <td>:02 Points</td> </tr> <tr> <td>LDV (Bakkie)</td> <td>02</td> <td>:02 Points</td> </tr> </tbody> </table>	Required Plant	Minimum Quantity		Cherry Picker	01	:03 Points	Electrical Sling lowering equipment	01	:03 Points	Safety Harnesses	Item	:02 Points	LDV (Bakkie)	02	:02 Points	<p><b>MAX 10</b></p>	
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<p><b>LOCALITY (PROMOTION OF LOCAL COMPANIES).</b></p>		<p><b>10</b></p>																
<p>Tenderer to submit proof of physical address of company (Not older than three months).</p>	<table border="1"> <tbody> <tr> <td>Business residing within the boundaries of The Ba-</td> <td>: 10 Points</td> </tr> <tr> <td>Phalaborwa Municipality</td> <td></td> </tr> <tr> <td>Business residing within the boundaries of the</td> <td>:07 Points</td> </tr> <tr> <td>Mopani District Municipality</td> <td></td> </tr> <tr> <td>Business residing within the boundaries of the</td> <td>:05 Points</td> </tr> <tr> <td>Limpopo Province.</td> <td></td> </tr> <tr> <td>Business residing outside the boundaries of the</td> <td>:00 Points</td> </tr> <tr> <td>Limpopo Province.</td> <td></td> </tr> </tbody> </table> <p><b>** Statement of Municipality Accounts as proof of residential address.</b></p> <p><i>If leasing, provide the lease agreement and copy of the owner's statement of municipality account <b>OR</b> the proof of residential address by a traditional authority in case of a non-ratable area for the business and all company directors</i></p>	Business residing within the boundaries of The Ba-	: 10 Points	Phalaborwa Municipality		Business residing within the boundaries of the	:07 Points	Mopani District Municipality		Business residing within the boundaries of the	:05 Points	Limpopo Province.		Business residing outside the boundaries of the	:00 Points	Limpopo Province.		<p><b>MAX 10</b></p>
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Business residing within the boundaries of the	:05 Points																	
Limpopo Province.																		
Business residing outside the boundaries of the	:00 Points																	
Limpopo Province.																		
<p style="text-align: right;"><b>TOTAL</b></p>		<p><b>100</b></p>																
<p><b>N.B:</b> A bidder that scores less than 60 points out of 100 in respect of "functionality" will be regarded as submitting a non-responsive quote and will be disqualified and will be not evaluated for price.</p>																		

# BA-PHALABORWA MUNICIPALITY

## T1.2 Tender Data

The conditions of tender are the Standard Conditions of Tender as contained in Annex F of the CIDB Standard for Uniformity in Construction Procurement. See [www.cidb.org.za](http://www.cidb.org.za) which are reproduced without amendment or alteration for the convenience of tenderer's as an Annex to this Tender Data.

The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the standard conditions of tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

Clause number	Tender Data
F.1.1	The employer is the <b>BA-PHALABORWAMUNICIPALITY</b>
F.1.2	The tender documents issued by the employer comprise: T1.1 Tender notice and invitation to tender T1.2 Tender data T2.1 List of returnable documents T2.2 Returnable schedules <b>Part 1: Agreements and contract data</b> C1.1 Form of offer and acceptance C1.2 Contract data <b>Part 2: Pricing data</b> C2.1 Pricing instructions C2.2 Activity schedules / Bills of Quantities <b>Part 3: Scope of work</b> C3 Scope of work <b>C4 Specification</b>

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# BA-PHALABORWA MUNICIPALITY

F.1.4 The employer's agents are: Municipal Manager, Acting CFO and Director, Technical Services

Tel: (015) 780 6302  
(015) 780 6303  
(015) 780 6308

Fax: (015) 780 6413  
(015) 781 0726  
(015) 780 6393

F.2.1 Only those tenderers who satisfy the following are eligible to submit tenders.

1. Have in their full time employee key persons who have:

- i) Qualified Electricians (trade test) Minimum requirement
- ii) Worked for not less than 5 years after obtaining the qualifications for their respective registration.

F.2.7 The arrangements for a compulsory clarification meeting are as stated in the Tender Notice and Invitation to Tender.

F.2.12 If tenderer wishes to submit an alternative tender offer, the only criteria permitted for such alternative tender offer is that it demonstrably enables the Employer's objectives for the services as stated in the Scope of Work to be achieved.

F.2.13.3 Parts of each tender offer communicated on paper shall be submitted as original,.

F.2.13.5 The employer's address for delivery of tender offers and identification details to be shown on each  
F2.15.1 tender offer package are:

**CIVIC CENTRE (TENDER BOX)  
CNR NELSON MANDELA AND SELATI STREETS  
PHALABORWA**

F.2.13 A two-envelope procedure will not be followed.

F.2.15 The closing time for submission of tender offers is as stated in the Tender Notice and Invitation to Tender.

F.2.15 Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.

F.2.16 The tender offer validity period is 90 days.

F.2.23 The tenderer is required to submit with his\ her tender an **original valid** Tax Clearance Certificate or valid PIN number issued by the South African Revenue Services, as part of the eligibility criteria

# BA-PHALABORWA MUNICIPALITY

## T2.1 List of Returnable Documents

The tenderer must complete the following returnable documents:

### 1 Returnable Schedules required only for tender evaluation purposes

- Certificate of authority for joint ventures (where applicable)
- Compulsory Enterprise Questionnaire
- Record of Addenda to Tender Documents
- Proposed Amendments and Qualifications of the tender specification
- Evaluation Schedule: Approach Paper
- Evaluation Schedule: Proposed Organization and Staffing
- Evaluation Schedule: Experience of the Key Staff
- Evaluation Schedule: Tenderer's Experience
- Evidence of sustained economic activity as required in terms of the eligibility criteria established in the Tender Data
- Declaration of Interest
- Preference Points Claim Form In Terms Of The Preferential Procurement Regulations
- 2011 Declaration Of Bidder's Past Supply Chain Management Practices

### 2 Other documents required only for tender evaluation purposes

- Copy of company registration certificate (c.k. certificate) with shareholding
- An original valid Tax Clearance Certificate or PIN number issued by the South African Revenue Services for each firm on the team
- Individual firms, joint venture or consortium firms experience detail.
- Detail of experience of each individual on the team.
- SAPS Certified copies of each individual's qualifications on the team.
- Joint venture, consortium agreements (if applicable).
- BBEEE certificate
- Professional indemnity that is applicable on this project: N/A
- Proof of payment of municipal rates and taxes.
- Proof of CIDB rating of 4EP or higher

**FAILURE TO PROVIDE THE ABOVE SUPPORTING DOCUMENTATION WILL LEAD TO DISQUALIFICATION.**

### 3 Returnable Schedules that will be incorporated into the contract

### 4 Other documents that will be incorporated into the contract

- 4.1 Original bid document
- 4.2 Addendum
- 4.3 Proof of purchase of the original bid document.

**5 The offer portion of the C1.1 Offer and Acceptance**

**6 C1.2 Contract Data (Part 2)**

**7 C2.2 Pricing schedule**

# BA-PHALABORWA MUNICIPALITY

## Certificate of Authority for Joint Ventures

This Returnable Schedule is to be completed by joint ventures.

We, the undersigned, are submitting this tender offer in Consortium and hereby authorize Mr/Ms . . . . .  
 . . . . . , authorized signatory of the company . . . . .  
 . . . . . , acting in the capacity of lead partner, to sign all documents in  
 connection with the tender offer and any contract resulting from it on our behalf.

NAME OF FIRM	ADDRESS	DULY AUTHORIZED SIGNATORY
Lead partner		Signature. . . . . Name . . . . . Designation
		Signature. . . . . Name . . . . . Designation
		Signature. . . . . Name . . . . . Designation
		Signature. . . . . Name . . . . . Designation

# BA-PHALABORWA MUNICIPALITY

## Compulsory Enterprise Questionnaire

The following particulars must be furnished. In the case of a joint venture, <b>separate</b> enterprise questionnaires in respect of each partner must be completed and submitted.			
<b>Section 1: Name of enterprise:</b> .....			
<b>Section 2: VAT registration number, if any:</b> .....			
<b>Section 3: CIDB registration number, if any:</b> .....			
<b>Section 4: Particulars of sole proprietors and partners in partnerships</b>			
<b>Name*</b>	<b>Identity number*</b>	<b>Personal income tax number*</b>	
* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners			
<b>Section 5: Particulars of companies and close corporations</b>			
Company registration number .....			
Close corporation number .....			
Tax reference number .....			
<b>Section 6: Record in the service of the state</b>			
Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:			
<input type="checkbox"/> a member of any municipal council	<input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)		
<input type="checkbox"/> a member of any provincial legislature	<input type="checkbox"/> a member of an accounting authority of any national or provincial public entity		
<input type="checkbox"/> a member of the National Assembly or the National Council of Province	<input type="checkbox"/> an employee of Parliament or a provincial legislature		
<input type="checkbox"/> a member of the board of directors of any municipal entity			
<input type="checkbox"/> an official of any municipality or municipal entity			
<b>If any of the above boxes are marked, disclose the following:</b>			
<b>Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder</b>	<b>Name of institution, public office, board or organ of state and position held</b>	<b>Status of service (tick appropriate column)</b>	
		<b>Current</b>	<b>Within last 12 months</b>


\*insert separate page if necessary

**Section 7: Record of spouses, children and parents in the service of the state**

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:

- a member of any municipal council
- a member of any provincial legislature
- a member of the National Assembly or the National Council of Province
- a member of the board of directors of any municipal entity
- an official of any municipality or municipal entity
- an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)
- a member of an accounting authority of any national or provincial public entity
- an employee of Parliament or a provincial legislature

Name of spouse, child or parent	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

\*insert separate page if necessary

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise:

- i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- ii) confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- iv) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.



Signed

Date

-----  
Name

-----  
Position

-----  
*Enterprise  
name*

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**BA-PHALABORWA MUNICIPALITY**  
**Record of Addenda to tender documents**

We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:		
	<b>Date</b>	<b>Title or Details</b>
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

Attach additional pages if more space is required.

Signed

Date

Name

Position

Tenderer

# BA-PHALABORWA MUNICIPALITY

## Proposed amendments and qualifications

The Tenderer should record any deviations or qualifications he may wish to make to the tender documents in this Returnable Schedule. Alternatively, a tenderer may state such deviations and qualifications in a covering letter to his tender and reference such letter in this schedule.

The Tenderer's attention is drawn to clause F.3.8 of the Standard Conditions of Tender referenced in the Tender Data regarding the employer's handling of material deviations and qualifications.

Tenderers must not include deviations or qualifications relating to the scope of work in this schedule where they are required to submit an Approach Paper.

Page	Clause or item	Proposal

Signed

Date

Name

Position

*Tenderer*

**BA-PHALABORWA MUNICIPALITY**

**COMPULSORY MUNICIPAL BID  
DOCUMENTS**

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, 2011, 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. AT Ndzimande

**Tel:** (015) 780 6303

**ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:**

**AS PER THE ADVERT.**

**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 bidders 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](http://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](http://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.



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 favoritism, 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 authorized 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, hareholder²):.....

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:

.....  
 .....

**(a) 4. 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 2017**

a)

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

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

**1. GENERAL CONDITIONS**

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

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

1.2

- a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the ..... preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

	<b>POINTS</b>
<b>PRICE</b>	
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

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

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

## 2. DEFINITIONS

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

## 3. POINTS AWARDED FOR PRICE

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

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

**80/20**

**or**

**90/10**

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

Where

$P_s$  = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

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

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

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

#### 5. BID DECLARATION

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

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

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

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

#### 7. SUB-CONTRACTING

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

(Tick applicable box)

YES	<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 sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

**(Tick applicable box)**

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

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

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME</b> √	<b>QSE</b> √
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		
<b>OR</b>		
Any EME		
Any QSE		

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

**8.4 TYPE OF COMPANY/ FIRM**

- Partnership/Joint Venture / Consortium
  - One person business/sole propriety
  - Close corporation
  - Company
  - (Pty) Limited
- [TICK APPLICABLE BOX]

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....

.....

.....

.....

**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-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

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

	WITNESSES
	1. ....
M	2. ....

.....	
SIGNATURE(S) OF BIDDERS(S)	
DATE:	.....
ADDRESS	.....
	.....
	.....



## DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT

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 1286:201x.

### 1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9.(1) and 9.(3) make 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. Regulation 9.(3) prescribes that where there is no designated sector, a specific bidding condition may be included, that only locally produced services, works or goods or locally manufactured goods with a stipulated minimum threshold for local production and content, will be considered.
- 1.4. Where necessary, for bids referred to in paragraphs 1.2 and 1.3 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.
- 1.5. A person awarded a contract in relation to a designated sector, may not subcontract 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.
- 1.6. The local content (LC) as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 201x as follows:

$$LC = 1 - \left[ \frac{x}{y} \right] \times 100$$

Where

- x imported content
- y bid price 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, one week (7 calendar days) prior to the closing date of the bid as required in paragraph 4.1 below.

### 1.7. A bid will be disqualified if:

- the bidder fails to achieve the stipulated minimum threshold for local production and content indicated in paragraph 3 below; and
- this declaration certificate is not submitted as part of the bid documentation.

### 2. Definitions

- 2.1. **“bid”** includes advertised competitive bids, written price quotations 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, 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 for this bid is/are as follows:**

Description of services, works or goods	Stipulated minimum threshold
_____	_____ %
_____	_____ %
_____	_____ %

4. Does any portion of the services, works or goods offered have any imported content? YES / NO

4.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.6 of the general conditions must be the rate(s) published by the SARB for the specific currency at 12:00 on the date, one week (7 calendar days) prior to the closing date of the bid.

The relevant rates of exchange information is accessible on [www.reservebank.co.za](http://www.reservebank.co.za).

Indicate the rate(s) of exchange against the appropriate currency in the table below:

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

**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)**

**IN RESPECT OF BID No.** .....

**ISSUED BY:** (Procurement Authority / Name of Municipality / Municipal Entity):

.....  
 NB 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.

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

The facts contained herein are within my own personal knowledge.

I have satisfied myself that 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.

The local content has been calculated using the formula given in clause 3 of SATS 1286, the rates of exchange indicated in paragraph 4.1 above and the following figures:

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

If the bid is for more than one product, a schedule of the local content by product shall be attached.

(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.

(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, 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 Policy Framework Act (PPFA), 2000 (Act No. 5 of 2000).

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 1** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 2** \_\_\_\_\_

**DATE:** \_\_\_\_\_

## 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 of Restricted Suppliers as companies or persons 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 Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury’s website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <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><b>The Register for Tender Defaulters can be accessed on the National Treasury’s website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
<b>Item</b>	<b>Question</b>	<b>Yes</b>	<b>No</b>
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME) .....**

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

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - a. take all reasonable steps to prevent such abuse;
  - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

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

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_

(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_

(Name of Municipality / Municipal Entity)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate.
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect.
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder.
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder.
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>3</sup> 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.

**<sup>3</sup> 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

**TENDER NUMBER:** .....

The tenderer, identified in the offer signature block, has examined the documents listed in the tender data and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of tender.

By the representative of the tenderer, deemed to be duly authorized, signing this part of this form of offer and acceptance, the tenderer offers to perform all of the obligations and liabilities of the contractor under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.

**\*THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS:**

.....  
..... Rand (in words);  
**R** ..... (in figures)

This offer may be accepted by the employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the tenderer before the end of the period of validity stated in the tender data, whereupon the tenderer becomes the party named as the contractor in the conditions of contract identified in the contract data.

Signature Block: Tenderer	
Signature .....	Date .....
Name .....	
Capacity .....	
Name of organization .....	
Address of organization .....	
.....	
Signature of witness .....	Date .....
Name of witness .....	

**\* BIDDERS HAVE TO COMPLETE THE OFFERED TOTAL OF THE PRICES IN WORDS AS WELL AS IN FIGURES**

**C1.1.2: Form of Acceptance**

By signing this part of this form of offer and acceptance, the employer identified below accepts the tenderer's offer. In consideration thereof, the employer shall pay the contractor the amount due in accordance with the conditions of contract identified in the contract data. Acceptance of the tenderer's offer shall form an agreement between the employer and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

The terms of the contract, are contained in:

Agreements and contract data, (which includes this agreement)  
Pricing data  
Scope of work.

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the tender schedules as well as any changes to the terms of the offer agreed by the tenderer and the employer during this process of offer and acceptance, are contained in the schedule of deviations attached to and forming part of this agreement. No amendments to or deviations from said documents are valid unless contained in this schedule.

The tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the employer's agent (whose details are given in the contract data) for delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the tenderer (now contractor) within five working days of the date of such receipt notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

Signature Block: Employer	
Signature .....	Date .....
Name .....	
Capacity .....	
<b>for the Employer</b> Private Bag X01020, Phalaborwa, 1390	Ba-Phalaborwa Local Municipality
Signature of witness .....	Date .....
Name of witness .....	

**C1.1.3: Schedule of Deviations**

- 1      Subject: ..... Details:  
.....  
.....
- 2      Subject: ..... Details:  
.....  
.....
- 3      Subject: ..... Details:  
.....  
.....
4.     Subject: ..... Details:  
.....  
.....

By the duly authorised representatives signing this agreement, the employer and the tenderer agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the tender data and addenda thereto as listed in the tender schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the tenderer and the employer during this process of offer and acceptance.

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

# BA-PHALABORWAMUNICIPALITY

## C1.1 Form of Offer and Acceptance Offer

The tenderer, identified in the offer signature block, has examined the documents listed in the tender data and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of tender.

By the representative of the tenderer, deemed to be duly authorized, signing this part of this form of offer and acceptance, the tenderer offers to perform all of the obligations and liabilities of the service provider under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.

### THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS:

..... Rand (in words);

R ..... (in figures)

This offer may be accepted by the employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the tenderer before the end of the period of validity stated in the tender data, whereupon the tenderer becomes the party named as the Service Provider in the conditions of contract identified in the contract data.

Signature ..... Date .....

Name .....

Capacity .....

### for the tenderer

(Name and address of organization) .....

Name and signature of witness .....

## Acceptance

By signing this part of this form of offer and acceptance, the employer identified below accepts the tenderer's offer. In consideration thereof, the employer shall pay the service provider the amount due in accordance with the conditions of contract identified in the contract data. Acceptance of the tenderer's offer shall form an agreement between the employer and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

The terms of the contract, are contained in:

Part C1: Agreements and contract data, (which includes this agreement)

Part C2: Pricing data  
Part C3: Scope of work.

and drawings and documents or parts thereof, which may be incorporated by reference into Parts 1 to 3 above.

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the tender schedules as well as any changes to the terms of the offer agreed by the tenderer and the employer during this process of offer and acceptance, are contained in the schedule of deviations attached to and forming part of this agreement. No amendments to or deviations from said documents are valid unless contained in this schedule.

The tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the employer's agent (whose details are given in the contract data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfill any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the tenderer (now service provider) within five working days of the date of such receipt notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

Signature ..... Date .....  
Name .....  
Capacity .....

**for the  
Employer : BA-PHALABORWAMUNICIPALITY  
CIVIC CENTRE  
CNR NELSON MANDELAAND SELATI STREETS  
PHALABORWA**

Name and .....  
signature .....  
of witness ..... Date .....

.....

# Schedule of Deviations

- 1 Subject .....
- Details .....
- .....
- .....
- .....
- 2 Subject .....
- Details .....
- .....
- .....
- .....
- 3 Subject .....
- Details .....
- .....
- .....
- .....
- 4 Subject .....
- Details .....
- .....
- .....
- .....
- 5 Subject .....
- Details .....
- .....
- .....
- .....

By the duly authorized representatives signing this agreement, the employer and the tenderer agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the tender data and addenda thereto as listed in the tender schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the tenderer and the employer during this process of offer and acceptance.

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

# BA-PHALABORWAMUNICIPALITY

*The Conditions of Contract are the Standard Professional Services Contract (September 2005) published by the Construction Industry Development Board.*

Each item of data given below is cross-referenced to the clause in the Conditions of Contract to which it mainly applies.

## **Part 1: Data provided by the Employer**

<b>Clause</b>	
	The Employer is the <b>BA-PHALABORWAMUNICIPALITY</b>
3.4 and 4.3.2	The authorized and designated representative of the Employer is: Name: Mr. <b><u>Nawa T</u></b>  The address for receipt of communications is: Telephone: <b><u>(015) 780 6308</u></b> Facsimile: <b><u>(015) 780 6393</u></b> E-mail: <b><u>Nawat@ba-phalaborwa.gov.za</u></b> Address: <b><u>Private Bag X01020</u></b> <b><u>PHALABORWA</u></b> <b><u>1390</u></b>
1	The Period of Performance is until the commissioning of the Project and associated facilities.
3.5	The location for the performance of the Project is in the Limpopo Province.
3.6	The Service Provider may not release public or media statements or publish material related to the Services or Project under any circumstances.
3.11	The penalty payable is R1 000.00 per Day subject to a maximum amount of R25 000



4.3.1(d)	The Service Provider is required to assist in the obtaining of approvals, licenses and permits from the state, regional and municipal authorities having jurisdiction over the Project.
5.4.1	The Service Provider is required to provide professional indemnity cover as set out in the Professional Indemnity Schedule.
5.5	<p>The Service Provider is required to obtain the Employer's prior approval in writing before taking any of the following actions:</p> <ul style="list-style-type: none"> <li>• Deviation from the terms of reference;</li> <li>• Proceeding to the next work stage e.g. appraisal, concept design, final design, tender specifications and tender documentation;</li> <li>• All contractual matters that has a time, cost implications;</li> <li>• Approval of construction plans;</li> <li>• Calling for tenders;</li> <li>• Appointment of specialist to do specific studies.</li> </ul>
7.2	The Service Provider is required to provide personnel in accordance with the provisions of clause 7.2 and to complete the Personnel Schedule.
8.1	The Service Provider is to commence the performance of the Services within 7 working days of date that the Contract becomes effective.
8.4.3 (c)	The period of suspension under clause 8.5 is not to exceed 6 months.
9.1	Copyright of documents prepared for the Project shall be vested with the Employer.
12.1	Interim settlement of disputes is to be by adjudication
12.2 / 12.3	Final settlement is by litigation.
13.1.3	All persons in a joint venture or consortium shall carry a minimum professional indemnity insurance of equal to the amount of their portion of the work in the tender amount.
15	The interest rate will be prime interest rate of the Employers bank at the time that the amount is due.

# BA-PHALABORWA MUNICIPALITY

## Part 2: Data provided by the Service Provider

**Clause**

1 The Service Provider is .....

Address: .....

Telephone: .....

Facsimile: .....

5.3 The authorized and designated representative of the Service Provider is:

Name: .....

The address for receipt of communications is:

Telephone.....:

Facsimile:.....

Address: .....

5.5 The Key Persons and their jobs / functions in relation to the services are:

7.1.2

Name	Specific duties	Professional registrations (Name of Council and registration number)

# BA-PHALABORWA MUNICIPALITY

## C2.1 Pricing Instructions

- 1 The Service Provider is required to provide the services in accordance with the Scope of Work. To provide the work in accordance with the Scope of Work embraces all things necessary and incidental to completing the *services*.
- 2 The Service Provider is required to price for providing the services relating to each activities provided in the Activity Schedule. If a particular activity is not identified, the cost to the Service Provider of doing the work shall be deemed to be included in, or spread across, the other prices in order to fulfill the obligation to complete the services for the tendered total of the prices.
- 3 The only basis for a change to the prices is as a result of the Employer giving an instruction to change the Scope of Work. The reasonableness of the changes in prices resulting from such a change shall be assessed in terms of recommended time based fees published by the relevant engineering councils.
- 4 The Service Provider is required to include all expenses in the activity schedule. No contract price adjustment for inflation is provided for.

# **BA-PHALABORWAMUNICIPALITY**

## **C2.2 Bill of Quantities**

- 1) The Bill of Quantities (BOQ) must be completed in full. Where items are omitted, it will be deemed as included elsewhere
- 2) The BOQ is provisional, and may not be used to order material. The Contractor will only place orders from his own measurements, after confirmation by the Municipality.
- 3) The Municipality reserves the right to change any quantity in the bill according to final requirements, and the contractor will not be entitled to any claim due to such changes.
- 4) If the contractor find discrepancies between the BOQ and his own measurements, he will bring it under the attention of the Deputy Director: Electrical before placing an order for that item where the discrepancy exist. The Deputy Director: Electrical will rule on this.
- 5) The BOQ will be the format of claims. Only claims substantiated by the quantities in the Bill will be considered.
- 6) Where PC items, contingency and preliminary items are included in the BOQ, payment will only be made for such items if the Deputy Director: Electrical has given written instructions to that effect.
- 7) The Contractor will only be paid for actual work done and/or material supplied, and not as per the provisional BOQ.
- 8) All items in the BOQ is exclusive of VAT. VAT is only added at the end under the SUMMARY.

**Installing Energy Efficient Street Lighting Luminaires**

<b>Item no</b>	<b>Description</b>	<b>Unit</b>	<b>Quantity</b>	<b>Rate</b>	<b>Total</b>
1	<b>Bill no 1.Preliminary and General Items</b>				
1.1	Amount to comply with all the requirements of this contract that is not measured elsewhere	monthly	6		
1.2	Provide for the appointment and employment of a CLO	monthly	6		
1.3	Provide for a site office, storage facility and site establishment for duration of the Contract, as well as cleaning of the site	sum	1		
1.4	Provide for all necessary Insurances as required. Proof of insurance to be provided to Municipality at site handover	sum	1		
1.5	Provide for the update of existing drawings	sum	1		
1.6	Cost for the employment of local labourers	monthly	6		
1.7	Cost for the supply and installation of Project Information Boards	each	3		
1.8	Submission of an approved Safety File	sum	1		
1.9	Cost for the supply and maintenance of all necessary tools, equipment, vehicles for duration of project	sum	1		
1.10	<b>Cost for verification of Scope of Works</b>	sum	1		
	<b>Total carried over to Summary</b>				

Item no	Description	Unit	Quantity	Rate	Total
	<b>Bill no 2: Installation of Luminaires</b>				
2	<b>Supply, delivery to site and installations of LED luminaires (Retrofit) (rates to include the removal of existing Luminaires)</b>				
2.1	216W LED Luminaires Fittings, 100 % complete with all mounting brackets, fittings, screws, etc. .	each	450		
2.2	Fully mounted and in working condition on existing poles in Namakgale, Lulekani and Gravelotte including removal of existing luminaires.(Labour)	each	450		
2.3	Destruction and compaction of all removed luminaires, providing a demolition certificate from service provider	sum	1		
2.4	Capacity building and training	Prov. Sum	1	30 000.00	30 000.00
2.5	Energy efficiency awareness	Prov. Sum	1	30 000.00	30 000.00
	<b>Total carried forward to next page</b>				

### Summary of Tender Amounts

1	Bill no 1.Preliminary and General Items	R
2	Bill no 2: Installation of Luminaires	R
3	<b>Sub total</b>	R
4	Plus 05% Contingency	R

5	Subtotal	R
6	Plus VAT @ 15%	R
7	Total Tender Amount carried forward to form of tender	R

Program

Total completion time for project from date of appointment: \_\_\_\_\_ weeks

Signature of Tenderer \_\_\_\_\_

Date: \_\_\_\_\_

## **BA-PHALABORWA MUNICIPALITY**

### **C3 Scope of Work**

This tender calls for the Supply, delivery to site, installation, testing, commissioning and maintenance of the supplied equipment and services for twelve (12) Months of the following:

- 1) Supply and Installation of 450 new 216 W LED High Mast Luminaires as per specification on existing 30m High masts, as well as removal of existing luminaires in Namakgale, Lulekani and Gravelotte (6 Months Completion period.)
- 2) Transportation to demolishing site.
- 3) Testing and certifying the installation
- 4) Handing Over the Project to the Municipality
- 5) Providing a certificate of destruction (crushing) of all removed equipment
- 6) Guarantee and maintenance for twelve (12) months from date of handover, and 5 years for luminaires. (factory guarantee)
- 7) Provision of all necessary safe Storage Facility, Tools, Equipment, vehicles, etc. The Municipality will not supply any assistance in this regard.
- 8) Attending Site meetings once a month
- 9) Attending Site Inspections once a month
- 10) Complying to all Safety Regulations as applicable at the time, compile and maintain an approved safety file
- 11) Employing Local Labourers, keeping proper records of them and reporting on a monthly basis on it
- 12) 5% retention to be withheld by the Municipality for twelve (12) months from date of practical completion r

Tenders shall be accompanied by the following technical documentation:

- 1) Completed Bill of Quantities
- 2) Full details of the equipment/system offered, with illustrations, diagrams, print-outs, etc. that will enable evaluation of the tender.

Confirmation of similar installations completed, with references for verification purposes



## C4 Specification

### C4.1 General

- C4.1.1 The luminaires shall be Class 1 of IEC 60598-1 and be of the totally enclosed type. Luminaires shall be delivered completely assembled with housing, driver, LED module and protector lens and mounting assembly to fit existing street light poles
- C4.1.2 The luminaire output shall be provided as nominal flux at T<sub>q</sub> of 35 °C.
- C4.1.3 The colour temperature of the luminaires shall be neutral white, 4000K and a colour rendering index of 70 (minimum).
- C4.1.4 The luminaires shall deliver 80% of the initial lumens, when installed for a minimum of 60 000 hours. **The bidder shall provide a lumen depreciation graph by means of the IES LM 80-08 data of the LEDs.** The LED light source test data shall provide the expected data for at least 25% of rated LED light source lifetime, i.e. 15 000 hours.
- C4.1.5 The following information and conditions shall be met:
- The LED light source(s) have been tested according to LM-80-08.
  - The LED drive current specified by the luminaire manufacturer is less than or equal to the drive current specified in the LM-80 test report.
  - The LED light source(s) manufacturer shall indicate a temperature measurement point (T<sub>s</sub>) on the light source(s).
  - The T<sub>s</sub> is accessible to allow temporary attachment of a thermocouple for measurement of in-situ temperature. Access via a temporary hole in the housing, tightly resealed during testing with a flexible sealant is allowable.
  - For the hottest LED light source in the luminaire, the temperature measured at the T<sub>s</sub> is less than or equal to the temperature specified in the LM-80 test report for the corresponding drive current.
- C4.1.6 The LED module or array shall be designed in such a manner that the failure of one LED shall not cause additional LED's to switch-off. Documentary evidence of this shall be submitted.
- C4.1.7 Temperature sensors shall be fitted as protection devices to the luminaire, placed directly next to the LEDs. These shall not switch off the luminaire completely. Full details of how the luminaire manages its temperature, through the use of sensors and the effect on lumen maintenance, shall be supplied.
- C4.1.8 The entire assembly and testing of the complete LED luminaire shall be undertaken within an ISO 9001 certified factory, within South Africa.

### C4.2. IP rating

The luminaires shall have minimum rating of IP 66 in accordance with SANS 60529 for both the driver and LED module compartments, when normally mounted as per SANS 475.

### C4.3 Standards

The following standards as per latest updates are applicable to the manufacturing and installation of the LED Luminaires, and shall be adhered to at all times

1.2.1	IEC 60598-1	Luminaires - Part 1: General requirements and tests
1.2.2	IEC 60598-2-3	Luminaires - Part 2: Particular requirements - Section 3: Luminaires for road and street lighting
1.2.3	ISO 4762	Hexagon socket head cap screws
1.2.4	SANS 529	Heat-resisting wiring cables
1.2.5	SANS 121	Hot dip galvanized coatings on fabricated iron and steel articles — Specifications and test methods.
1.2.6	SANS 1088	Luminaire entries and spigots
1.2.7	SANS 60529	Degrees of protection provided by enclosures (IP Code)
1.2.8	SANS 1507	Electric cables with extruded solid dielectric insulation for fixed installations (300/500V to 1 900/3 300V) Part 3: PVC Distribution cables
1.2.9	SANS 1574	Electric flexible cores, cords and cables with solid extruded dielectric insulation Part 3: PVC-insulated cores and cables
1.2.10	SANS ARP 035:2014	Guidelines for the installation and maintenance of street lighting
1.2.11	SANS 61000-3-2	Electromagnetic compatibility (EMC) Part 3-2: Limits — Limits for harmonic current emissions (equipment input current ≤ 16 A per phase)
1.2.12	OHSACT (Act 85 of 1993)	Occupational Health and Safety Act and Regulations

### C4.4 Construction of Luminaires

- C4.4.1 Luminaires shall be suitable for operation at an ambient temperature,  $T_a$ , of 40<sup>0</sup>C. Fixing devices, junctions, lips and the like shall be designed to shed water. Pockets and ledges in which condensation may accumulate shall be avoided.
- C4.4.2 The luminaires shall contain a heat sink with no fans, pumps or liquids, and the design thereof on the external surfaces shall prevent the accumulation of dirt and nesting of insects or ants, thus ensuring continuous effective cooling. Heat from the LED source should take the shortest path to the exterior by direct conduction or any other reliable form of cooling that will not compromise the useful life of the LEDs.
- C4.4.3 The luminaires shall have aluminium housings of grade EN1706 AC-44300 (or higher) aluminium alloy. This shall be substantiated by an independent metallurgical report confirming the grade of aluminium for the luminaires offered.
- C4.4.4 Luminaires shall be supplied in raw aluminium and shall not be powder coated or painted.
- C4.4.5 Ferrous components shall be hot-dip galvanized and shall withstand the test specified in the current edition of SANS 121 for heavy duty application.
- C4.4.6 External small components (such as toggle clips, bolts, screws, nuts, washers) shall be stainless steel (grade 304 or better).
- C4.4.7 Due attention shall be paid to the accessibility of parts and to other requirements necessary for efficient maintenance and cleaning, where required. If screws are used to secure covers, they shall be held captive when opened.
- C4.4.8 The upgrading and/or service of the LED unit and the driver/power supply shall be possible without removing the whole luminaire but by means of replacing only the optical/gear compartment by means of a hinging mechanism.

C4.4.9 Various items/components such as the aluminium housings, printed circuit boards (PCB's), glass protectors, silicon gaskets and stainless steel latches/clips shall be manufactured in South Africa. Assembly of the parts are not considered as manufacturing

## **C4.5 Mounting**

C4.5.1 Spigot entries shall be designed to fit easily over the bracket pipe and shall be truly parallel to the fitting axis and shall comply with Table 1 of SANS 1088:1990

C4.5.2 Attachment of the luminaire base casting to its bracket arm should be by means of at least two stainless steel M8 grub screws into stainless steel sockets or any other methods to prevent cathodic corrosion between stainless steel and aluminium. The attachment of the luminaire should be designed to withstand wind speeds of up to 150 km/hour on the projected surface of the luminaire, without due deflection.

C4.5.3 Standard Stirrup type of mounting on High Masts, complete with stainless steel bolts, nuts and washers.

## **C4.6 Optics**

C4.6.1 The luminaire shall be able to be equipped with a variety of lenses, providing the desired light distribution, ensuring a great diversity of light distributions for different applications. A minimum of 15 different optic distributions shall be available for flexibility of lighting designs, ensuring compliance to lighting requirements per application.

C4.6.2 Luminaires should be photometered according to the C-Gamma system as detailed in CIE Publication No. 27. For LED luminaires with non-replaceable LED modules, the intensity values shall be given in candela. The results should be published in an intensity distribution table, indicating the intensity in cd/klm at each horizontal and vertical angle. This intensity distribution table should be converted by an accredited test facility and/or luminaire supplier into a suitable electronic format for use with any of the commercially available lighting computer programs.

## **C4.7 Protector**

C4.7.1 The protector shall be high-impact, toughened, clear flat glass.

C4.7.2 The protector shall form a seal completely preventing the entry of moisture, dust and insects into the lamp housing.  
A one-piece gasket, made of silicon sponge material, shall be fitted into a groove in the housing and shall be seated in a manner ensuring the integrity of the IP66 rating and shall not work loose during maintenance of the luminaire.

## **C4.8 Power Supply or Driver Requirements**

C4.8.1 LED module(s) drivers shall be housed fully within the sealed body of the luminaire.

C4.8.2 The output frequency of the drivers shall be 100 Hz or greater, to avoid visible flicker. The harmonic distortion levels of the LED module driver(s) shall comply with the limits as stipulated in SANS 61000-3-2.

C4.8.3 The LED module driver(s) shall operate at a power factor of 0,95 or greater, and the harmonic distortion levels shall be limited so as to not cause interference on the electrical network.

C4.8.4 The power supply or driver compartment shall be sealed in the same manner as described in items 2.5.2 and 2.5.3.

C4.8.5 The power supply or driver compartment shall be so designed that there is sufficient space to permit replacement of components or repairs and reassembly without difficulty and without the removal of the luminaire from its mounting.

C4.8.6 The power supply or driver shall be able to withstand surges of up to 10kV/10kA by means of an external inline fused surge protection device mounted inside the gear compartment. This surge protection shall be easily replaceable.

- C4.8.7 The power supply or driver should incorporate a thermal switch to prevent exceeding the case temperature for maximum life time of equipment.
- C4.8.8 The lifetime of the power supply or driver shall be 100 000hrs with 90% survival over the lifetime.

#### **C4.9 Earthing**

- C4.9.1 The luminaire shall be earthed in accordance with Clause 13 of the Electrical Machinery Regulations of the OHSACT (Act 85 of 1993).
- C4.9.2 Metal parts of luminaires which may become alive in the event of insulation fault and which are not accessible when the luminaire is mounted, but liable to come into contact with the supporting surface, shall be permanently and reliably connected to an earthing terminal and shall withstand the test specified in IEC 60598-2-3.
- C4.9.3 Earthing terminals shall comply with sub-clause 7.2 of IEC 60598-1. All parts of an earth terminal shall be made of brass or other corrosion resistant metal and the contact surfaces shall be bare metal and not painted or varnished surfaces.
- C4.9.4 Earth connections shall be effected by means of suitable lugs in a manner avoiding all possibility of electrolytic corrosion.

#### **C4.10 Internal Wiring**

- C4.10.1 The internal wiring of the luminaires shall be flexible and suitably insulated to withstand the voltage and the temperature encountered in service.
- C4.10.2 Wiring to the LED module compartment shall be suitably grommeted , ensuring a perfect seal between compartments.
- C4.10.3 The supply terminals shall accept 4mm<sup>2</sup> wires and be easily accessible. No part of the cover shall damage the supply wires when closed.

#### **C4.11 Guarantee**

All luminaires offered shall have a minimum guarantee period of **five years**.

The scope of this guarantee includes the LED module drivers, luminaire housing, LED module(s), brackets and protector.

If luminaires are found to have failed within this period as a result of poor manufacturing processes and/or poor materials it shall be replaced free of charge by the manufacturer.

**C4.12 The LED driver sizes for the following LED packages shall be:**

Wattage	No. of LED's	Current mA	Lumens	Colour Rendering	Colour Temp.	Replacement Details
53W LED	16 LED's	100	5 328	> Ra70	4 000K	Replaces 125W MV/70W/100W HPS
470W LED	64LED's	1000	23503	> Ra70	4 000K	Replaces 400W HPS

**C4.13 Work excluded from this contract.**

All external wiring, cables, contactors, circuit breakers, Street Lighting poles will be the responsibility of the Municipality. The contractor however will be responsible for liaising with the Technician: Electrical to facilitate the necessary work to ensure a complete operational street lighting system.

**C4.14 Programming**

The Contractor will provide a work program of all the installation works, street by street, and this program will cover the whole installation, and will make provision for the work to be completed within 8 months from date of Signing the Service Level Agreement (SLA).

**C4.15 Job Creation**

All efforts will be made to provide employment for local people. No labourers to be employed from outside Ba-Phalaborwa for the entire project. Local councilors will assist with the employment of local labourers.

### **C5: Schedule of Equipment offered:**

<b>no</b>	<b>Description</b>	<b>Low wattage Luminaire</b>	<b>Higher wattage Luminaire</b>
1	Name of Manufacturer of Luminaires		
2	Wattage of Luminaires		
3	Country of Manufacture (not assembly)		
4	Lumens		
5	Colour rendering		
6	Colour temperature		
5	Guarantee on Luminaires		
6	Life span of Power Supply: (90% survival rate)		

**Please attached full specifications of equipment offered to this document.**