



MAKHUDUTHAMAGA LOCAL MUNICIPALITY

LIM473/Security services/24/25/027

PSIRA-accredited security companies are invited to bid for provision of security services for Makhuduthamaga Local Municipality for the period of 3 years

ISSUED BY: <u>Supply Chain Management Unit</u> Mr KJ Mothapo Manager SCM Private Bag X 434 Jane Furse 1085 Tel: 013 265 8607 Email: khalabom@makhuduthamaga.gov.za	PREPARED BY: <u>Budget & Treasury Department</u> Mrs Mohlala MI Chief Risk Officer Private Bag X 434 Jane Furse 1085 Tel: 013 265 8625 Email: innocentiam@makhuduthamaga.gov.za
NAME OF BIDDER	:
TENDER AMOUNT	:
TEL NUMBER	:
FAX NUMBER	:
EMAIL ADDRESS	:

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MAKHUDUTHAMAGA LOCAL MUNICIPALITY

2. Bid Notice and Invitation to Bid

No	Project no.	Description	Closing date
01	LIM473/Landfill-Maintenance/24/25/026	Maintenance of Makhuduthamaga landfill site for the period of 3 years	15/02/2025 @ 12:00
02	LIM473/Security services/24/25/027	PSIRA-accredited security companies are invited to bid for provision of security services for Makhuduthamaga Local Municipality for the period of 3 years.	15/02/2025 @ 12:00

The employer is Makhuduthamaga Local Municipality represented by the Municipal Manager.

Bid documents will be obtainable from Makhuduthamaga Local Municipal offices from **22 January 2025 (Mon-Fri from 08:00-16:30)** from the cashiers; at a non-refundable deposit **R560.00** for each payable in cash or bank-guaranteed cheque. Bid documents can also be downloaded from online service (www.etender.gov.za) at **no cost**.

Completed and signed tender documents must be sealed in an envelope and marked with the relevant project number and project description and be deposited in the tender box at Makhuduthamaga Local Municipality Offices in Jane Furse before the closing date and time.

The municipality shall adjudicate and award tenders in accordance with the Preferential Procurement Policy Framework Act, 5/2000 and revised procurement regulation with effect 16 January 2023 read with amended regulation on 14 December 2023 on 100 points for functionality and 90/10 for points system where 90 points is for the price and 10 points is for municipal specific goals (according to the said legislation). Details of specific goals and functionality are in the bid document. Bid will remain valid for 90 (Ninety) days.

The lowest and any tender will not necessarily be accepted, and the Municipality reserves the right not to consider any tender not fully completed. Bidders are required to initial each page of the tender document and sign where necessary.

For enquiries contact:

Supply Chain Unit : **Mr Mothapo KJ - 013 265 8607**
Chief Risk Officer : **Ms Mohlala MI - 013 265 8643**
Community Services : **Ms Mashao A - 013 265 8600**

PROVISSION OF SECURITY SERVICES FOR THE PERIOD OF 36 MONTHS.

Bid offers will only be accepted if the bidder is free of any common conflict of interest with the Makhuduthamaga Local Municipality.

3. Bid Data

1.2.1. The employer is **MAKHUDUTHAMAGA LOCAL MUNICIPALITY**

1.2.2 The bid documents issued by the employer comprise:

1.1 Bid notice and invitation to bid

1.2 Bid data

2.1 List of returnable documents

Part 1: Agreements and contracts data

C1.1 Form of offer and acceptance

Part 2: Pricing data

C2.1 Pricing instructions

C2.2 Specification

1.2.3 The employer's agent is: Municipal manager

Tel: (013) 265 8600

Fax: (013) 265 1975

1.2.4 Only Bidders who are registered with central supplier database (CSD) will be considered.

1.2.5 The arrangements for a compulsory clarification meeting are as stated in the Bid Notice and Invitation to Bid where applicable.

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

1.2.7 All parts of each bid offer communicated on paper shall be submitted as the original.

1.2.8 The employer's address for delivery of bid offers and identification details to be shown on each bid offer package is:

**BID BOX (TENDER BOX)
MAKHUDUTHAMAGALOCALMUNICIPALITY
GROBLERSDAL ROAD
JANE FURSE**

- 1.2.9 The closing time for submission of bid offers is as stated in the Bid Notice and Invitation to Bid.
- 1.2.10 Telephonic, telegraphic, telex, facsimile or e-mailed bid offers will not be accepted.
- 1.2.11 The bid offer validity period is ninety (90) days.
- 1.2.12 The bidder is required to submit with his/her bid all required documents as listed in the list of returnable documents as part of the eligibility criteria.
- 1.2.13 The Bid/Proposal will be opened immediately after the closing time for bids only to confirm the bidder, at:

**MAKHUDUTHAMAGALOCALMUNICIPALITY
GROBLERSDAL ROAD
JANE FURSE**

- 1.2.14 **The procedure for the evaluation of responsive bids will be on 100 points for functionality and 90/10 points system, where 90 points are for price and 10 points are for Municipal Specific goals**

1.2.15 Bid offers will only be accepted if:

- 1.2.15.1 The bidder or any of its directors is not listed on the Register of Bid Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;
- 1.2.15.2 The bidder has not:
- abused the Employer's Supply Chain Management System;
 - or
 - failed to perform on any previous contract and has been given a written notice to this effect;
- 1.2.15.3 The bidder has completed the Compulsory Enterprise questionnaire and there are no conflicts of interest which may impact on the bidder's ability to perform the contract in the best interests of the employer or potentially compromise the bid process; and
- 1.2.15.3 The bidder or any of its directors is not employed by the state.

4.EVALUATION PROCEDURES

All bids will be evaluated based on 4 process gate1,gate 2, gate3 and gate4.

Pre-qualification Criteria (Gate 1) Administrative and mandatory requirement	Equipment Evaluation Criteria (Gate 2).in loco inspection	Functionality (Gate 3).	Price and Specific Goals Evaluation Criteria (Gate 4) AND vetting
<p>Bidders must submit all mandatory documents as outlined in paragraph 4.1 Only bidders that comply with all these criteria will proceed to Gate 2.</p>	<p>Bidders must meet mentioned required equipment in 4.2. and a failure will result the bidder not to proceed to the gate 3 and will be disqualified at this stage.</p>	<p>Bidder(s) are required to achieve a minimum of 70 points out of 100 points to proceed to Gate 4 as per 4.3.</p>	<p>Bidder(s) will be evaluated on price (weighted price) (90 points as per 4.4.1.)and specific goals claimed (10) points as per 4.4.2. and the award will be recommended to the bidder with the highest points and be subjected for vetting. Any negative results for vetting will automatically disqualifies the bidder.</p>

4.1. GATE ONE: PRE QUALIFICATION CRITERIA

NO.	Document that must be submitted	Non-submission may result in disqualification.	
1.	Original Bid Documents	YES/NO	Fully completed Bid document, Initialised and signed. (Initialised all pages where there is no signature)
2.	Invitation to Bid – MBD 1	YES/NO	Complete and sign the supplied pro forma document with a fixed physical address for their business operations for in-loco inspection.
3.	Declaration of Interest – MBD 4	YES/NO	Complete and sign the supplied pro forma document.
4.	The National Industrial Participation Programme – MBD 5	YES/NO	Complete and sign the supplied pro forma document.
5.	Preference Point Claim Form – MBD 6.2	YES/NO	Non-submission will lead to a Zero
6.	Declaration of Bidder's Past Supply Chain Management Practices – MBD 8	YES/NO	Complete and sign the supplied pro forma document.
7.	Certificate of Independent Bid Determination – MBD 9	YES/NO	Complete and sign the supplied pro forma document.
8.	Proof of registration on Central Supplier Database (CSD) (detailed CSD report)/MAAA no. on SBD1.	YES/NO	The bidder must be registered as a service provider on the Central Supplier Database (CSD).
10.	COIDA registration certificate	YES/NO	Bidders are required to submit their valid COIDA registration certificate
11.	UIF proof of registration	YES/NO	Bidders are required to submit proof of registration with the Unemployment Insurance Fund
12.	Comprehensive Operational Plan	YES/NO	Bidders are required to submit comprehensive operational plan that complies with the requirements at paragraph 10.
13.	PSIRA registration certificates and copy of RSA ID books of directors of the business as they appear on the CIPC registration documents,	YES/NO	Bidders are required to submit their valid PSIRA certificates and copy of RSA ID books of all directors as they appear on CIPC registration document (certified copies) at closing date.

14.	PSIRA letter of good standing	YES/NO	Bidders are required to submit their valid PSIRA letter of good standing
15.	Private Security Pension Fund registration	YES/NO	Bidders are required to submit proof of registration with the Private Security Pension Fund
16.	Public liability	YES/NO	Public liability of insurance cover for R 10 000 000 or more
17.	Clearance Letter	YES/NO	South African Police Clearance letter/certificate of directors (The Municipality servers the right to verify validity of the Clearance letter/certificate.
18.	Fire Fighters	YES/NO	Proof of some staff members having been trained as fire fighters (To assist in terms of fire breakage), Paramedics or in OHS
19.	Communication Strategy	YES/NO	Provide a communication strategy between the municipality and the security company. And should outline how the security will communicate with the central/satellite office in terms of emergency.
20.	Company Vehicle Insurance	YES/NO	Company Vehicle Insurance cover registered in the name of the company
21.	Company Profile	YES/NO	Detailed Company Profile
22.	Proof of rapid armed response services	YES/NO	The service provide should provide a detailed plan of responding to the urgent emergency services – eg The agreement with the police, other security services or have alarm system at the building.
23.	Municipal rates and Taxes	YES/NO	Proof of municipal rates and taxes for both the company and the directors not older than three months of the closing date of the tender. Must not owe more than 90 days. (Not over ninety days in arrear) An affidavit from SAPS must be attached in case of bidders who are not paying rates and taxes- e.g., In rural areas
24.	Fire arms	YES/NO	Fire arms accredited certificate in the name of the company.

25.	Fire arms for Directors	YES/NO	Ownership of firearms and licences for the owners
26.	Pricing Schedule	YES/NO	Pricing structure must be completed in full for all service categories and be put in a separate envelope. Where bidder has omitted to put price for certain price categories the price offer will not be accepted and will be disqualified as it will not be comparable with others who have quoted for all service categories.
27.	Audited annual financial statements	YES/NO	for the past three years; or since their establishment if established during the past three years; then the bidder should provide those financial statements.
28.	SARS or Tax Pin	YES/NO	SARS or TCS PIN Number, In the case of a joint venture/consortium, the TCS Pin number of each entity constituting the joint venture/consortium, must be submitted with the bid document

4.2. GATE 2: IN LOCO INSPECTION

EQUIPMENT REQUIRED

Bidders must have the following equipment, which must be made available for inspection during the evaluation and/or adjudication process.

NO	Equipment	YES/NO
1	Battery operated torches;	YES/NO
2	Batons;	YES/NO
3	Handcuffs;	YES/NO
4	Fire arms (Post related);	YES/NO
5	Two way radios (including base station) that are functional;	YES/NO
6	Operational 24 Hours Control Room	YES/NO
7	Vehicle radio base station,	YES/NO
8	Rain Coats;	YES/NO
9	Firearm Register;	YES/NO
11	Firearm Safe;	YES/NO
12	Two (2) Patrol Vehicles	YES/NO
13	Uniform (combat and corporate)	YES/NO
14	Whistle	YES/NO
15	Pepper Spray	YES/NO
16	Telephone/Cellphone • Computer/Laptop	YES/NO

4.3. GATE 3: FUNCTIONALITY

The quality criteria and maximum score in respect of each of the criteria are as follows:		
Item	Criterion	Weighting
4.3.1	Company/ Entity's experience - Number of contracts completed / running contract of a similar Security services	30
4.3.2	Years of Experience in rendering of general security services	30
4.3.3	Experience Key Personnel-team leader	10
4.3.4	Qualifications of the key personel	10
4.3.5	Branded Vehicles with company logo	10
4.3.6	Physical Satellite / head Office	10
TOTAL		100

Functionality Evaluation Criteria	Weight	Value	Total
<p>4.3.1. Company/ Entity's experience - Number of contracts completed / running contract of a similar Security services (attach reference letters with clear contact persons and telephone)</p> <p>0 = 0 contract 1 = 1 – 2 contracts 2 = 3 - 4 contracts 3 = 5 contracts +</p>	10	3	30
<p>4.3.2. Years of Experience in rendering of general security services (attach reference letters with contact details with clear contract period).</p> <p>0 = 0 years 1 = 1 - 3 years 2 = 4 - 6 years 3 = 7 years +</p>	10	3	30
<p>4.3.3. Experience Key Personnel-team leader – Attach a detailed CV indicating experience relevant to the project.</p> <p>0 = 1 years 1 = 2 - 4 years 2 = 5 years +</p>	5	2	10

4.3.4. Qualifications of the key personnel – Qualification in Security management related field 1= B-Degree / National Diploma/Diploma 2= B-Tech/ Postgraduate	5	2	10
4.3.5. Branded Vehicles with company logo (attach certified copies of valid registration certificate in the name of the bidder) 0 = 0 – 1 vehicle 1 = 2 vehicles 2 = 3 + vehicles	5	2	10
4.3.6. Physical Satellite / head Office – satellite Office operating within makhuduthamaga radius, attach details of place, proof of address Town. 1 = Outside Makhuduthamaga 2 = Within Makhuduthamaga	5	2	10
TOTAL			100
Total score by Evaluator			

4.4. GATE 4. PRICING AND SPECIFIC GOALS

Bidders who scored 70 points and above will be further evaluated on 90/10 points system where 90 points will be for price and 10 points will be for Specific goals and recommendations be made to the Adjudication Committee .

4.4.1. Pricing

$$Np = \frac{90[1 - (Pt - Pmin)]}{Pmin}$$

Where-

Ps = Points scored for price of tender under consideration;

Pt = Price of tender under consideration; and

Pmin = Price of lowest acceptable tender.

4.4.2. Specific goals

NO	DESIGNATED GROUP	SPECIFIC GOALS (10 POINTS)
1	Black People	2
2	Youth	2
3	Women- ownership of more than 50 %	1
4	Small, Medium and Micro Enterprises (SMMEs)	2
5	People with disability	1
6	Enterprises within Makhuduthamaga jurisdiction	2

- a. The points scored by a tenderer in respect of the specific goals above must be added to the points scored for price.
- b. Only the tender with the highest number of points scored may be selected.

4.4.3. Criteria for breaking deadlock in scoring

- (1) If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for specific goals.
- (2) If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.

4.4.4. Exemption

The Minister may, on request, exempt an organ of state from any or all the provisions of this Act if-

- (a) It is in the interest of national security
- (b) The likely tenderers are international suppliers; or
- (c) It is in the public interest

4.4.4. AWARD OF CONTRACTS TO TENDERERS NOT SCORING HIGHEST POINTS

4.4.4.1. contract may be awarded to a tenderer that did not score the highest points only in accordance with Section 2(1)(f) of the Act.

4.4.4.2. If the entity intends to apply objective criteria in terms of Section 2(1)(f) of the Act, the entity should stipulate in the tender documents.

4.4.5. VETTING

The recommended bidders will be subjected to vetting processes as part of Bid process and any adverse listing will automatically disqualifies the bidder.

Note:

- All copies must be certified, the certification must not be older than 3 months of the closing date.
- Use black pen only to complete the document.
- All correction must be signed by the authorised person.
- Use of correction pen (tippex) is prohibited.
- Failure to adhere any of the above will lead to automatic disqualification

5. Record of Addendum to Bid Documents

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

Attached additional pages if more space is required.

Signed _____ Date _____

Name _____ Position _____

Bidder _____

6. Compulsory Enterprise Questionnaire

The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted.

Section 1: Name of enterprise:

Section 2: VAT Registration number, if any:

Section 3: Particulars of sole proprietors and partners in partnerships

Name*	Identity Number*	Personal income tax number*
<input type="checkbox"/>		

*Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

Section 5: Particulars of companies and close corporations

Company registration number

Close corporation number

Tax reference number

Section 6: Record in the service of the state

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manger, 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
<input type="checkbox"/> a member of any provincial legislature, the	<input type="checkbox"/> meaning of the Public Finance Management Act, (Act 1
<input type="checkbox"/> a member of the National Assembly or the of 1999)	<input type="checkbox"/> a member of an accounting authority of any national or provincial public entity
<input type="checkbox"/> 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	

If any of the above boxes are marked, disclose the following:

Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder	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

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 stakeholder 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:

- | | |
|---|--|
| <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 |
| <input type="checkbox"/> a member of any provincial legislature, the | |
| <input type="checkbox"/> a member of the National Assembly or the of 1999) | <input type="checkbox"/> meaning of the Public Finance Management Act, (Act 1 |
| <input type="checkbox"/> National Council of Province | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> a member of the board of directors of any municipal entity | <input type="checkbox"/> an employee of parliament or a provincial legislature |
| <input type="checkbox"/> an official of any municipality or municipal entity | |

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)	
			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 Bid 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 excercises, 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 bidding entities submitting bid offers and have no other relationship with any of the bidders 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 witin my personal knowledge and are to the best of my belief both true and correct.

Signed _____ Date _____

Name _____ Position _____

Enterprise Name _____

7. Certificate of Authority

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category.

A Company	B Partnership	C Joint Venture	D Sole Proprietor	E Close Corporation

A. Certificate for company

I,....., chairperson of the board of directors of
 , hereby confirm that by resolution of the board (copy attached) taken on20...., Mr/Mrs.....acting in the capacity of.....,was authorised to sign all documents in connection with this tender and any contract resulting from it on behalf of the company.

As witness

1.....
 . Chairman

2.....
 Date

B. Certificate of partnership

We, the undersigned, being the key partners in the business trading as

hereby authorise Mr/Mrs....., acting in the capacity of.....to sign all documents in connection with the tender for Contract.....and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

NOTE: This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole.

C. Certificate for Joint Venture

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Mrs....., authorised signatory of the company

Acting in the capacity of lead partner, to sign all documents in connection with the tender offer for Contract.....and any other contract resulting from it on our behalf.

This authorisation is evidenced by the attached power of attorney signed by legally authorised signatories of all the partners to the Joint Venture.

NAME OF FIRM	ADDRESS	AUTHORISING SIGNATURE, NAME & CAPACITY

D. Certificate for sole proprietor

I,, hereby confirm that I am the sole owner of the business trading as.....

As Witness:

1.....

.....
Signature: Sole owner

2.....

.....
Date

E. Certificate for Close Corporation

We, the undersigned, being the key members in the business trading as.....hereby authorise Mr/Mrs.....

Acting in the capacity of....., to sign all documents in connection with the tender for Contract.....and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

NOTE: This certificate is to be completed and signed by all key members upon who rests the direction of the affairs of the Close Corporation as a whole.

8. CERTIFICATE FOR MUNICIPAL SERVICES AND PAYMENTS

TO: MUNICIPAL MANAGER, MAKHUDUTHAMAGA LOCAL MUNICIPALITY

FROM: _____ (Name of Bidder)

FURTHER DETAILS OF BIDDER(S); DIRECTORS/SHAREHOLDERS/PARTNERS, ETC.

Directors/shareholder s/Partner	Physical address of the Business	Municipal Account No.	Physical residential address of the Director/Shareholder/Partner	Municipal Account No.

NB: Please attach certified copy (ies) of ID document(s) and proof of payment not older than 3 months

 Signatory _____
 Date

Witnesses

1. _____
 Full Names _____ _____
 Signature Date

2. _____
 Full Names _____ _____
 Signature Date

9. AUTHORISATION FOR DEDUCTION OF OUTSTANDING AMOUNTS OWED TO COUNCIL

TO: MUNICIPAL MANAGER, MAKHUDUTHAMAGA LOCAL MUNICIPALITY

FROM: _____ (Name of the Bidder or Consortium)

I, _____ the undersigned, hereby authorise the Makhuduthamaga Local Municipality to deduct the full amount outstanding by the business organisation/Director/Shareholder/Partner, etc. from the payment that will be made to me.

Signed at _____ Date _____ Month _____ 20 _____

Print Name: _____

Signature: _____

Thus done and signed for and on behalf of the bidder

Signatory

Date

Witnesses

1. _____

Full Names

Signature

Date

2. _____

Full Names

Signature

Date

10. Form of Offer and Acceptance

Offer

The employer, identified in the acceptance signature block, has solicited offers for **PROVISSION OF SECURITY SERVICES FOR THE PERIOD OF 36 MONTHS.**

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

By the representative of the bidder, deemed to be duly authorized, signing this part of this form of offer and acceptance, the bidder 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: -----

----- (Rands VAT Inclusive / exclusive)

.....
.....
..... (Amount In words)

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 bidder before the end of the period of validity stated in the bid data, whereupon the bidder becomes the party named as the Service Provider in the conditions of contract identified in the contract data.

for the bidder

Signature Date

Name

Capacity

(Name and address of organization)

Name and signature of witness

11. Acceptance

By signing this part of this form of offer and acceptance, the employer identified below accepts the bidder'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 bidder's offer shall form an agreement between the employer and the bidder upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the bidder receives on fully completed original copy of this document. Unless the bidder (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 Makhuduthamaga Local Municipality

.....

.....

.....

Name and Date

signature

of witness

12. Data Provided by the Service Provider

Clause	
9.1	<p>The Service Provider is</p> <p>Address:</p> <p>Telephone:</p> <p>Fax simile:</p>
9.2	<p>The authorized and designated representative of the Service Provider is: Name:</p>
9.3	<p>The address for receipt of communication is:</p> <p>Telephone:</p> <p>Fax simile:</p> <p>Address:</p>

13. Pricing Instructions

The Service Provider is required to provide the services in accordance with the Scope of Work. This embraces all things necessary and incidental to complete the work.

14. TENDER SPECIFICATIONS

14.1. BACKGROUND:

The purpose of this bid is to procure security services from companies, which are duly registered with the Private Security Regulatory Authority (PSIRA). The said companies would be required to render security services to council and be paid according to PSIRA rates as prescribed, including annual statutory increases.

14.2. OBJECTIVE:

To ensure security presence, regulate access in and out of the Municipal facilities, prevention of resource leakages and maintain law and order within the allocated site.

14.3. SPECIFICATIONS:

- Bidders must have at least one (1) Security Manager.
- Bidders must have supervisors / Inspector immediately available on a 24 hour basis to react in the event of emergencies at least two (2 supervisors /Inspectors).
- Security officers supplied to render the services must be trained to the standards set by the Private Security Industry Regulatory Authority, by a training centre accredited by the Security Industry Regulatory Authority (PSIRA).
- All security officers allocated to render the service, must be registered as security officers in terms of Private Security Industry Regulatory Act, 2001 (Act56 of 2001).
- All security officers provided with firearms must be in possession of firearm competency certificate.
- The exchange of any security personnel may only be executed with prior consent of the Makhuduthamaga Local Municipality Security Manager.
- The Municipality exonerates itself from any form of grievance from the staff of the service provider but we will expect the service provider to respect the letters of the law in all its action and in action when dealing with their staff members(e.g. matters of salaries and others).
- A meeting where formal discussion can be held, between the municipality's representative and bidder supervisor/manager, must be held at least once a month. Minute of the meeting must be kept by the Municipality.
- To perform access control duties, patrol premises and execute functions as determined by the Security Manager of Makhuduthamaga Local Municipality (including the safeguarding of personnel, property and information).
- To record security events/incidents/breaches in the prescribed occurrence register and report such events/incidents/breaches to the Risk Manager and their own supervisors.
- Guards must be inspected once a day (weekend and public holidays included) and twice at night by the bidder or his representative.
- A direct communication channel must be established between the Municipality's security control room and the control room of the bidder
- The bidder shall not erect or display any sign, printed matter painting, nameplates, advertisement, and article or object of any nature whatsoever, in, or to the department's building or site or any part thereof without written consent. The bidder shall not publicly display at the site any article or object which might be regarded as objectionable or undesirable.

- It will be the responsibility of the Service Provider to ensure that he renders service to the client without failure; this will imply that the Service Provider becomes responsible for the substitution of absent personnel without an additional charge to the client.
- Bidders must be in position to assume duty after acceptance of the appointment and signing of the service level agreement.
- All Security Officers must be subjected to screening by SAPS at the cost of the Service Provider prior to appointment
- The employer must produce proof of all employees' screening before resuming the the project resuming the project
- The bidder undertakes to ensure that each member of his security personnel will at all times when on duty be fully equipped in respect of Uniform, Register Book, Baton Stick, Handcuffs, Two way radio , Pocket books, torch, Pepper Spray, Metal Detector, Fire Arms, bullet proofs on high risk area, valid identification card issued by PSIRA and other necessary tools of trade
- A neat and clearly **identifiable uniform** of the company, which will include raincoats and overcoats.
- At the bidder headquarter/satellite office; the bidder must keep relevant files as well as all appropriate documents of all security personnel, who are employed for rendering the service to the Municipality, at when the needs arise the municipality may request to inspect relevant documents.
- The bidder must ensure that the Occurrence Registers and Access Control Registers or forms which are available on the site be utilized and maintained as required.
- Compulsory entries: All listed routine procedures such as patrols undertaken, handing over shifts, etc. Mentioning the procedures followed, by whom and the time of commencement ,these entries must always be made clearly legible, in black ink.
- All occurrence / events, however important, slight or unusual with reference to the correct time and relevant actions taken.
- All security personnel activities – especially deviations in respect of the duty list

– indicating particulars of the personnel and relevant times.

- The issue or receipt of keys must be recorded.
- The handing over of shifts, mentioning all names of all shifts personnel and accompanying equipment and aids. In this case personnel taking over as well as personnel handing-over must sign the entries.
- Occurrence Register Read: After handing-over of the shifts, the person who is taking over the shift must make an entry confirming that he/she has read the occurrence register in order to acquaint himself/herself with events that occurred during the previous shift.
- The unlocking/locking of doors/gates, indicating the time and by who locked or unlocked must be recorded.
- All site visits/inspection made by Company Supervisors and Management must be transacted or done in red ink.
- Under no circumstances may an entry in the occurrence register be erased, painted out with correction fluids or totally deleted. It shall only be crossed out by a single line and initialled at the site.

✓ **Shift Rosters:** The purpose of the shift roster is to serve as proof, at all times that all personnel who should be on duty per shift, are indeed on duty.

- ✓ **DRAWING UP A SHIFTER ROSTER:** Daily, weekly and monthly shift rosters of all security personnel must be drawn up by the bidder and kept on site where the service is rendered.
- ✓ **CHANGES TO THE SHIFT ROSTER:** Any changes to the shift roster shall be crossed out by a single line, initialed, dated and noted in the occurrence book.
- ✓ **Duty Sheet:** The purpose of the duty sheet is to ensure that all security personnel on duty are familiar with their duties as required for the contract. The bidder must have a fully expounded duty sheet available at each duty point of the site.
- ✓ **Two way Radios** – Purpose: the purpose of the two way radio communication is to ensure that there is immediate communication between the various duty points on the site and with the control room of the bidder.
- ✓ **Base Radio:** The base radio is to be installed at the static duty point as this radio has better reception between the site and the bidder control room (the bidder should comply with radio licensing).
- ✓ **Hand Held Radios:** The hand held radio must be serviceable at all times and be handed to the security officer patrolling the site for immediate com
- ✓ All lost article must be handed at the control room on the site and recorded in **the occurrence book**. Thereafter it must be handed to the municipality's representative.
- Under no circumstances will any personnel be allowed to trade on the premises.
- The security officers shall be authorized to search vehicles/ officials in terms of Control of Access to Public Premises and Vehicle Act, (Act 53 of 19)
- Security personnel must not accept/ receive any deliveries for any official, for this purpose the municipal officials must accept/receive their deliveries.

14.4. DEPLOYMENT INSTRUCTIONS

All shifts shall deploy security officers in line with site specifications above or otherwise indicated

- Day shift : 06h00 - 18h00 (Mondays to Fridays)
- Day shift : 06h00 - 18h00 (Weekends and Public holidays)
- All night shift : 18h00 - 06h00

Equipments required when officers are deployed on all council premises:

- Security officers deployed at night must be armed where stipulated.
- All security officers must wear PSIRA cards whilst deployed on council premises
- All security officers must have access to means of communication (Two way or other)
- All security officers must keep pocket books whilst on duty
- All security officers must be equipped with batons, hand cuffs and torches
- Each site must be equipped with the relevant security registers [Visitors Registers, Motor Vehicle Registers, Asset Registers and Occurrence Books]

14.5. Deliverables

The output requirement is to provide the necessary assistance to council in terms of rendering Static security services. To this end, the following security functions shall be performed by the Bidder:

- Guarding of council premises, properties and assets
- Performing access control and crime prevention duties and functions

N.B. The service provider will be required to compensate for the losses suffered by the Municipality due to poor work performance or negligence on part of the Service Provider or his employees.

- No security personnel may be allowed to work a shift longer than twelve (12) hours.

15.BILL OF QUANTITY

SITES AND GRADINGS	QUANTITY	RATE PER MONTH	TOTAL RATES PER MONTH
1.MAIN OFFICE			
DAY SHIFT			
GRADE D – Armed	2		
GRADE D – Unarmed	2		
GRADE C	1		
NIGHT SHIFT			
GRADE D – Armed	3		
GRADE D – Unarmed	3		
GRADE C	1		
2.SEKHUKHUNE DLTC			
DAY SHIFT			
GRADE D – Armed	2		
GRADE D – Unarmed	2		
GRADE C	1		
NIGHT SHIFT			
GRADE D – Armed	2		
GRADE D – Unarmed	2		
GRADE C	1		
3.NEBO DLTC			
DAY SHIFT			
GRADE D – Armed	2		
GRADE D – Unarmed	2		
GRADE C	1		
NIGHT SHIFT			

GRADE D – Armed	2		
GRADE D – Unarmed	2		
GRADE C	1		
4.PHAAHLA COMMUNITY HALL			
DAY SHIFT			
GRADE D – Armed	0		
GRADE D – Unarmed	2		
GRADE C	0		
NIGHT SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	0		
5.MAKGWABE COMMUNITY HALL			
DAY SHIFT			
GRADE D – Armed	0		
GRADE D – Unarmed	1		
GRADE C	1		
NIGHT SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	0		
6.MOGALADI COMMUNITY HALL			
DAY SHIFT			
GRADE D – Armed	0		
GRADE D – Unarmed	2		
GRADE C	0		
NIGHT SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	0		

7.JANE FURSE LIBRARY			
DAY SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	1		
NIGHT SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	1		
8.PHAAHLA LIBRARY			
DAY SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	1		
NIGHT SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	1		
9.PATANTSHWANE LIBRARY			
DAY SHIFT			
GRADE D – Armed	0		
GRADE D – Unarmed	1		
GRADE C	1		
NIGHT SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	1		
10.JANE FURSE RECYCLING			
DAY SHIFT			
GRADE D – Armed	0		

GRADE D – Unarmed	2		
GRADE C	1		
NIGHT SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	1		
11.PETER NCHABELENG SPORTS CENTRE			
DAY SHIFT			
GRADE D – Armed	0		
GRADE D – Unarmed	1		
GRADE C	1		
NIGHT SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	0		
GRADE C	1		
12.ARTIFICIAL TURF			
DAY SHIFT			
GRADE D – Armed	0		
GRADE D – Unarmed	1		
GRADE C	1		
NIGHT SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	1		
13.COMMUNITY SERVICE S NEXT TO MAIN OFFICE			
DAY SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	1		
NIGHT SHIFT			

GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	1		
14.MASEMOLA SPORTS COMPLEX			
DAY SHIFT			
GRADE D – Armed	0		
GRADE D – Unarmed	1		
GRADE C	1		
NIGHT SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	1		
15.NEW MUNICIPAL BUILDING – KGAOLA MAFIRI			
DAY SHIFT			
GRADE D – Armed	2		
GRADE D – Unarmed	1		
GRADE C	1		
NIGHT SHIFT			
GRADE D – Armed	2		
GRADE D – Unarmed	1		
GRADE C	1		
16. STANDBY OR ONSITE SECURITY			
DAY SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	1		
NIGHT SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		

GRADE C	1		
17.MARISHANE SPORTS CENTRE			
DAY SHIFT			
GRADE D – Armed	0		
GRADE D – Unarmed	1		
GRADE C	1		
NIGHT SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	0		
GRADE C	1		
18.NEW MUNICIPAL SITE – YELLOW FLEET PARKING			
DAY SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C			
NIGHT SHIFT			
GRADE D – Armed	1		
GRADE D – Unarmed	1		
GRADE C	0		
18. ARMED SUPERVISORS			
Two Armed Supervisors immediately available on 24 hours basis to react in the event of emergencies			
GRADE A	2		
19.SPEAKERS PROTECTION			
GRADE D – Armed	1		
GRADE D – Unarmed	0		
GRADE C	1		
20.MAYORAL PROTECTION			
GRADE D – Armed	1		
GRADE D – Unarmed	0		

GRADE C	1		
Total			

CSD Vendor no -----

13. DURATION OF CONTRACT

It is a three (3) years contract and the price will increase as per CPI adjustments.

14. Payments

Payments will be made within thirty days of submission of (Tax) invoice.

4.MBD

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorized representative declare his/her position in relation to the evaluating/adjudicating authority where-

- The bidder is employed by the state; and/or
- The legal person on whose behalf the bidding document is signed, has a relationship with persons/ a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

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

2.2. Identity Number:.....

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

2.4. Company registration number:.....

2.5. Tax Reference Number:.....

2.6. VAT Registration Number:.....

2.6.1 The names of all directors/ trustees/ shareholders/ members, their individual identity numbers, tax reference numbers and, if applicable, employee/ persal numbers must be indicated in paragraph 3 below.

1“State” means –

- a. Any national or provincial department, national or provincial public entity or constitution within the meaning of Public Finance Management Act, 1999 (Act No. 1 of 1999);
- b. Any municipality or municipal entity;
- c. Provincial legislature;
- d. National Assembly or the national Council of provinces; or
- e. Parliament.

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

2.7. Are you or any person connected with them bidder presently employed by the state? YES NO

2.7.1. If so, furnish the following particulars:
Name of person / director / trustee/ shareholder/ member:

.....

Name of state institution at which you or person connected to the bidder is employed:

.....

Position occupied in the public institution:

.....

Any other particulars:

.....

.....

.....

2.7.2. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES NO

2.7.2.1. If yes, did you attached proof of such authority to the bid YES NO

document?

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2. If no, furnish reasons for non-submission of such proof:

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

2.8. Did you or your spouse, or any of the company's directors/ trustees/ YES NO
shareholders/ members or their spouses conduct business with the
state in the previous twelve months?

2.8.1. If so, furnish particulars:

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

2.9. Do you, or any person connected with the bidder, have any relationship YES NO
(family, friend, other) with a person employed by the state and who may
be involved with the evaluation and or adjudication of this bid?

2.9.1. If so, furnish particulars:

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

2.10. Are you, or any person connected with the bidder, aware of any YES
relationship (family, friend, other) between any other bidder and any person
employed by the state who may be involved with the evaluation and or
adjustment of this bid?

2.10.1. If so, furnish particulars:

.....

.....
.....

2.11. Do you or any of the directors/ trustees/ shareholders/ members of the company have any interest in any other related companies whether or not they are bidding for this contract?

2.11.1. If so, furnish particulars:

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

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

Full Names	Identity Number	Personal Tax Reference Number	State Employee Number/ Persal Number

3. DECLARATION

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPH 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature

.....
 Date

.....
 Position

.....
 Name Of Bidder

MBD1

**PART A
 INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)

BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).

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

SUPPLIER INFORMATION

NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				

VAT REGISTRATION NUMBER			
TAX COMPLIANCE STATUS	TCS PIN:	OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]			
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R
SIGNATURE OF BIDDER	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT		CONTACT PERSON	
CONTACT PERSON		TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS			

Where the recommended bidder is not tax compliant, the bidder should be notified of their non-compliant status and the bidder must be requested to submit to the municipality or municipal entity, within 7 working days, written proof from SARS of their tax compliance status or proof from SARS that they have made an arrangement to meet their outstanding tax obligations. The proof of tax compliance status submitted by the bidder to the municipality or municipal entity must be verified via the CSD or e-Filing.

The accounting officer should reject a bid submitted by the bidder if such a bidder fails to provide proof of tax compliance status within the timeframe stated above.

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
- 2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?
YES NO
- 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?
YES NO
- 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?
 YES NO
- 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?
 YES NO
- 3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?
YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</p>	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>(To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js367bW

MBD9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

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

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

MBD 9

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

MBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to invitations to tender:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	90
SPECIFIC GOALS	10
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales

and disposal of assets through public auctions; and
 (e) “the Act” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

Table 1: Specific goals for the tender and points claimed are indicated per the table below.
(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Black People	2	4		
Youth	2	4		
Women- ownership of more than 50 %	1	2		

Small, Medium and Micro Enterprises (SMMEs)	2	4		
People with disability	1	2		
Enterprises within Makhuduthamaga jurisdiction	2	4		
TOTAL	10	20		

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

- (a) disqualify the person from the tendering process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

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

MBD 5

DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (VAT INCLUDED)

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

1. Are you by law required to prepare annual financial statements for auditing? **YES/NO**
 - 1.1 If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.

.....
.....

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

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

2.2 If yes, provide particulars.

.....
.....

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

3.1 If yes, furnish particulars

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

4. Will any portion of goods or services be sourced from outside **YES / NO**

the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic?

4.1 If yes, furnish particulars

.....
.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of a bidder