

REQUEST FOR FORMAL WRITTEN PRICE QUOTATIONS FOR ORDERS ABOVE R30 000.00 BUT LESS THAN R200 000.00

REFERENCE NO. UTDM/SCM/039/2021

SUPPLY AND DELIVERY OF TABLET AND LAPTOPS FOR UTHUKELA DISTRICT MUNICIPALITY

30 NOVEMBER 2022

UThukela District Municipality is hereby invites quotations from qualified and experienced service provider for the following:

Item No.	Specifications	Quantity
01	PCG8 Tablets I7 3.8GHZ 11 TH Gen 16 Gigs Ram 512 SSD 13.0 inch touch Carryback 3 year onsite warranty Win II pro	01
02	I5 3.4 GHZ 11 TH Gen 16gigs Ram 512 SSD 15.4 inch LED Win II PRO Backpack Mouse 3 year onsite warranty (must be activated) 15 inch screen size.	02

	16gigs Ram 512 SSD	
	15.4 inch LED Win II PRO	
	Backpack	
	Mouse 3 year onsite warranty (must be activated)	
	15 inch screen size	
	SPECIAL CONDITIONS:	
251	 Not adhering to the specifications, will result in the quotation not being considered. 	
	2. Service must commence within 14 days of	200
	receiving official order 3. Prices must be valid for at least thirty (30) days	XI
	from date of offer. 4. Faxed or e-mailed quotations will not be accepted.	3.
	Taxes of a manage quotations will not be accepted.	

- **3.** Prices must be valid for at least thirty (30) days from date of offer.
- **4.** Faxed or e-mailed quotations will not be accepted.

GENERAL CONDITIONS:

Quotations must be submitted using the official quotation form obtainable from the Supply Chain Management Unit office (Procurement) Room 51.

- Sealed quotations outwardly marked: <u>Ref. No. UTDM/SCM/039/2022:</u> <u>Supply and delivery of Tablet and Laptops</u> must be addressed to the <u>Municipal Manager</u> and placed in the Tender Box, 36 Lyell Street, Ladysmith, not later than 12H00 on Wednesday 07 December 2022.
- 2. MBD1, MBD4, MBD6.1, MBD6.2, MBD6.11 and MBD8 forms must be filled in and submitted together with the quotation.
- 3. All Quotations will be evaluated on a point system in accordance with the provisions of the Preferential Procurement Policy Framework Act No. 5 of 2000 and the revised PREFERENTIAL PROCUREMENT REGULATIONS, 2017.
- **4.** In terms of Regulation 6, the **80/20 preference point system will be applicable**, with 80 points for Price and 20 Points for B-BBEE Status Level of Contribution.
- **5.** Prices quoted must include value added tax, delivery charges and off-loading to the municipal premises.
- 6. Any quote will not necessary be accepted and the Council Reserves the Right to Accept the whole or any Part of Any quote.
- **7. Certified Copy of Sanas:** B-BBEE Certificated or Proof of Exemption **must** be included in the Bid document.
- **8.** A valid original Tax clearance certificate must be submitted together with the document.
- 9. Prices altered by means of correction fluid will not be considered
- 10. Preference will be given to Database Suppliers
- **11.**A current (30 days) Business and or Business Residential municipal account for all services must be included in the bid document, even outside the UThukela District Municipal boundaries. In case of leasing, the lease agreement must be submitted, indicating who is responsible for water, electricity & rates.

12.Local production content must be filled, its compulsory.

Enquiries may be directed to: Langelihle Thwala Tell: 036 638 5100

Checked By: Lwazi Ngwenya (SCM Manager)

MB MNGUNI

MUNICIPAL MANAGER



INVITATION FOR QUOTATIONS FOR ORDERS ABOVE R30 000.00 BUT LESS THAN R200 000.00

REFERENCE NO. UTDM/SCM/039/2022

SUPPLY AND DELIVERY OF LAPTOPS FOR UTHUKELA DISTRICT MUNICIPALITY

SUPPLIER:			
ADRESS:	TEL NO:		
	CELL NO:		
<u> </u>	FAX NO:		
PREPARED FOR:			
UTHUKELA DISTRICT MUNICIPALITY			
P O BOX 116			
LADYSMITH	Compile Date: 30 DECEMBER 2022		

3370

Quotations are hereby invited from suitable service provider to quote for the following:

Directorate: Corporate Services

Contact Person: Langelihle Thwala Tell: 036 638 5100

SPECIAL CONDITIONS:

Item No.	Specifications	Quantity	Unit Price R	Total Price R
01	PCG8 Tablets I7 3.8GHZ 11 TH Gen 16 Gigs Ram 512 SSD 13.0 inch touch Carryback 3 year onsite warranty Win II pro	01		
02	I5 3.4 GHZ 11 TH Gen 16gigs Ram 512 SSD 15.4 inch LED Win II PRO Backpack Mouse 3 year onsite warranty (must be activated) 15 inch screen size.	02		
03	I7 3.8 GHZ 11 TH Gen 16gigs Ram 512 SSD 15.4 inch LED Win II PRO Backpack Mouse 3 year onsite warranty (must be activated) 13/14 inch screen size	02		

SUB TOTAL	R
15% VAT AMOUNT	R
TOTAL AMOUNT	R
Company Stamp	5000
	720

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR RI								
BID NUMBER: UTDM/SCM/039/2022	CLOSING D		07 DECE			CLOSING	TIME:	12:00
DESCRIPTION SUPPLY AND DELIVERY							(41007)	
THE SUCCESSFUL BIDDER WILL BE REQU BID RESPONSE DOCUMENTS MAY BE DEPO				KILLEN	CONTRA	CIFORM	(MBD7).	
SITUATED AT (STREET ADDRESS	WHEN IN THE							
P.O. BOX 116								
LADYSMITH						_		
3370								
OR								
36 LYELL STREET								
LADYSMITH								
3370								
SUPPLIER INFORMATION				s in				
NAME OF BIDDER							-	
POSTAL ADDRESS								
STREET ADDRESS					_			
TELEPHONE NUMBER	CODE				NUMBE	R		
CELLPHONE NUMBER	V4 2							
FACSIMILE NUMBER	CODE				NUMBE	R		
E-MAIL ADDRESS	,							
VAT REGISTRATION NUMBER								
TAX COMPLIANCE STATUS	TCS PIN:			OR	CSD No):		
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	☐ Yes				E STATU: . SWORN AVIT		Yes No	
[A B-BBEE STATUS LEVEL VERIFICATION	ON CERTIFICA			FIDAVI	T (FOR E			BE SUBMITTED IN
ORDER TO QUALIFY FOR PREFERENCE	E POINTS FOR	K B-BBE	:E)	ARE	OU A FO	REIGN		Notice that the second second
ARE YOU THE ACCREDITED	□Yes		□No		D SUPPL		☐Yes	□No
FOR THE GOODS /SERVICES /WORKS OFFERED?	[IF YES ENCL	_		THE		ERVICES		ANSWER PART B:3]
OFFERED:								
TOTAL NUMBER OF ITEMS OFFERED				TOTA	L BID PR	ICE	R	
SIGNATURE OF BIDDER								
	***************************************			DATE				
CAPACITY UNDER WHICH THIS BID IS SIGNED								
BIDDING PROCEDURE ENQUIRIES MAY BE	DIRECTED TO			_		ION MAY	BE DIRECT	ED TO:
DEPARTMENT			CONTA					
CONTACT PERSON					UMBER			
TELEPHONE NUMBER			FACSIN					
FACSIMILE NUMBER								
E-MAIL ADDRESS								

PART B TERMS AND CONDITIONS FOR BIDDING

1.1.	BID SUBMISSION: BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CONSIDERATION.	CORRECT ADDRESS. LATE BI	DS WILL NOT BE ACCEPTED FOR	
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 PROCUREM PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITI SPECIAL CONDITIONS OF CONTRACT.			
2.	TAX COMPLIANCE REQUIREMENTS			
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGA	TIONS.		
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND		PIN) ISSUED BY SARS TO ENABLE	
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 QUES	TIONNAIRE IN PART B:3.		
2.5	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOG	ETHER 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 MUST BE PROVIDED.	ON THE CENTRAL SUPPLIER (DATABASE (CSD), A CSD NUMBER	
3.	QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS		· 电流动线 重要的数据	
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRIC	A (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 TH	ERSA?	☐ 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 TH SYS	HE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A RETEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (QUIREMENT TO REGISTER F SARS) AND IF NOT REGISTER	OR A TAX COMPLIANCE STATUS AS PER 2.3 ABOVE.	
	FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY R BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF		\ <u>\</u>	
SIGI	NATURE OF BIDDER:	·		
CAP	PACITY UNDER WHICH THIS BID IS SIGNED:	•••••		
DAT	E:		***************************************	

TAX CLEARANCE CERTFICATE REQUIREMENTS

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

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

DECLARATION OF INTEREST

- No bid will be accepted from persons in the service of the state*. 1.
- Any person, having a kinship with persons in the service of the state, including a blood relationship, may 2. make an offer or offers in terms of this invitation to bid. In view of possible allegations of favou ritism, 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 b with the bid.	e completed and submitted
3.1	Full Name:	
3.2	Identity Number:	
3.3	Company Registration Number:	••
3.4	Tax Reference Number:	••
3.5	VAT Registration Number:	·
3.6	Are you presently in the service of the state*	YES / NO
3.6.1	If so, furnish particulars.	
3.7	Have you been in the service of the state for the past twelve months?	YES / NO
3.7.1	If so, furnish particulars.	
	3.8	o you, have any relationship

- MSCM Regulations: "in the service of the state" means to be -
 - (a) a member of -

- any municipal council; (i)
- any provincial legislature; or (ii)
- 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

	(family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?	YES / NO
3.8.1	If so, furnish particulars.	

3.9	Are you, aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?	YES / NO
3.9.1	If so, furnish particulars	
3.10	Are any of the company's directors, managers, principal shareholders or stakeholders in service of the state?	YES / NO
3.10.	1 If so, furnish particulars.	
3.11	Are any spouse, child or parent of the company's directors, managers, principal shareholders or stakeholders in service of the state?	YES / NO
3.11.1	1 If so, furnish particulars.	

I, THE UNDERSIGNED (NAME)	
CERTIFY THAT THE INFORMAT	ION FURNISHED ON THIS DECLARATION FORM IS CORRECT.
I ACCEPT THAT THE STATE MA	Y ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE
FALSE.	
Signature	Date
Position	Name of Bidder

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

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, 2011.

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 R1 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).
- 1.2 The value of this bid is estimated to exceed/not exceed R1 000 000 (all applicable taxes included) and therefore the.......system shall be applicable.
- 1.3 Preference points for this bid shall be awarded for:
 - (a) Price; and
 - (b) B-BBEE Status Level of Contribution.
- 1.3.1 The maximum points for this bid are allocated as follows:

		POINTS
1.3.1.1	PRICE	,,
1.3.1.2	B-BBEE STATUS LEVEL OF CONTRIBUTION	
	Total points for Price and B-BBEE must not exceed	100

- Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.5. 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

- 2.1 "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad -Based Black Economic Empowerment Act;
- 2.3 "B-BBEE status level of contributor" means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on

Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

- 2.4 "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 services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 "comparative price" means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 "consortium or joint venture" 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;
- 2.8 "contract" means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 "EME" means any enterprise with an annual total revenue of R5 million or less.
- 2.10 "Firm price" means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 "functionality" means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 "non-firm prices" means all prices other than "firm" prices;
- 2.13 "person" includes a juristic person;
- 2.14 "rand value" means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 "sub-contract" means the primary contractor's assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 "total revenue" bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the Government Gazette on 9 February 2007;
- 2.17 "trust" means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 "trustee" means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.

- In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

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

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

80/20 or 90/10

$$Ps = 80\left(1 - \frac{Pt - P\min}{P\min}\right)$$
 or $Ps = 90\left(1 - \frac{Pt - P\min}{P\min}\right)$

Where

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid under consideration

Pmin = Comparative price of lowest acceptable bid

5. Points awarded for B-BBEE Status Level of Contribution

5.1 In terms of Regulation 5 (2) and 6 (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	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.

- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

Name of firm

9.1

- 6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:
- 7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1
- 7.1 B-BBEE Status Level of Contribution: =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8	SUB-CONTRACTING	
8.1	Will any portion of the contract be sub-contracted?	YES / NO (delete which is not applicable)
8.1. 1	If yes, indicate: (i) what percentage of the contract will be sub (ii) the name of the sub-contractor? (iii) the B-BBEE status level of the sub-contract (iv) whether the sub-contractor is an EME?	***************************************
9	DECLARATION WITH REGARD TO COM	IPANY/FIRM

- I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, 9.9 certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 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;
 - The preference points claimed are in accordance with the General Conditions as (ii) indicated in paragraph 1 of this form.
 - In the event of a contract being awarded as a result of points claimed as shown in (iii) paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
 - If the B-BBEE status level of contribution has been claimed or obtained on a (iv) 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
 - disqualify the person from the bidding process; (a)
 - recover costs, losses or damages it has incurred or suffered as a result of that (b) person's conduct;
 - cancel the contract and claim any damages which it has suffered as a result (c) of having to make less favourable arrangements due to such cancellation;

- (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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

	(e) forward the matter for chiminal	prosecution
	WITNESSES:	
1.		
		SIGNATURE(S)OF BIDDER(S)
2.		
		DATE:
		ADDRESS:

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT

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

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011 and the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:201x.

- 1. General Conditions
- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9.(1) and 9.(3) make provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Regulation 9.(3) prescribes that where there is no designated sector, a specific bidding condition may be included, that only locally produced services, works or goods or locally manufactured goods with a stipulated minimum threshold for local production and content, will be considered.
- 1.4. Where necessary, for bids referred to in paragraphs 1.2 and 1.3 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.5. A person awarded a contract in relation to a designated sector, may not subcontract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.6. The local content (LC) as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 201x as follows:

$$LC = 1 - \left(\frac{x}{3^{\prime}}\right)_{x \ 100}$$

Where

x imported content

y bid price excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date, one week (7 calendar days) prior to the closing date of the bid as required in paragraph 4.1 below.

- 1.7. A bid will be disqualified if:
 - the bidder fails to achieve the stipulated minimum threshold for local production and content indicated in paragraph 3 below; and.

- this declaration certificate is not submitted as part of the bid docume intation.
- 2. Definitions
- 2.1. "bid" includes advertised competitive bids, written price quotations or proposals;
- 2.2. "bid price" price offered by the bidder, excluding value added tax (VAT);
- 2.3. "contract" means the agreement that results from the acceptance of a bid by an organ of state;
- 2.4. "designated sector" means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;
- 2.5. "duly sign" means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility(close corporation, partnership or individual).
- 2.6. "imported content" means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad, plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
- 2.7. "local content" means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 2.8. "stipulated minimum threshold" means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.9. "sub-contract" means the primary contractor's assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.
- 3. The stipulated minimum threshold(s) for local production and content for this bid is/are as follows:

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

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

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

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

LE	CAL CONTENT DECLARATION BY CHIEF FINANCIAL OFF GALLY RESPONSIBLE PERSON NOMINATED IN WRITIN JTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMEI (CLOSE CORPORATION, PARTNERSHIP OR INDIV	G BY THE CH NT RESPONS	HEF
	PECT OF BID No. D BY: (Procurement Authority / Name of Municipality / Municipali	pal Entity):	
transfer	The obligation to complete, duly sign and submit this or red to an external authorized representative, auditor or any or alf of the bidder.		
I, the ur	ndersigned,	(full na	ames),
	by declare, in my capacity as	(name o	of hiddor
of entity), t	the following:	(IIaille 0	i Diddel
(a) The	e facts contained herein are within my own personal knowledg	je.	
above-s	ave satisfied myself that the goods/services/works to be delapecified bid comply with the minimum local content require and as measured in terms of SATS 1286.	ivered in term ments as spe	ns of the ecified in
(c) The 1286, th	e local content has been calculated using the formula given the rates of exchange indicated in paragraph 4.1 above and the	in clause 3 of following fig	of SATS ures:
·	Bid price, excluding VAT (y)	R	
	Imported content (x)	R	
	Stipulated minimum threshold for Local content (paragraph 3 above)		
	Local content % as calculated in terms of SATS 1286		

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

- (d) I accept that the Procurement Authority / Municipality / Municipal Entity has the right to request that the local content be verified in terms of the requirements of SATS 1286.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286, may result in the Procurement Authority / Municipal / Municipal Entity imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE:	DATE:
WITNESS No. 1	DATE:
WITNESS No. 2	DATE:

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT

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

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011 and the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:201x.

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9.(1) and 9.(3) make provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Regulation 9.(3) prescribes that where there is no designated sector, a specific bidding condition may be included, that only locally produced services, works or goods or locally manufactured goods with a stipulated minimum threshold for local production and content, will be considered.
- 1.4. Where necessary, for bids referred to in paragraphs 1.2 and 1.3 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.5. A person awarded a contract in relation to a designated sector, may not subcontract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.6. The local content (LC) as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 201x as follows:

$$LC = 1 - \left(\frac{x}{3^r}\right) \times 100$$

Where

x imported content

y bid price excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date, one week (7 calendar days) prior to the closing date of the bid as required in paragraph 4.1 below.

1.7. A bid will be disqualified if:

 the bidder fails to achieve the stipulated minimum threshold for local production and content indicated in paragraph 3 below; and.

- this declaration certificate is not submitted as part of the bid docume intation.
- 2. Definitions
- 2.1. "bid" includes advertised competitive bids, written price quotations or proposals;
- 2.2. "bid price" price offered by the bidder, excluding value added tax (VAT);
- 2.3. "contract" means the agreement that results from the acceptance of a bid by an organ of state;
- 2.4. "designated sector" means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;
- 2.5. "duly sign" means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility(close corporation, partnership or individual).
- 2.6. "imported content" means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad, plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
- 2.7. "local content" means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 2.8. "stipulated minimum threshold" means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.9. "sub-contract" means the primary contractor's assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.
- 3. The stipulated minimum threshold(s) for local production and content for this bid is/are as follows:

Description of services, works or goods	Stipulated minimum threshold	
6) 10 (10 (10 (10 (10 (10 (10 (10 (10 (10	%	
	%	
	%	

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

YES / NO

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

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Yen Other	
Yen	
Other	

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

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)			
IN RESPECT OF BID No. ISSUED BY: (Procurement Authority / Name of Municipality / Munic			
NB The obligation to complete, duly sign and submit this of transferred to an external authorized representative, auditor or any on behalf of the bidder.			
I, the undersigned,do hereby declare, in my capacity as		·	
(a) The facts contained herein are within my own personal knowledg	je.		
(b) I have satisfied myself that the goods/services/works to be delabove-specified bid comply with the minimum local content require the bid, and as measured in terms of SATS 1286.			
c) The local content has been calculated using the formula given in clause 3 of SATS 1286, the rates of exchange indicated in paragraph 4.1 above and the following figures:			
Bid price, excluding VAT (y)	R		
Imported content (x)	R		
Stipulated minimum threshold for Local content (paragraph 3 above)			
Local content % as calculated in terms of SATS 1286			

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

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

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286, may result in the Procurement Authority / Municipal / Municipal Entity imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE:

DATE:

DATE:

DATE: ______

WITNESS No. 2

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 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).
- In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item		Yes	No
4.1	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? (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 audi alteram partem rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes	No
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes	No
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes	No

4.3.1	If so, furnish particulars:		
Item	Question	Ye	s 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?	Ye	
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes	No 🗆
4.7.1	If so, furnish particulars:		
	CERTIFICATION		
CEF	HE UNDERSIGNED (FULL NAME) RTIFY THAT THE INFORMATION FURNISHED ON THIS CLARATION FORM TRUE AND CORRECT. CCEPT THAT, IN ADDITION TO CANCELLATION OF A	CONTE	······
ACT	TION MAY BE TAKEN AGAINST ME SHOULD THIS DEC OVE TO BE FALSE.		
Sign	ature Date	*******	
 Posit	ion Name of Bidder	******	1=367hW

•

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 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).² Collusive bidding is a pe se prohibition meaning that it cannot be justified under any grounds.
- 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.
 - 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.
 - In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² 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	n)
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 tru	e and complete in every respect:
l 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 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.

P 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 i 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							
	Js9141w 4							

SATS 1286.2011	m all calculations	Value	(E8)	:			RO	RO	RO	RO	RO	vith Annex C - C24			
	Note: VAT to be excluded from all calculations	Local suppliers	(E7)				(E9) Total local products (Goods, Services and Works)		sumables etc.)	g, interest etc.)	(£13) Total local content	This total must correspond with Annex C - C24			
Annex E Local Content Declaration - Supporting Schedule to Annex C		Description of Items purchased	(E6)				(E9) Total local products	Manpower costs (Tenderer's manpower cost)	Factory overheads (Rental, depreciation & amortisation, utility costs, consumables etc.)	(E12) Administration overheads and mark-up (Marketing, insurance, financing, interest etc.)					
Local	Tender No. Tender description: Designated products: Tender Authority: Tendering Entity name:	, Local Products (Goods, Services and Works)			 1		_	(£10) Manpower costs	(EII) Factory overheads	(£12) Administration overhea			Signature of tenderer from Annex B		Date:
	(E2) Tender No. (E3) Tender description: (E3) Designated products: (E4) Tender Authority: (E5) Tendering Entity name:	Local Prod (Goods, Servic Works)								(E12) Administratio			Signature of tenderer from Ar	300	