

# EPHRAIM MOGALE LOCAL MUNICIPALITY



**REQUEST FOR GOODS & SERVICES (R30 000 UP TO R200 000)**

**QUOTATION NO: 8/2/87**

**PROJECT DESCRIPTION: SUBSTATION REPAIRS**

**PREPARED FOR AND BY**

**THE MUNICIPAL MANAGER**

**EPHRAIM MOGALE LOCAL MUNICIPALITY**

P O Box 111

**MARBLE HALL**

0450

Tel: (013) 261 8400

Fax: (013) 261 2985

**Name of Bidder** : \_\_\_\_\_

**CSD No** : \_\_\_\_\_

**CIDB No** : \_\_\_\_\_

**Total Bid Price** : \_\_\_\_\_

**SUBMISSION DETAILS**

**TENDER BOX:**

EPHRAIM MOGALE LOCAL MUNICIPALITY

2 FICUS STREET (ENTRANCE TO FINANCE AND TECHNICAL BUILDING)

MARBLE HALL, 0450 (LIMPOPO)

**CLOSING DATE AND TIME:**

**THURSDAY, 24 JULY 2020 @ 12H00**

# EPHRAIM MOGALE LOCAL MUNICIPALITY

QUOTATION NO: 8/2/87

## PROJECT DESCRIPTION: SUBSTATION REPAIRS

Ephraim Mogale Local Municipality hereby invites quotations from suitably qualified and interested service providers who meet the required **minimum threshold for local production and content of 100% for single phase outdoor isolators and 15% for instrument transformers** and the minimum specifications for the SUBSTATION REPAIRS.

Bidders are required to have the following:

- An estimated CIDB contractor grading of 1EP or higher
- Registration as electrical contractor with the Department of Labour.
- COIDA Letter
- Minimum experience required is proof of at least 3 completed projects. Medium Voltage metal enclosed indoor substation equipment installation or repairs in the past 3 years.
- Minimum requirement required is proof of at least 3 completed projects of medium voltage circuit breaker testing in the past 3 years.

The MBD 6.2 and Declaration forms for Local Content (Annexes C, D, & E) must be completed with the bidder's Local Content percentages for the specified material items listed in MBD 6.2 of the tender document. (Annexure C to be returned back with the document, and the remaining annexures to be kept by bidders)

The stipulated minimum threshold percentage for local production and content for the various items is 100%. Thus only locally produced or locally manufactured products from local raw materials in accordance with the required threshold values will be considered.

Only the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 must be used to calculate local content.

The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

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

Where:

- x - is the imported content in Rand
- y - is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x will be converted to Rand (ZAR) by using the exchange rate published by the SARB at 12:00 on the date that the bid has been advertised. The rates of exchange quoted by the bidder on the declaration certificate will be verified for accuracy

SATS 1286:2011, Local content Declaration Templates (Annexex C, D& E) and the Guidance Document for the Calculation of Local content are accessible to all potential bidders on the DTI official website ([http://www.dti.gov.za/industrial\\_development/ip.jsp](http://www.dti.gov.za/industrial_development/ip.jsp)) at no cost

**The following documents must be completed in full by the bidder:**

1. MBD 6.2 (Declaration Certificate for Local Content)
2. Annex C: Local Content Declaration (Summary Schedule)
3. Annex D: Imported Content Declaration (Supporting Schedule to Annex C)
4. Annex E: Local Content Declaration (Supporting Schedule to Annex C)

Only bidders who achieve the required minimum threshold on Local production and content will be further evaluated for preference procurement points using the 80/20 point system, where 80 will be allocated to price and 20 to BBEE level of the contributor. Bids will remain valid for 90 days.

Quotations may only be submitted on the quotation document issued. The quotation document will be available at the Supply Chain Management Unit of the Ephraim Mogale Local Municipality and on the Municipal website [www.ephraimmogalelm.gov.za](http://www.ephraimmogalelm.gov.za)

Quotations must be in writing and must clearly indicate the relevant supply or service for which is being quoted and be submitted in a sealed envelope be dropped in the tender box as indicated on the cover page. **Late or unmarked quotations will not be considered. Bids transmitted by fax or e-mail will not be accepted**, although Ephraim Mogale Local Municipality accepts no responsibility for ensuring that quotations are timeously received by Ephraim Mogale Local Municipality.

Quotations will not be considered unless the following information has been furnished:

- i. The Central Supplier Database report with an active “**MAAA**” number and Business status;
- ii. Copy of Tax Clearance Certificate and PIN to verify status issued by SARS;
- iii. Proof of Municipal Rates & Taxes Account for the company or that of the company directors not older than 3 (three) months and should not be in arrears for more than 90 days or valid lease agreement in case of company renting along municipal account of the leased property or a letter from local municipality that confirms that services are not levied/charged which should not be older than three months;
- iv. If a natural person, whether he or she is or not in the service of the state, or has been in the service of the state in the previous twelve months; or
- v. if not a natural person, whether any of its directors, managers, principal shareholders or stakeholders is in the service of the state, or has been in the service of the state in the previous twelve months; or
- vi. Whether a spouse, child or parent of the provider or of a director, manager, shareholder or stakeholder referred to in (vi) is in the service of the state, or has been in the service of the state in the previous twelve months.
- vii. Fully completed and signed municipal bidding documents (**MBD1, MBD4, MBD6.1, MBD6.2, MBD8, and MBD9**). Your quotation will be rejected if the above forms are not fully completed and signed.

### Evaluation of Quotations

Notice is drawn to the fact that the awarding of this quotation will be in terms of the Supply Chain Management Policy of the Ephraim Mogale Local Municipality and prescribed evaluation criteria in terms of the Municipal Supply Chain Management Regulations, 2005 and Preferential Procurement Regulations of 2017.

### Evaluation points

Preference points for this bid shall be awarded for:

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

The maximum points for this quotation are allocated as follows:

	<b>Points</b>
Price	80
B-BBEE Status Level of Contribution.	20
<b>Total points for price and BBEE</b>	<b>100</b>

For bidders to claim points for BBBEE status level of contribution, bidders are required to submit original and valid B-BBEE Status Level Verification Certificates or certified copies thereof or the sworn affidavit to substantiate their B-BBEE rating claim. Failure to submit such a certificate will result in a bidder not qualifying for preference points for B-BBEE.

**Points will be awarded to a bidder for attaining the B-BBEE status level of the contributor**

<b>B-BBEE Status Level of Contributors (System)</b>	<b>Number of points (80 - 20)</b>
<b>1.</b>	<b>20</b>
<b>2.</b>	<b>18</b>
<b>3.</b>	<b>14</b>
<b>4.</b>	<b>12</b>
<b>5.</b>	<b>8</b>
<b>6.</b>	<b>6</b>
<b>7.</b>	<b>4</b>
<b>8.</b>	<b>2</b>
<b>Non-compliance Contributor</b>	<b>0</b>

**Pricing and Validity**

The pricing of the quotation should be in South African Rands (ZAR) and be valid for 90 days from the closing date

For any administrative enquiries you can contact the Supply Chain Management Unit at 013 261 8450/8462/8496/8448. Technical queries can be directed to Mr. J Durie at 013 261 8454 / [jdurie@emogalelm.gov.za](mailto:jdurie@emogalelm.gov.za)

Ephraim Mogale Local Municipality does not bind itself to accept the lowest or any bid and reserves the right to accept any bid as a whole or in part.

**PHASHA K.L**  
**ACTING MUNICIPAL MANAGER**

# EPHRAIM MOGALE LOCAL MUNICIPALITY

QUOTATION NO: 8/2/87

## PROJECT DESCRIPTION: SUBSTATION REPAIRS

The Ephraim Mogale Local Municipality requires the services of an experienced Service Provider specializing in Medium Voltage indoor substations and switchgear with at least a CIDB Grading of 1EP and registered as an Electrical Contractor with the Department of Labour

Minimum requirements:

1. Active registration as at least a level 1 EP contractor on CIDB.
2. Registration as electrical contractor with the Department of Labour.
3. COID letter
4. Minimum experience required is proof of at least 3 completed projects. Medium Voltage metal enclosed indoor substation equipment installation or repairs in the past 3 years.
5. Minimum requirement required is proof of at least 3 completed projects of medium voltage circuit breaker testing in the past 3 years.

NO	DESCRIPTION	UNIT	QTY
1	Supply and replace/install 110Vdc,racking motor on 11kV, ABB VD4, circuit breaker and test breaker - Annexure A	No	1
2	Supply and replace Current Transformer on 11kV Circuit breaker panel and test – Annexure B	No	1
3	Supply Pilot lights – according to Annexure C	No	37
4	Supply Filters for ventilation fans – Annexure D	No	20
5	Supply face plate for analog panel mounted ammeters, 90mm x 90mm mounting hole, for 76mm x 76mm face plate for 800/5 with active and maximum needles (display) and 15min integration time. Annexure E	No	2
6	Supply face plate for analog panel mounted ammeters, 90mm x 90mm mounting hole, with 76mm x 76mm face plate for 800/5 with active needles (display). Annexure F	No	4
7	Sign, 8 in 1 Substation, Chromodec, 6 holes. Annexure G	No	8
8	Sign, DANGER DO NOT SWITCH ON - MEN WORKING, 150MM X 150MM, Chromodec, 4 holes	No	9
9	Sign, DANGER, GEVAAR, INGOZI, 300MM X 150MM, Chromodec, 4 holes	No	15
10	Sign, UNAUTHORISED SWITCHING PROHIBITED, 150MM X 150MM, Chromodec, 4 holes	No	3
11	Sign, BEWARE OVERHED LINE, 150MM X 225MM, Chromodec, 4 holes	No	6
12	Sign, sticker, venyl, DANGER LIVE TERMINALS-ISOLATE SUPPLY BEFORE WORKING ON TERMINALS	No	20
13	Double sided tape, 18mm x 1-1.5mm x 1meter	No	3
14	Punch Set, Steel, ≥10mm, Alphabetic and numeric	No	1
15	Single Phase outdoor isolators - 600A, 11kV Annexure H	No	7

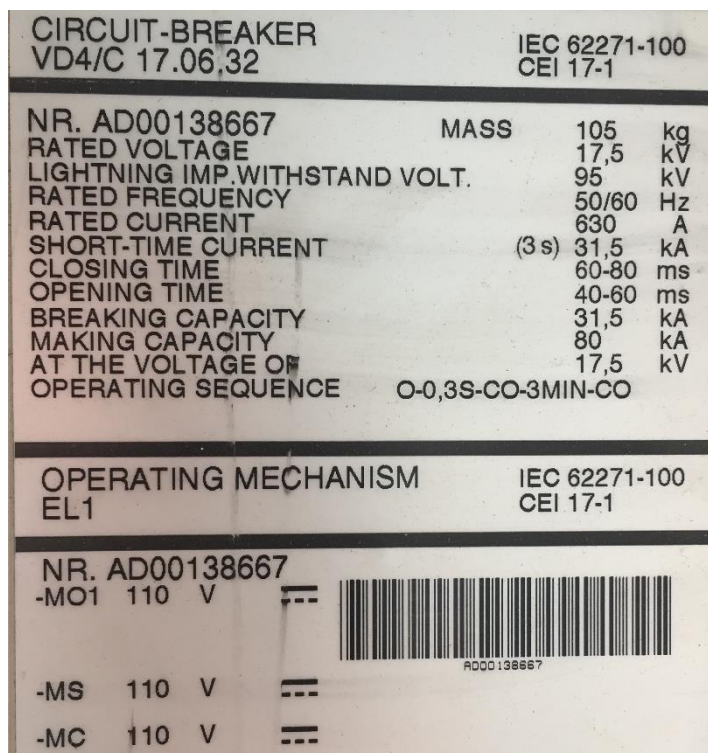
Quote: 8/2/87

**ANNEXURE A – CIRCUIT BREAKER**

Supply a new 110V racking/closing motor and install it in the ABB VD4/C circuit breaker. Test and certify correct breaker operation. The cost should include the travelling to Marble Hall, labour, components and any other related costs.

**Circuit Breaker Repair and test:**

Manufacturer: ABB  
 Model: VD4/C  
 Serial no: AD00138667  
 No of operations: 00110  
 Voltage: 17.5kV  
 Amps: 630A  
 Operating Mechanism: EL1  
 Control Voltage:  
 MO1 110V  
 MS 110V  
 MC 110V



**ANNEXURE B – CURRENT TRANSFORMER**

Remove the faulty unit and supply and install a new 11kV Current Transformer with the correct ratio and rating, specifically manufactured for an ABB, 11kV, VD4, breaker in an Relay Settings indoor substation panel. Test and certify correct Current Transformer curve. Cost should include all related cost like travelling, testing and installation.

**CURRENT TRANSFORMER DATA:**

1. 10P10
2. Blue phase
3. 15VA

Quote: 8/2/87

4. 400-200/5A
5. Frame earth protection 100/5A

For ABB Breaker Information – see ANNEXURE A

## ANNEXURE C – LED PANEL LIGHTS

Supply and deliver substation panel lights as specified below:

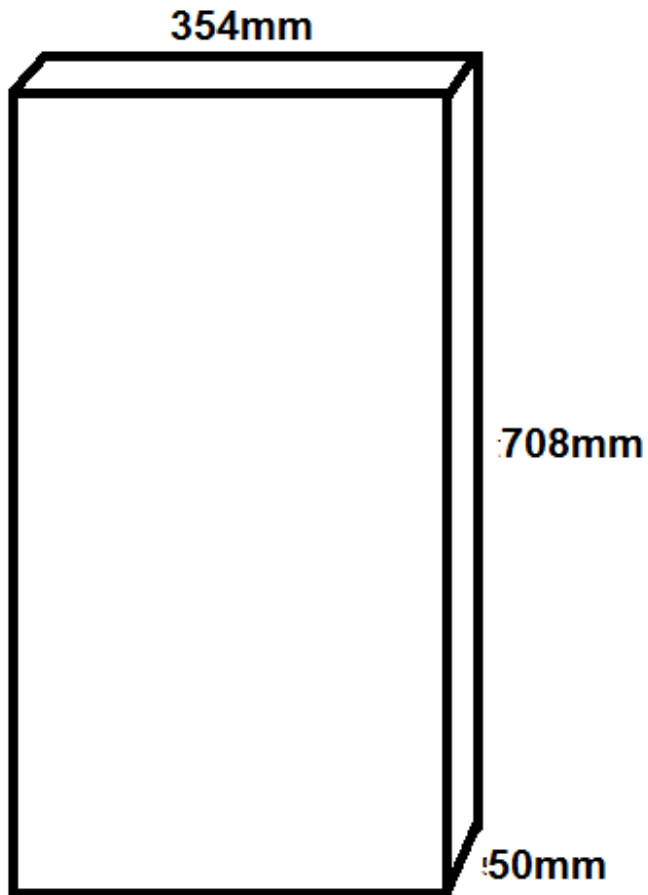
1. LED Pilot light Type A specification
  - a. 30mm Mounting hole
  - b. Mono block
  - c. Integrated unit - Holder, lens and screw terminals
  - d. 110 – 130V AC
  - e. IP65
  - f. Colours
 

i. Green	x	6
ii. Yellow/Orange	x	6
iii. Red	x	6
iv. Blue	x	1
  
2. LED Pilot light Type B specification
  - a. 22mm Mounting hole
  - b. Mono Block
  - c. Integrated unit – Holder, lens and screw terminals
  - d. 110V AC/DC
  - e. IP65
  - f. ND 16-22C/2
  - g. Colours
 

i. Green	x	6
ii. Yellow/orange	x	3
iii. Red	x	3
iv. White	x	3
v. Blue	x	3

## ANNEXURE D – VENTILATION FILTERS

Supply filter elements for substation extraction fans. The frame must be galvanised. The existing product have been measured as indicated in the diagram below. The measurement was taken with a tape on the outer galvanised frame and might be out by a mm or two. Size must be confirmed on site.



#### **ANNEXURE E – FACE PLATE FOR AMMETERS – double needle**

Supply and deliver face plates for panel mounted ammeters for 11kV substation panels:

1. Mounting hole size 90mm x 90mm
2. Face plate size 76mm x 76mm
3. Range or scale 800A/5
4. Active and maximum readings
5. Integration time for maximum reading must be 15min or less
6. PCI

#### **ANNEXURE F – FACE PLATE FOR AMMETERS – single needle**

Supply and deliver face plates for panel mounted ammeters for 11kV substation panels:

1. Mounting hole size 90mm x 90mm
2. Face plate size 76mm x 76mm
3. Range or scale 800A/5
4. Active readings
5. PCI

#### **ANNEXURE G – 8 IN 1 SUBSTATION BOARD**

Supply and deliver 8 IN 1 substation board:

1. Chromodec
2. 6 predrilled mounting holes
3. Colour printing as indicated below

Quote: 8/2/87



4. Long life material – outdoor use in direct sunlight

## SUBSTATION / SUBSTASIE

**UNAUTHORISED  
ENTRANCE  
PROHIBITED**

**ONGEMAGTIGDE  
INGANG  
VERBODE**

**AKEKHO OVUNYELWE  
UKUNGENA LAPHA**

**WARNING**

ALL UNAUTHORISED PERSONS ARE PROHIBITED FROM HANDLING OR INTERFERING WITH ELECTRICAL APPARATUS

**WAARSKUWING**

ALLE ONGEMAGTIGDE PERSONE IS BELET OM ELEKTRIESE TOESTELLE TE HANTEER OF DAARAAN TE PEUTER

**PROSEUDRE IN GEVALLE VAN BRAND**

**No. 1 SLEGS OP BEDRYFSPERSONEEL VAN TOEPASSING.**

1. STEL DIE SKOF-ELEKTRISIEËN ONMIDDELLIK IN KENNIS.
2. DIE VERANTWOORDELIKE PERSOON (VOORMAN OF SKOF-ELEKTRISIEËN) MOET HOMSELF OORTUIG DAT DIE KRAG AFGESKAKEL IS. DAARNA MOET HY DIE CO<sub>2</sub> BRANDBLUSSERS ONMIDDELIK GEBRUIK.

**WATER MOET NOOIT GEBRUIK WORD NIE.**

AS EEN BLUSSER DIE BRAND NIE HEELTEMAL SMOOR NIE, MOET ANDER VAN DIE ANDER SUB-STASIE GENEEM WORD. DIE KRAG MOET NIE WEER AANGESKAKEL WORD VOORDAT MAGTIGING OM DIT TE DOEN DEUR DIE VOORMAN-ELEKTRISIEËN GEGEE IS NIE.

**PROCEDURE IN CASE OF FIRE**

**No. 1 ONLY APPLIES TO OPERATING STAFF.**

1. IMMEDIATELY NOTIFY THE SHIFT ELECTRICIAN.
2. THE RESPONSIBLE PERSON (FOREMAN OR SHIFT ELECTRICIAN) MUST SATISFY HIMSELF THAT THE POWER HAS BEEN CUT OFF AND THEN IMMEDIATELY PUT INTO USE THE CO<sub>2</sub> FIRE EXTINGUISHERS.

**WATER MUST NEVER BE USED.**

SHOULD ONE EXTINGUISHER NOT QUENCH THE FIRE COMPLETELY OTHERS MUST BE TAKEN FROM THE OTHER SUB-STATIONS. THE POWER MUST NOT BE PUT ON UNTIL AUTHORITY TO DO SO HAS BEEN GIVEN BY THE FOREMAN ELECTRICIAN.

**FIRST AID TREATMENT OF ELECTRICAL ACCIDENTS**

1. UNDORE 45/75% IS CLASSE OF LIVE APPARATUS OR CONDUCTORS

2. IF POSSIBLE, STOP FROM ELECTRICAL APPARATUS


3. IF PATIENT IS BREATHING

4. MAKE PATIENT COMFORTABLE AND KEEP HIM AT NORMAL BODY TEMPERATURE


5. COVER HIM WITH BLANKETS OR COVER IF HE IS COLD

6. IF PATIENT IS NOT BREATHING

PERFORM RESUSCITATION ONCE



7. IF ON ACCOUNT OF LOCAL MATERIAL OR OTHER REASONS, RESUSCITATION CANNOT BE PERFORMED, APPLY MANUAL METHOD OR RESUSCITATION, OR OTHER PROVEN METHOD OF ARTIFICIAL RESPIRATION



8. BURNED AND OTHER INJURIES

IF VICTIMS ARE BURNED OR OTHERWISE INJURED, DO NOT DRESS BURNED OR BLOT DRESSED BURNED WITH VIBRANT GAUZE. APPLY STERILISED DRESSING TO WOUNDS

**NOODHULP IN DIE GEVAL VAN ELEKTRIESE SKOK**

1. ONDORE 45/75% IS CLASSE OF LIVE APPARATUS OR CONDUCTORS

2. AS MOOGLIK, STOP VAN ELEKTRIESE TOESTELLE


3. ONDORE DAT PASIANT COMFORTABEL IS EN HOU HEM BY NORMALE LIGGAAMTEMPERATUUR

4. DEK HEM MET WOLLEDEKKE OF WARM TOEGEKLEDE

5. AS CO PATIENT IS NOT BREATHING

PERFORM RESUSCITATION ONCE

6. AS A RESULT OF LOCAL MATERIAL OR OTHER REASONS, RESUSCITATION CANNOT BE PERFORMED, APPLY MANUAL METHOD OR RESUSCITATION, OR OTHER PROVEN METHOD OF ARTIFICIAL RESPIRATION



7. BURNED AND OTHER INJURIES

IF VICTIMS ARE BURNED OR OTHERWISE INJURED, DO NOT DRESS BURNED OR BLOT DRESSED BURNED WITH VIBRANT GAUZE. APPLY STERILISED DRESSING TO WOUNDS

**NO ENTRY TO UNAUTHORISED PERSONS**

**GEEN TOEGANG VIR ONGEMAGTIGDE PERSONE**

**DANGER**

**GEVAAR**

**INGOZI**

**HEAD PROTECTION SHALL BE WORN**

**KOPBESKERMING VEREIS**

**EXTINGUISHING WITH WATER PROHIBITED**

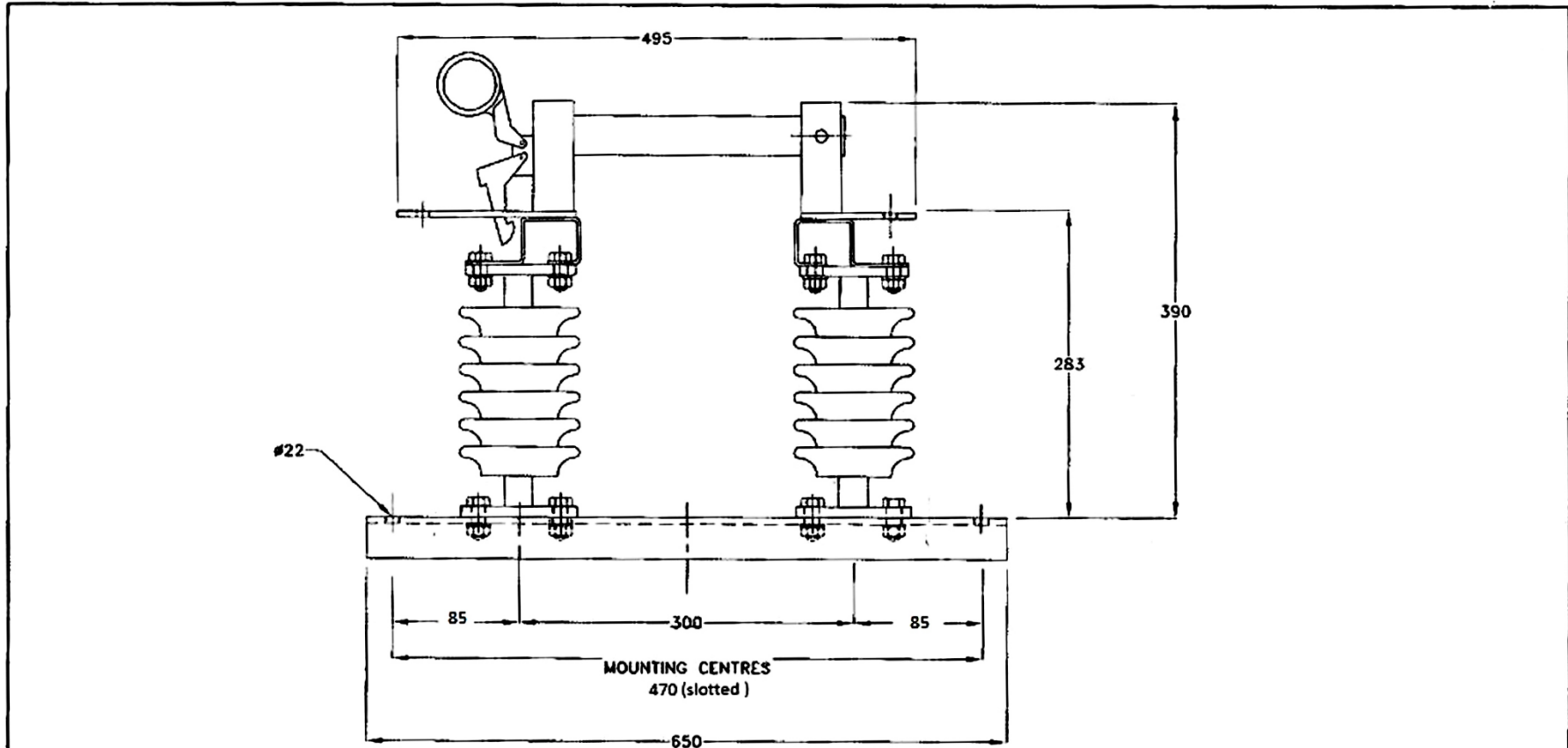
**WATER AS BLUSMIDDEL VERBODE**

**ANNEXURE H – SINGLE PHASE OUTDOOR ISOLATORS:**  
(See attached drawing – similar to Mc Wade S82023)

1. Rated Current - 600A
2. Rated Voltage - 11kV
3. Creepage Distance – 340mm
4. B.I.L Impulse Voltage withstand – 150kV
5. Power frequency WET – 50kV
6. Short Circuit rating RMS kA – 13.1
7. Peak Withstand Current kA – 34
8. Mounting holes spacing - 470mm

Quote: 8/2/87

Page 9 of 35



ISOLATOR		INSULATOR	
11kV, 600 A 3-SEC FAULT RATING-13.1kA	INSULATORS	EP714	
	CREEPAGE	340mm	
	IMPULSE WITHSTAND	150 kV	

				EPHRAIM MOGALE LOCAL MUNICIPALITY SPEC	DRAWN	STEVEF	TITLE: 11kV 600A SINGLE PHASE ISOLATOR OUT-DOOR TYPE 2149W
					DATE	7/2000	
					APPROVED	H.v.A	
3	03/19	.	.	DIMENSIONS ADDED	DATE	7/2000	DRG. NO. BMLS82023
2	05/05	.	.	REDRAWN ON NEW TITLE BLOCK	SCALE	N.T.S.	
1	07/03	.	.	REDRAWN ON NEW TITLE BLOCK	PROJECTION	1 <sup>st</sup> ANGLE	
REV.	DATE	APPR.	ECR	DETAILS			REV. 3

# EPHRAIM MOGALE LOCAL MUNICIPALITY

QUOTATION NO: 8/2/87

## PRICING SCHEDULE

### PROJECT DESCRIPTION: SUBSTATION REPAIRS

**Conditions:**

- All prices quoted should be VAT inclusive (for Vat vendors)
- Prices should be valid for a 90 day period
- If the pricing schedule is not signed the quotation will not be considered

Name of Bidder: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Tel / Cell No: \_\_\_\_\_

Email Address: \_\_\_\_\_

Business Address: \_\_\_\_\_

No	DESCRIPTION	QUANTITY	RATE (R)	AMOUNT (R)
1	Supply and replace/install 110Vdc,racking motor on 11kV, ABB VD4, circuit breaker and test breaker - Annexure A	1		
2	Supply and replace Current Transformer on 11kV Circuit breaker panel and test – Annexure B	1		
3	Supply Pilot lights – according to Annexure C	37		
4	Supply Filters for ventilation fans – Annexure D	20		
5	Supply face plate for analog panel mounted ammeters, 90mm x 90mm mounting hole, for 76mm x 76mm face plate for 800/5 with active and maximum needles (display) and 15min integration time. Annexure E	2		
6	Supply face plate for analog panel mounted ammeters, 90mm x 90mm mounting hole, with 76mm x 76mm face plate for 800/5 with active needles (display). Annexure F	4		
7	Sign, 8 in 1 Substation, Chromodec, 6 holes. Annexure G	8		
8	Sign, DANGER DO NOT SWITCH ON - MEN WORKING, 150MM X 150MM, Chromodec, 4 holes	9		
9	Sign, DANGER, GEVAAR, INGOZI, 300MM X 150MM, Chromodec, 4 holes	15		
10	Sign, UNAUTHORISED SWITCHING PROHIBITED, 150MM X 150MM, Chromodec, 4 holes	3		

Quote: 8/2/87

11	Sign, BEWARE OVERHED LINE, 150MM X 225MM, Chromodec, 4 holes	6		
12	Sign, sticker, venyl, DANGER LIVE TERMINALS- ISOLATE SUPPLY BEFORE WORKING ON TERMINALS	20		
13	Double sided tape, 18mm x 1-1.5mm x 1meter	3		
14	Punch Set, Steel, ≥10mm, Alphabetic and numeric	1		
15	Single Phase outdoor isolators - 600A, 11kV Annexure H	7		
			<b>SUB TOTAL</b>	
			<b>VAT</b>	
			<b>TOTAL</b>	

**ESTIMATED DELIVERY PERIOD AFTER APPOINTMENT: \_\_\_\_\_ DAYS**

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

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

## PART A INVITATION TO BID

## MBD 1

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE EPHRAIM MOGALE LOCAL MUNICIPALITY</b>					
BID NUMBER:	8/2/87	CLOSING DATE:	24/07/2020	CLOSING TIME:	12:00
DESCRIPTION	SUBSTATION REPAIRS				

**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;

<b>EPHRAIM MOGALE LOCAL MUNICIPALITY (BUDGET &amp; TREASURY AND TECHNICAL BUILDING)</b>					
NO. 2 FICUS STREET					
MARBLE HALL					
0450					
<b>NOTE: THE BID BOX IS ONLY ACCESSIBLE MON - FRI DURING OFFICE HOURS (08:00 TO 16:30)</b>					
<b>SUPPLIER INFORMATION</b>					
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:	MAAA _____
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT [TICK APPLICABLE BOX]		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
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	.....				
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>			<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>		
DEPARTMENT	SUPPLY CHAIN		CONTACT PERSON	JOHAN DURIE	
CONTACT PERSON	JOSEPH MADISHA		TELEPHONE NUMBER	013 261 8454	
TELEPHONE NUMBER	013 261 8450/ 8462		FACSIMILE NUMBER	013 261 2985	
FACSIMILE NUMBER	013 261 2985		E-MAIL ADDRESS	jdurie@emogalelm.gov.za	
E-MAIL ADDRESS	jmadisha@emogalelm.gov.za				

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	<b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</b>
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.
<b>2. TAX COMPLIANCE REQUIREMENTS</b>	
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.
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>	
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO
<b>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.</b>	

**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 INTEREST**

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

**3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid. Also select the applicable answers**

- 3.1 Full Name of bidder or his or her representative: .....
- 3.2 Identity Number: .....
- 3.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>).....
- 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.

.....  
.....

<sup>1</sup>MSCM Regulations: "in the service of the state" means to be –

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

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

<sup>2</sup> 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 person 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 bidder and any persons in the service of the state who may be involved with the evaluation and adjudication of this bid? YES  / NO

3.11.1 If yes, furnish particulars

.....  
.....

3.12 Are any of the company's directors, 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 companies or business whether or not they are bidding for this contract? YES  / NO

3.14.1 If yes furnish particulars:

.....  
.....



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

Full Name	Identity Number	Employee Number

**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

.....

Capacity

.....

Name of Bidder

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

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

**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 not exceed R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) Either the 80/20 preference point system will be applicable to 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:

	POINTS
<b>PRICE</b>	<b>80</b>
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	<b>20</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:

<b>80/20</b>	<b>or</b>	<b>90/10</b>
$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	or	$P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$

Where

- $P_s$  = Points scored for price of bid under consideration
- $P_t$  = Price of bid under consideration
- $P_{\min}$  = Price of lowest acceptable bid

**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		NO	
-----	--	----	--

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		NO	
-----	--	----	--

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. ....

2. ....

.....

SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....

Quote: 8/2/87

## DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

### 1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

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

Where

x is the imported content in Rand

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

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

**The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.**

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

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

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
Single phase outdoor isolator	100%
Instrument transformer	15%

**3. Does any portion of the goods or services offered have any imported content?**

*(Tick applicable box)*

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

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

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

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

<b>Currency</b>	<b>Rates of exchange</b>
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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



**LOCAL CONTENT DECLARATION**  
**(REFER TO ANNEX B OF SATS 1286:2011)**

**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 Institution):

.....  
 NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thdti.gov.za/industrial-development/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, ..... (full names),

do hereby declare, in my capacity as .....

of .....(name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
  - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

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

**If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.**

**The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.**

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 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:		
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 *pe se* prohibition meaning that it cannot be justified under any grounds.
  
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - a. take all reasonable steps to prevent such abuse;
  - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
  
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
  
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

<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

Js9141

**SCHEDULE OF TENDERER'S EXPERIENCE**

The following is a statement of similar work successfully executed by myself/ourselves in the last three years:

INSTITUTION NAME	RELEVANT PROJECT NAME	CONTACT PERSON	LAND LINE CONTACT NO.	CELL CONTACT NO.	PROJECT START & END DATE

**NB: COMPLETE THE TABLE ABOVE ON COMPANY EXPERIENCE (COMPULSORY TABLE) AND ALSO ATTACH PROOF OF PROJECTS LISTED ON THE ABOVE TABLE (FAILURE TO DO SO WILL LEAD TO THE DISQUALIFICATION OF THE BID AS NON-RESPONSIVE)**

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

Name..... Position.....

BLANK