

# MATATIELE LOCAL MUNICIPALITY PROVINCE OF THE EASTERN CAPE



102 Main Street,  
Matatiele  
P.O. Box 35,  
Matatiele, 4730  
Tel: 039 737 3135  
Fax: 039 737 3611

## APPOINTMENT OF A CONTRACTOR FOR CONSTRUCTION OF MAFUBE (260) DESTITUTE RURAL HOUSING IN MATATIELE LOCAL MUNICIPALITY

**BID No.: MATAT/2023/2024-12**

### Matatiele Bidder

.....  
**Total of the prices inclusive of value added tax: R .....**

**BIDDER'S CLOSING AT THE OFFICES OF: MATATIELE LOCAL MUNICIPALITY AT 10H00 ON 05 JUNE 2023**

Documents are to be delivered by hand in the tender box as no faxed copies will be acceptable; the box is situated at 'Reception' of MATATIELE Municipality, New Budget and Treasury Offices, Mountain View, MATATIELE.

**NO LATE SUBMISSION WILL BE CONSIDERED**

Issued and by:  
MATATIELE LOCAL MUNICIPALITY  
102 MAIN STREET  
MATATIELE  
4730

*Where Nature, Agriculture, Tourism are Investments of Choice.*

Electrical Services: 079 522 9770 Prepaid Sales: 079 523 322 Finance Office: 039 737 3565 Disaster and Fire: 039-2560610/079 523 2223  
Police(SAPS): 039-7379904/9905 Water: 082 520 1476 Ambulance: 10177 Traffic: 079 522 9774

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## 1. CHECKLIST

**PLEASE ENSURE THAT THE FOLLOWING FORMS HAVE BEEN DULY COMPLETED AND SIGNED  
AND  
THAT ALL DOCUMENTS AS REQUESTED, ARE ATTACHED TO THE TENDER DOCUMENT:**

|                                                                                                                             |            |   |           |   |
|-----------------------------------------------------------------------------------------------------------------------------|------------|---|-----------|---|
| <b>MBD 1 Invitation to tender?</b>                                                                                          | <b>Yes</b> |   | <b>No</b> |   |
| <b>Authority to Sign a Bid</b> Is the form duly completed and is a <b>certified copy</b> of the <b>resolution</b> attached? | <b>Yes</b> |   | <b>No</b> |   |
| <b>Tax Clearance Certificate</b> Is an <b>ORIGINAL</b> and <b>VALID</b> Tax Clearance Certificate attached?                 | <b>Yes</b> |   | <b>No</b> |   |
| <b>MBD 4</b> (Declaration of Interest) Is the form duly completed and signed?                                               | <b>Yes</b> |   | <b>No</b> |   |
| <b>MBD 5 - DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED)</b>                                | <b>Yes</b> |   | <b>No</b> |   |
| <b>MBD 6.1</b> (Preference Points claim form for purchases/services) Is the form duly completed and signed?                 | <b>Yes</b> |   | <b>No</b> |   |
| <b>MBD 8</b> (Declaration of Past Supply Chain Practices) Is the form duly completed and signed?                            | <b>Yes</b> |   | <b>No</b> |   |
| <b>MBD 9</b> (Certificate of Independent Bid Determination) Is the form duly completed and signed?                          | <b>Yes</b> |   | <b>No</b> |   |
| SCHEDULE A – CONFIRMATION OF REGISTRATION OF TENDERER ON MATATIELE SUPPLIER DATABASE AND NATIONAL TREASURY DATABASE         |            |   |           |   |
| SCHEDULE B – TENDERER'S PAST EXPERIENCE                                                                                     |            |   |           |   |
| 1 <b>MBD 7.1</b> (Contract form – Goods) Is the form duly completed and signed?                                             | 2 Yes      | 3 | 4 No      | 5 |

|                     |  |             |  |
|---------------------|--|-------------|--|
| <b>SIGNATURE</b>    |  | <b>NAME</b> |  |
| <b>CAPACITY</b>     |  | <b>DATE</b> |  |
| <b>NAME OF FIRM</b> |  |             |  |





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Tel: 039 737 3135  
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## Matatiele Local Municipality **BID NOTICE**

Bidders are hereby invited to submit their tenders for the following priority projects:

| BID NUMBER          | PROJECT NAME                                                                                                         | ADVERT DATE | CIDB REQUIRED                           | COMPULSORY BRIEFING                   | CLOSING DATE         |
|---------------------|----------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------------------|---------------------------------------|----------------------|
| MATAT/2023 /2024-12 | APPOINTMENT OF A CONTRACTOR FOR CONSTRUCTION OF MAFUBE (260) DESTITUTE RURAL HOUSING IN MATATIELE LOCAL MUNICIPALITY | 05 MAY 2023 | 7 GB OR HIGHER-ONLY CRS NUMBER REQUIRED | 12 MAY 2023 @ 102 MAIN STREET @ 10H00 | 05 JUNE 2023 @ 10H00 |

### **MANDATORY DOCUMENTS AS LISTED IN THE TENDER TO BE SUBMITTED, FAILURE TO DO SO WILL RESULT IN THE BID BEING DEEMED TO BE NON-RESPONSIVE**

Matatiele Local Municipality Supply Chain Management policy will apply. A confirmation from SARS with a verification PIN, Proof of Central Supplier Database (CSD) registration- report printed, Completion of MBD 1-9 its Annexures in full, Ethics Commitment for Suppliers of Matatiele Local Municipality and Authority to sign (All MBDs are attached in the document). Prices quoted must be firm and must be inclusive of VAT. Original Certified I.D. Copies of Managing Directors / Owners. Joint Ventures will only be accepted if all necessary requirements as per tender document are met.

**Transactions in the excess of R10 million (VAT included). All companies which are required by law are required to prepare annual financial statements for auditing, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.**

### **EVALUATION CRITERIA**

Only competent bidders who are competent in the advertised work and who have exceeded the minimum functionality threshold will be two phases Phase 1= **Functionality=100 Points** and Phase 2= is 80/20 in line with the Preferential Procurement Policy Framework Act (PPPFA) of November 2022. Only bidders who obtain 80 points as a minimum functionality threshold will be evaluated further on 80/20.

### **Points for functionality will be scored on the following:**

| Functionality Criteria | Points |
|------------------------|--------|
| Company Experience     | 20     |
| Key Personnel          | 30     |
| Plant and Equipment    | 20     |
| Methodology            | 5      |
| Accreditation          | 25     |
| Total                  | 100    |



Tenderers will be awarded points on the following basis:

|                                                       |                   |
|-------------------------------------------------------|-------------------|
| <b>Tender Price</b>                                   | <b>80 points</b>  |
| <b>2. HDI – Equity ownership</b>                      | <b>6 points</b>   |
| <b>3. Youth-Enterprises 14-35 years (MLM)</b>         | <b>6 points</b>   |
| <b>4. Women – Equity ownership</b>                    | <b>4 points</b>   |
| <b>5. Disability – Equity ownership</b>               | <b>2 points</b>   |
| <b>6. Rural Enterprises (will be verified by CSD)</b> | <b>2 points</b>   |
| <b>Total</b>                                          | <b>100 points</b> |

#### **OBTAINING OF TENDER DOCUMENTS:**

Bid Documents will be available as from 12 May 2023 at the Municipal Website and BTO Offices for a non – refundable tender fee of R1000 payable in the Municipal bank account (Ned Bank 1011292106 branch code 198765, name of company and bid no as reference) (Failure to attach proof of purchase will lead to disqualification). To obtain tender documents please login to [www.matatiele.gov.za](http://www.matatiele.gov.za) or email [nngcobo@matatiele.gov.za](mailto:nngcobo@matatiele.gov.za).

**Bidders are warned not to solicit bribes in connection with this bid. The municipality and its employees will never solicit bribes for the exchange of a tender.**

Site briefing is compulsory. Only representatives of respective companies are to fill in and sign the compulsory attendance register at the site briefing and will not be permitted to sign on behalf of more than one company. The Matatiele Local Municipality reserves the right not to appoint a contractor on highest points scored. Value for money, past experience and functionality will be the key determinants of appointment. All tenders must be deposited in the tender box situated **at the Matatiele Local Municipality, Matatiele, Eastern Cape 4730** reception area not later than 10h00 as per provided closing dates, where they will be opened in public. All tenders must be clearly marked “Name of the project indicated above”. Couriered, faxed and emailed documents will not be considered. *The Municipality will not make any award to a person or persons working for the state, or failing to possess relevant credentials as stipulated in the tender requirements.*

All SCM enquiries relating to this bid must be directed to Z.C Matolo, e-mail: [zmatolo@matatiele.gov.za](mailto:zmatolo@matatiele.gov.za) during office hours (07h30 – 16h00) weekdays. All Technical enquiries relating to this bid must be directed to Ms T Matela, e-mail: [TMatela@matatiele.gov.za](mailto:TMatela@matatiele.gov.za) during office hours

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**Mr L.Matiwane**  
**Municipal Manager**

**EVALUATION CRITERIA  
PHASE 1 FUNCTIONALITY**

| <b>NO</b>  | <b>CRITERION AND RISK ASSESSMENT BY MUNICIPALITY: FUNCTIONALITY EVALUATION</b>                                                            | <b>SCORE</b> | <b>POINTS (ASSESSOR TO TICK)</b> |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------------------------------|
| <b>1.</b>  | <b>PREVIOUS EXPERIENCE IN RDP PROJECTS TO BE SUBMITTED BY THE BIDDER (attach signed appointment letters with completion certificates)</b> |              | <b>20</b>                        |
| <b>1.1</b> | Completed Minimum of Three RDP projects with 500 or more housing units.                                                                   | 20           |                                  |
| <b>1.2</b> | Completed Minimum of Three RDP projects with between 300 and 400 housing units.                                                           | 10           |                                  |
| <b>1.3</b> | Completed Minimum of Two RDP projects between 150 and 250 housing units.                                                                  | 5            |                                  |
| <b>2.</b>  | <b>KEY PERSONNEL IN RDP PROJECTS</b>                                                                                                      |              | <b>30</b>                        |
|            | SITE MANAGER (attach C.V with traceable references and Btech or degree in Construction Management (attach certified certificate)          | <b>15</b>    |                                  |
| <b>2.1</b> | Site Management experience of 15 years or more                                                                                            | 15           |                                  |
| <b>2.2</b> | Site Management experience of 10-14 years                                                                                                 | 10           |                                  |
| <b>2.3</b> | Site Management experience of 2-9 years                                                                                                   | 5            |                                  |
|            | QUANTITY SURVEYOR (attach C.V with traceable references and Btech/Bsc degree in Quantity Surveying (attach certified certificate)         | <b>15</b>    |                                  |
| <b>2.4</b> | Quantity surveying experience of 15 years or more                                                                                         | 15           |                                  |
| <b>2.5</b> | Quantity surveying experience of 10-14 years or more                                                                                      | 10           |                                  |
| <b>2.6</b> | Quantity surveying experience of 2-9 years or more                                                                                        | 5            |                                  |

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|              |                                                                                                                                                                                                                                                                                 |    |            |
|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|
| <b>3.</b>    | <b>EQUIPMENT RELEVANT FOR THE ASSIGNMENT</b>                                                                                                                                                                                                                                    |    | <b>20</b>  |
| 3.1          | Access to all of the following: 1. TLB; 2. Tipper Truck or Drop-side truck; 3. Compactor / Roller; 2X Bakkie; and 5. Batch Plant or Concrete Mixer<br><u>Please attach registration certificate(log book)</u><br><u>Lease agreement or proof of ownership</u> (To be submitted) | 20 |            |
|              |                                                                                                                                                                                                                                                                                 |    |            |
| <b>4.</b>    | <b>Contractor's understanding of the execution of a successful RDP Project Methodology. Submit clear step by step Illustration / Flow Chart as Per (Phase:1, 2 &amp; 3)</b>                                                                                                     |    | <b>5</b>   |
| <b>5</b>     | <b>NATIONAL HOME BUILDERS REGISTRATION COINCIL (NHBRC) (Attached Valid Certificate)</b>                                                                                                                                                                                         |    | <b>25</b>  |
| <b>TOTAL</b> |                                                                                                                                                                                                                                                                                 |    | <b>100</b> |

**A bidder scoring less than 70 out 100 in respect of functionality will be regards as submitting non-responsive bid and will be disqualified.**

**80/20 preference point system for acquisition of goods or services with Rand value equal to or below R50 million.**

4.(1) The following formula will be used to calculate the points out of 80 for price in respect of an invitation for a tender with a Rand value equal to or below R50 million, exclusive of all applicable taxes:

Ps 80 1 min Where- Ps = Points scored for price of tender under consideration; Pt = Price of tender under consideration; and Pmin = Price of lowest acceptable tender. (2) A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender as stipulated on the notice to

tender and tender document. (3) The points scored for the specific goal will be added to the points scored for price and the total will be rounded off to the nearest two decimal places. (4) Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

|                                                       |                   |
|-------------------------------------------------------|-------------------|
| <b>1 Tender Price</b>                                 | <b>80 points</b>  |
| <b>2. HDI – Equity ownership</b>                      | <b>6 points</b>   |
| <b>3. Youth-Enterprises 14-35 years (MLM)</b>         | <b>6 points</b>   |
| <b>4. Women – Equity ownership</b>                    | <b>4 points</b>   |
| <b>5. Disability – Equity ownership</b>               | <b>2 points</b>   |
| <b>6. Rural Enterprises (will be verified by CSD)</b> | <b>2 points</b>   |
| <b>Total</b>                                          | <b>100 points</b> |

**90/10 preference point system for acquisition of goods or services with Rand value above R50 million.**

(1) The following formula must be used to calculate the points out 90 for price in respect of an invitation for tender with a Rand value above R50 million, exclusive of all applicable taxes: Where-  
 $P_s$  = Points scored for price of tender under consideration;  $P_t$  = Price of tender under consideration; and  $P_{min}$  = Price of lowest acceptable tender. (2) A maximum of 10 points may be awarded to a tenderer for the specific goal specified for the tender. (3) The points scored for the specific goal will be added to the points scored for price and the total must be rounded off to the nearest two decimal places. (4) Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

Tenderers will be awarded points on the following basis:

|                                              |                   |
|----------------------------------------------|-------------------|
| <b>1. Tender Price</b>                       | <b>90 points</b>  |
| <b>2. HDI – Equity ownership</b>             | <b>3 points</b>   |
| <b>3. Youth-Enterprises 0-45 years (MLM)</b> | <b>3 points</b>   |
| <b>3. Women – Equity ownership</b>           | <b>2 point</b>    |
| <b>4. Disability – Equity ownership</b>      | <b>1 point</b>    |
| <b>5. Rural Enterprises</b>                  | <b>1 point</b>    |
| <b>TOTAL</b>                                 | <b>100 points</b> |



33.1. It is acknowledged that the contents of proposals submitted in response to this bid are confidential and shall not be released to parties other than the Municipality. Final selection and summary of evaluations will become part of the public record as distributed to the Municipal stakeholders. Only the name and address of the successful bidder will be released to the unsuccessful respondents after awarding is finalized.

33.2. The Municipality reserves the right to award more than one (multiple) contract/s to a Turnkey Contractor if it deems it to be in the best interest of the contracts and Municipality to achieve the objectives of efficient project delivery and value for money undisputed functionality, previous track record (to minimize risk to the Municipality as well as DOHS) and objectives of Local Economic Support.

33.3. The Local Municipality reserves the right to not appoint the highest scoring tenderer in consideration with objectives stipulated in item 9.8.

#### **34. EVALUATION FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS.**

34.1. On local content designated items, only locally produced goods or services with a stipulated minimum threshold for local production and content of 100% will be considered.

34.2. The relevant designated sector: Steel and Plastic Products and Components. The minimum threshold for local production and content: 100%: - Reinforcing Bars (100%) Door and Window Frames (100%) Roof Trusses (100%) Joining Connection Components (100%) Damp Proof Course (100%), Damp Proof Membrane (100%) Ceiling (100%) Gutters (100%) and Water Tank (100%)

34.3. Exchange rate to be used for the calculation of local content (local content and local production are used interchangeably) must be the exchange rate published by the SARB at 12:00 on the date, one week (7 calendar days) prior to the closing date of the bid.

34.4. Failure to indicate minimum percentage (%) or not meeting minimum percentage for local content will automatically invalidate the bid for further consideration.

34.5. If the raw material or input to be used for a specific item is not available locally, bidders should obtain written authorization from the DTI should there be a need to import such raw

material or input and a copy of this authorization letter must be submitted together with the bid document at the closing date and time.

- 34.6. Bidders must complete MBD 6.2 with Annexure C and it must be submitted with the bid at the closing date and time. Failure to submit will invalidate the bid.
- 34.7. The main contractor may not sub contract work to an extent that the local content and production is compromised. The conditions and rules applying to the main bidder on local production and content also apply to the sub-contractor(s).
- 34.8. For further information, bidders may contact the Steel products and components unit within DTI at 012 394 5157
- 34.9. Bids which have not scored the required minimum percentage of 100% for Local Production and content will be disqualified unless the bidder obtains exemption form DTI at this stage. Only qualifying bids will proceed to the evaluation on Price/Specific Goals

### 3. AUTHORITY TO SIGN

#### SOLE PROPRIETOR (SINGLE OWNER BUSINESS) AND NATURAL PERSON

1.1. I, \_\_\_\_\_, the undersigned, hereby confirm that I am the sole owner of the business trading as \_\_\_\_\_.

OR

1.2. I, \_\_\_\_\_, the undersigned, hereby confirm that I am submitting this tender in my capacity as natural person.

|             |  |            |  |
|-------------|--|------------|--|
| SIGNATURE:  |  | DATE:      |  |
| PRINT NAME: |  |            |  |
| WITNESS 1:  |  | WITNESS 2: |  |

#### 2 COMPANIES AND CLOSE CORPORATIONS

2.5 If a Bidder is a COMPANY, a certified copy of the resolution by the board of directors, duly

signed, authorising the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company **must be submitted with this bid**, that is, before the closing time and date of the bid

2.6 In the case of a CLOSE CORPORATION (CC) submitting a bid, a resolution by its members, authorizing a member or other official of the corporation to sign the documents on their behalf, **shall be included with the bid**.

#### PARTICULARS OF RESOLUTION BY BOARD OF DIRECTORS OF THE COMPANY/MEMBERS OF THE CC

|                                                       |  |     |    |
|-------------------------------------------------------|--|-----|----|
| Date Resolution was taken                             |  |     |    |
| Resolution signed by (name and surname)               |  |     |    |
| Capacity                                              |  |     |    |
| Name and surname of delegated Authorised Signatory    |  |     |    |
| Capacity                                              |  |     |    |
| Specimen Signature                                    |  |     |    |
| Full name and surname of ALL Director(s) / Member (s) |  |     |    |
| 1.                                                    |  | 2.  |    |
| 3.                                                    |  | 4.  |    |
| 5.                                                    |  | 6.  |    |
| 7.                                                    |  | 8.  |    |
| 9.                                                    |  | 10. |    |
| Is a CERTIFIED COPY of the resolution attached?       |  | YES | NO |

|                                   |            |
|-----------------------------------|------------|
| SIGNED ON BEHALF OF COMPANY / CC: | DATE:      |
| PRINT NAME:                       |            |
| WITNESS 1:                        | WITNESS 2: |

**3. PARTNERSHIP**

We, the undersigned partners in the business trading as \_\_\_\_\_ hereby authorize Mr/Ms \_\_\_\_\_ to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and /or contract for and on behalf of the abovementioned partnership.

The following particulars in respect of every partner must be furnished and signed by every partner:

| Full name of partner             |            | Signature |  |
|----------------------------------|------------|-----------|--|
|                                  |            |           |  |
|                                  |            |           |  |
|                                  |            |           |  |
|                                  |            |           |  |
| SIGNED ON BEHALF OF PARTNERSHIP: | DATE:      |           |  |
| PRINT NAME:                      |            |           |  |
| WITNESS 1:                       | WITNESS 2: |           |  |

**8 CONSORTIUM**

We, the undersigned consortium partners, hereby authorize \_\_\_\_\_ (Name of entity) to act as lead consortium partner and further authorize Mr./Ms.

To sign this offer as well as any contract resulting from this tender and any other documents and correspondence in connection with this tender and / or contract for and on behalf of the consortium.

The following particulars in respect of each consortium member must be provided and signed by each member:

| Full Name of Consortium Member | Role of Consortium Member | % Participation | Signature |
|--------------------------------|---------------------------|-----------------|-----------|
|                                |                           |                 |           |
|                                |                           |                 |           |
|                                |                           |                 |           |
|                                |                           |                 |           |

|                                     |  |            |  |
|-------------------------------------|--|------------|--|
|                                     |  |            |  |
| SIGNED ON BEHALF OF<br>PARTNERSHIP: |  | DATE:      |  |
| PRINT NAME:                         |  |            |  |
| WITNESS 1:                          |  | WITNESS 2: |  |

# MBD 1 – MATATIELE LOCAL MUNICIPALITY

## PART A INVITATION TO BID

|                                                                                                                                                                       |                                                                                                                             |               |                                     |                                                             |       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------|-------------------------------------------------------------|-------|
| <b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)</b>                                                                 |                                                                                                                             |               |                                     |                                                             |       |
| BID NUMBER:                                                                                                                                                           | MATAT/2023/2024-12                                                                                                          | CLOSING DATE: | 05 JUNE 2023                        | CLOSING TIME:                                               | 10H00 |
| DESCRIPTION                                                                                                                                                           | <b>APPOINTMENT OF A CONTRACTOR FOR CONSTRUCTION OF MAFUBE (260) DESTITUTE RURAL HOUSING IN MATATIELE LOCAL MUNICIPALITY</b> |               |                                     |                                                             |       |
| <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).</b>                                                                     |                                                                                                                             |               |                                     |                                                             |       |
| BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX<br>SITUATED AT (STREET ADDRESS)                                                                                |                                                                                                                             |               |                                     |                                                             |       |
| MATATIELE LOCAL MUNICIPALITY                                                                                                                                          |                                                                                                                             |               |                                     |                                                             |       |
| MOUNTAIN VIEW OFFICES (BTO)                                                                                                                                           |                                                                                                                             |               |                                     |                                                             |       |
| MATATIELE                                                                                                                                                             |                                                                                                                             |               |                                     |                                                             |       |
| 4730                                                                                                                                                                  |                                                                                                                             |               |                                     |                                                             |       |
| <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:                                                     |       |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]                                                                                                    | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                                                 |               | B-BBEE STATUS LEVEL SWORN AFFIDAVIT | <input type="checkbox"/> Yes<br><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> |                                                                                                                             |               |                                     |                                                             |       |

|                                                        |                                                                                                      |                                                                                    |                                                  |                                                                                 |                                                                                       |
|--------------------------------------------------------|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------|---------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 5.1.1.1                                                | <b>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</b> | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES ENCLOSE PROOF] | 5.1.1.2                                          | <b>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</b> | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES, ANSWER PART B:3] |
| 5.1.1.3                                                | TOTAL NUMBER OF ITEMS OFFERED                                                                        |                                                                                    | 5.1.1.4                                          | TOTAL BID PRICE                                                                 | <b>R</b>                                                                              |
| 5.1.1.5                                                | SIGNATURE OF BIDDER                                                                                  | .....                                                                              | 5.1.1.6                                          | DATE                                                                            |                                                                                       |
| 5.1.1.7                                                | 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                                             | SCM UNIT                                                                                             | DEPARTMENT                                                                         | Infrastructure                                   |                                                                                 |                                                                                       |
| CONTACT PERSON                                         | MR. Z. Matolo                                                                                        | CONTACT PERSON                                                                     | Ms. T Matela                                     |                                                                                 |                                                                                       |
| TELEPHONE NUMBER                                       | 039 737 8100                                                                                         | TELEPHONE NUMBER                                                                   | 039 737 8168                                     |                                                                                 |                                                                                       |
| FACSIMILE NUMBER                                       | 039 737 3611                                                                                         | FACSIMILE NUMBER                                                                   | 039 737 3611                                     |                                                                                 |                                                                                       |
| E-MAIL ADDRESS                                         | zmatoloi@matatiel.gov.za                                                                             | E-MAIL ADDRESS                                                                     | tmatela@matatiele.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)? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>                                                                         |
| 3.2.                                                                                                                                                                                                                       | DOES THE ENTITY HAVE A BRANCH IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>                                                                                               |
| 3.3.                                                                                                                                                                                                                       | DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>                                                                              |
| 3.4.                                                                                                                                                                                                                       | DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>                                                                                   |
| 3.5.                                                                                                                                                                                                                       | IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>                                                                               |
| <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:.....



**2 MBD 2  
TAX CLEARANCE REQUIREMENTS**

IT IS A CONDITION OF BIDDING THAT -

1. The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.
2. The attached form "Application for Tax Clearance Certificate (in respect of bidders)", must be completed in all respects and submitted to the Receiver of Revenue where the bidder is registered for tax purposes. The Receiver of Revenue will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of twelve (12) months from date of issue.
3. In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificates are available at any Receiver's Office.

**APPLICATION FOR TAX CLEARANCE CERTIFICATE  
(IN RESPECT OF BIDDERS)**

1. Name of taxpayer / bidder: .....

2. Trade name: .....

3. Identification number: 

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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4. Company / Close Corporation registration number: 

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5. Income tax reference number: 

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6. VAT registration number (if applicable): 

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7. PAYE employer's registration number (if applicable): 

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Signature of contact person requiring Tax Clearance Certificate: .....

Name: .....

Telephone number: Code:..... Number: .....

Address: .....

.....

.....

DATE: 20\_\_\_\_ / \_\_\_\_ / \_\_\_\_

PLEASE NOTE THAT THE COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE (SARS) WILL NOT EXERCISE HIS DISCRETIONARY POWERS IN FAVOUR OF ANY PERSON WITH REGARD TO ANY INTEREST, PENALTIES AND / OR ADDITIONAL TAX LEVIABLE DUE TO THE LATE- OR UNDERPAYMENT OF TAXES, DUTIES OR LEVIES OR THE RENDITION RETURNS BY ANY PERSON AS A RESULT OF ANY SYSTEM NOT BEING YEAR 2000 COMPLIANT.

[MBD 2

# **MBD 4 – MATATIELE LOCAL MUNICIPALITY**

## **DECLARATION OF INTEREST**

### **MBD 4**

## **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.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

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

3.2 Identity Number: .....

3.3 Position occupied in the Company (director, trustee, hareholder<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 persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? ..... **YES / NO**

3.10.1 If yes, furnish particulars.

.....  
 .....

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

3.11.1 If yes, furnish particulars

.....  
 .....

**2.1.2**

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

3.12.1 If yes, furnish particulars.

.....  
 .....

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

3.13.1 If yes, furnish particulars.

.....  
 .....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company

have any interest in any other related companies or business whether or not they are bidding for this contract.

**YES / NO**

3.14.1 If yes, furnish particulars:

.....  
.....

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

| <b>Full Name</b> | <b>Identity Number</b> | <b>State Employee Number</b> |
|------------------|------------------------|------------------------------|
|                  |                        |                              |
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|                  |                        |                              |

.....  
**Signature**

.....  
**Date**

.....  
**Capacity**

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

**DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED)**

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

1 Are you by law required to prepare annual financial statements for auditing? **\*YES / NO**

1.1 If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.

.....  
.....

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

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

2.2 If yes, provide particulars.  
.....  
.....  
.....  
.....

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

3.1 If yes, furnish particulars  
.....  
.....

4. Will any portion of goods or services be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic? **\*YES / NO**

4.1 If yes, furnish particulars  
.....  
.....

**CERTIFICATION**

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

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

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

.....  
Signature .....

Date

.....  
Position .....

Name of Bidder

# MBD 6.1 – MATATIELE LOCAL MUNICIPALITY

## MBD 6.1

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

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

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

#### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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

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

*(delete whichever is not applicable for this tender).*

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

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

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

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

The maximum points for this tender are allocated as follows:

|                                                  | POINTS     |
|--------------------------------------------------|------------|
| PRICE                                            |            |
| SPECIFIC GOALS                                   |            |
| <b>Total points for Price and SPECIFIC GOALS</b> | <b>100</b> |



- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

$$Ps = 80 \left( 1 - \frac{Pt - Pmin}{Pmin} \right) \quad \text{or} \quad Ps = 90 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

### 3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

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

$P_t$  = Price of tender under consideration

$P_{max}$  = Price of highest acceptable tender

## 4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

***(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.***

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

| The specific goals allocated points in terms of this tender | Number of points allocated (90/10 system) (To be completed by the organ of state) | Number of points allocated (80/20 system) (To be completed by the organ of state) | Number of points claimed (90/10 system) (To be completed by the tenderer) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------|---------------------------------------------------------------------------|
|                                                             |                                                                                   |                                                                                   |                                                                           |                                                                           |
|                                                             |                                                                                   |                                                                                   |                                                                           |                                                                           |
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|                                                             |                                                                                   |                                                                                   |                                                                           |                                                                           |

**DECLARATION WITH REGARD TO COMPANY/FIRM**

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

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to

the satisfaction of the organ of state that the claims are correct;

iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

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

|                          |                                             |
|--------------------------|---------------------------------------------|
|                          | .....<br><b>SIGNATURE(S) OF TENDERER(S)</b> |
| <b>SURNAME AND NAME:</b> | .....                                       |
| <b>DATE:</b>             | .....                                       |
| <b>ADDRESS:</b>          | .....                                       |
|                          | .....                                       |
|                          | .....                                       |
|                          | .....                                       |
|                          | .....                                       |

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

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

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

### 1. General Conditions

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

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

Where

x is the imported content in Rand

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

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

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

1.6. A bid may be disqualified if –

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

## 2. Definitions

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

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

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

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

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

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

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

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

2.9. “**sub-contract**” means the primary contractor’s assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.

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

| <u>Description of services, works or goods</u> | <u>Stipulated minimum threshold</u> |
|------------------------------------------------|-------------------------------------|
|------------------------------------------------|-------------------------------------|

|       |         |
|-------|---------|
| _____ | _____ % |
|-------|---------|

\_\_\_\_\_ %  
 \_\_\_\_\_ %

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

(Tick applicable box)

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

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

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

| Currency       | Rates of exchange |
|----------------|-------------------|
| US Dollar      |                   |
| Pound Sterling |                   |
| Euro           |                   |
| Yen            |                   |
| Other          |                   |

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

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

(Tick applicable box)

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

5.1. If yes, provide the following particulars:

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

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

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

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

**LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)**

**IN RESPECT OF BID NO.** .....

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

NB

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

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on [http://www.thedti.gov.za/industrial\\_development/ip.jsp](http://www.thedti.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
- (ii) the declaration templates have been audited and certified to be correct.

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

|                              |
|------------------------------|
| Bid price, excluding VAT (y) |
|------------------------------|

|   |
|---|
| R |
|---|



|                                                                    |   |
|--------------------------------------------------------------------|---|
| Imported content (x), as calculated in terms of SATS 1286:2011     | R |
| Stipulated minimum threshold for local content (paragraph 3 above) |   |
| Local content %, as calculated in terms of SATS 1286:2011          |   |

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

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

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

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

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

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

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

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

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



**Annex D**

**Imported Content Declaration - Supporting Schedule to Annex C**

|                        |      |                                                |             |
|------------------------|------|------------------------------------------------|-------------|
| Tender No.             |      | Note: VAT to be excluded from all calculations |             |
| Tender description:    |      |                                                |             |
| Designated Products:   |      |                                                |             |
| Tender Authority:      |      |                                                |             |
| Tendering Entity name: |      |                                                |             |
| Tender Exchange Rate:  | Pula | EU R 9,00                                      | GBP R 12,00 |

| A. Exempted imported content                   |                                 |                |                   | Calculation of imported content                  |                      |                        |                                |                                             |                            | Summary    |                         |
|------------------------------------------------|---------------------------------|----------------|-------------------|--------------------------------------------------|----------------------|------------------------|--------------------------------|---------------------------------------------|----------------------------|------------|-------------------------|
| Tender item no's                               | Description of imported content | Local supplier | Overseas Supplier | Foreign currency value as per Commercial Invoice | Tender Exchange Rate | Local value of imports | Freight costs to port of entry | All locally incurred landing costs & duties | Total landed cost excl VAT | Tender Qty | Exempted imported value |
| (D7)                                           | (D8)                            | (D9)           | (D10)             | (D11)                                            | (D12)                | (D13)                  | (D14)                          | (D15)                                       | (D16)                      | (D17)      | (D18)                   |
|                                                |                                 |                |                   |                                                  |                      |                        |                                |                                             |                            |            |                         |
| <b>(D19) Total exempt imported value</b>       |                                 |                |                   |                                                  |                      |                        |                                |                                             |                            |            | R 0                     |
| This total must correspond with Annex C - C 21 |                                 |                |                   |                                                  |                      |                        |                                |                                             |                            |            |                         |

| B. Imported directly by the Tenderer          |                                 |                 |                   | Calculation of imported content                  |                         |                        |                                |                                             |                            | Summary    |                      |
|-----------------------------------------------|---------------------------------|-----------------|-------------------|--------------------------------------------------|-------------------------|------------------------|--------------------------------|---------------------------------------------|----------------------------|------------|----------------------|
| Tender item no's                              | Description of imported content | Unit of measure | Overseas Supplier | Foreign currency value as per Commercial Invoice | Tender Rate of Exchange | Local value of imports | Freight costs to port of entry | All locally incurred landing costs & duties | Total landed cost excl VAT | Tender Qty | Total imported value |
| (D20)                                         | (D21)                           | (D22)           | (D23)             | (D24)                                            | (D25)                   | (D26)                  | (D27)                          | (D28)                                       | (D29)                      | (D30)      | (D31)                |
|                                               |                                 |                 |                   |                                                  |                         |                        |                                |                                             |                            |            |                      |
| <b>(D32) Total imported value by tenderer</b> |                                 |                 |                   |                                                  |                         |                        |                                |                                             |                            |            | R 0                  |

| C. Imported by a 3rd party and supplied to the Tenderer |                 |                |                   | Calculation of imported content                  |                         |                        |                                |                                             |                            | Summary           |                      |
|---------------------------------------------------------|-----------------|----------------|-------------------|--------------------------------------------------|-------------------------|------------------------|--------------------------------|---------------------------------------------|----------------------------|-------------------|----------------------|
| Description of imported content                         | Unit of measure | Local supplier | Overseas Supplier | Foreign currency value as per Commercial Invoice | Tender Rate of Exchange | Local value of imports | Freight costs to port of entry | All locally incurred landing costs & duties | Total landed cost excl VAT | Quantity imported | Total imported value |
| (D33)                                                   | (D34)           | (D35)          | (D36)             | (D37)                                            | (D38)                   | (D39)                  | (D40)                          | (D41)                                       | (D42)                      | (D43)             | (D44)                |
|                                                         |                 |                |                   |                                                  |                         |                        |                                |                                             |                            |                   |                      |
| <b>(D45) Total imported value by 3rd party</b>          |                 |                |                   |                                                  |                         |                        |                                |                                             |                            |                   | R 0                  |

| D. Other foreign currency payments                                                    |                                   |                      | Calculation of foreign currency payments |                         | Summary of payments     |  |
|---------------------------------------------------------------------------------------|-----------------------------------|----------------------|------------------------------------------|-------------------------|-------------------------|--|
| Type of payment                                                                       | Local supplier making the payment | Overseas beneficiary | Foreign currency value paid              | Tender Rate of Exchange | Local value of payments |  |
| (D46)                                                                                 | (D47)                             | (D48)                | (D49)                                    | (D50)                   | (D51)                   |  |
|                                                                                       |                                   |                      |                                          |                         |                         |  |
| <b>(D52) Total of foreign currency payments declared by tenderer and/or 3rd party</b> |                                   |                      |                                          |                         |                         |  |

Signature of tenderer from Annex B \_\_\_\_\_

**(D53) Total of imported content & foreign currency payments - (D32), (D45) & (D52) above** R 0

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

This total must correspond with Annex C - C 23



# MBD 7.1 – MATATIELE LOCAL MUNICIPALITY

## CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

### PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution).....in accordance with the requirements and specifications stipulated in bid number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Technical Specification(s);
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
    - Declaration of interest;
    - Declaration of bidder's past SCM practices;
    - Certificate of Independent Bid Determination;
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

| WITNESSES |       |
|-----------|-------|
| 1         | ..... |
| 2.        | ..... |

# MBD 8 – MATATIELE LOCAL MUNICIPALITY

## 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 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 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   | Is the bidder or any of its directors listed on the National Treasury’s database as a company or person prohibited from doing business with the public sector?<br><br><b>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</b>                                                                                                                   | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 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)?<br><b>(To access this Register enter the National Treasury’s website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon “Register for Tender Defaulters” or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).</b> | Yes<br><input type="checkbox"/> | No<br><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<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.3.1 | If so, furnish particulars:                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                 |                                |

| Item  | Question                                                                                                                                                                                                            | Yes                             | No                             |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|--------------------------------|
| 4.4   | Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality, or to any other municipality / municipal entity, that is in arrears for more than three months? | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.4.1 | If so, furnish particulars:                                                                                                                                                                                         |                                 |                                |
| 4.5   | Was any contract between the bidder and the municipality 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<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.7.1 | If so, furnish particulars:                                                                                                                                                                                         |                                 |                                |

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME) .....  
CERTIFY THAT THE INFORMATION FURNISHED ON THIS  
DECLARATION FORM TRUE AND CORRECT.**

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

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

# **MBD 9 – MATATIELE LOCAL MUNICIPALITY**

## **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

**11. SCHEDULE A –  
CONFIRMATION OF REGISTRATION OF TENDERER ON NATIONAL TREASURY DATABASE**

| <b>TENDERER NAME</b> | <b>NATIONAL TREASURY<br/>DATABASE REGISTRATION<br/>NUMBER</b> |
|----------------------|---------------------------------------------------------------|
|                      |                                                               |

A tenderer who is not registered on the National Treasury Database ( CSD) is not precluded from submitting a tender; however such tenderer must be registered on the database prior to the finalisation of the evaluation of the tender in order for its bid to be considered responsive.

It is the responsibility of a tenderer to ensure that this requirement is complied with. In the case of Joint Ventures and Consortia, this requirement will apply to each party to the Joint Venture or Consortium.

Note:

**TENDERER'S SIGNATURE:** .....

**12. CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES**

**DECLARATION IN TERMS OF CLAUSE 112(1) OF THE MUNICIPAL FINANCE MANAGEMENT ACT (NO.56 OF 2003) - (To be signed in the presence of a Commissioner of Oaths)**

I, \_\_\_\_\_, \_\_\_\_\_ (full name and ID no.), hereby acknowledge that according to SCM Regulation 38(1)(d)(i), the Municipality may reject the tender of the tenderer if any municipal rates and taxes or municipal service charges owed by the Tenderer or any of its directors/members/partners to the Matatiele Local Municipality, or to any other municipality or municipal entity, are in arrears for more than 3 (three) months.

I declare that I am duly authorised to act on behalf of \_\_\_\_\_ (name of the firm) and hereby declare, that to the best of my personal knowledge, neither the firm nor any director/member/partner of said firm is in arrears on any of its municipal accounts with any municipality in the Republic of South Africa, for a period longer than 3 (three) months.

I further hereby certify that the information set out in this schedule and/or attachment(s) hereto is true and correct. The Tenderer acknowledges that failure to properly and truthfully complete this schedule may result in the tender being disqualified, and/or in the event that the tenderer is successful, the cancellation of the contract.

| PHYSICAL BUSINESS ADDRESS(ES) OF THE TENDERER | MUNICIPAL ACCOUNT NUMBER |
|-----------------------------------------------|--------------------------|
|                                               |                          |
|                                               |                          |

**FURTHER DETAILS OF THE BIDDER'S Director / Shareholder / Partners, etc.:**

| Director / Shareholder / partner | Physical address of the Business | Municipal Account number(s) | Physical residential address of the Director / shareholder / partner | Municipal Account number(s) |
|----------------------------------|----------------------------------|-----------------------------|----------------------------------------------------------------------|-----------------------------|
|                                  |                                  |                             |                                                                      |                             |
|                                  |                                  |                             |                                                                      |                             |
|                                  |                                  |                             |                                                                      |                             |

**NB: Please attach certified copy(ies) of ID document(s)**  
**If the entity or any of its Directors/Shareholders/Partners, etc. rents/leases premises, a copy of the rental/lease agreement must be submitted with this tender.**

| Signature | Position | Date |
|-----------|----------|------|

**COMMISSIONER OF OATHS**

Signed and sworn to before me at \_\_\_\_\_, on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

by the Deponent, who has acknowledged that he/she knows and understands the contents of this Affidavit, it is true and correct to the best of his/her knowledge and that he/she has no objection to taking the prescribed oath, and that the prescribed oath will be binding on his/her conscience.

**COMMISSIONER OF OATHS:-**

Position: \_\_\_\_\_  
 Address: \_\_\_\_\_

**Apply official stamp of authority on this page:**



## O. Ethics Commitment for Suppliers of the Matatiele Local Municipality

**In our dealings with the Matatiele Local Municipality we commit to uphold high standards of ethics. Among other things this means:**

- We will be honest and deal in good faith;
- We will not try to improperly influence any municipal official or decision;
- We will avoid all conflicts of interest;
- We will not engage in any form of corruption (e.g. paying bribes, giving kickbacks);
- We will not give gifts to municipal officials or councillors;
- We will not be involved in collusion with other service providers (i.e. price-fixing);
- We will ensure that all information we submit to the municipality is accurate and truthful (e.g. we will not engage in BBBEE fronting).
- We will inform the Municipality of any unethical behaviour which we become aware of in the procurement process, either related to other suppliers or to municipal officials.\*
- We will, through all our dealings, contribute to building a positive ethical culture in the Matatiele Local Municipality.

This is our commitment to help build an ethical community.

Name of Company: \_\_\_\_\_

Name of authorised person: \_\_\_\_\_

Signature: \_\_\_\_\_

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

\* If you wish to report unethical conduct you can contact or \*If you are aware of any fraud/ corruption within the municipality. These may be reported anonymously, to The Acting Municipal manager: LMatiwane [@matatiele.gov.za](mailto:LMatiwane@matatiele.gov.za)



102 Main Street,  
Matatiele  
P.O. Box 35,  
Matatiele, 4730  
**Tel:** 039 737 3135  
**Fax:** 039 737 3611

## **TERMS OF REFERENCE**

**SCMU11: MAFUBE (260) DESTITUTE RURAL HOUSING  
PROJECT: APPOINTMENT OF A CONTRACTOR FOR  
CONSTRUCTION OF 260 UNITS IN MATATIELE LOCAL  
MUNICIPALITY**

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## 1. BACKGROUND

The Municipality is engaged to improve and accelerate delivery of RDP houses in the province and to fast track the implementation of these projects. The Municipality will be utilizing the pre-qualification database to appoint a suitable contractor to undertake the implementation/construction phase of the project:

Detailed information on the phase of the project are put on the content of this document. The project total scope is 260 units under Matatiele Local Municipality in the Alfred Nzo District.

## 2. PROJECT LOCATION

The project is in 22 km North West of Matatiele town under Matatiele Local Municipality. The area, Mafube in Ward 7 of Matatiele Local Municipality, is accessible via established gravel roads and access tracks to individual beneficiary sites.

## 3. PROJECT DESCRIPTION

The project details are as follows: -

**TABLE 1: PROJECT DETAILS**

| <b>NO.</b> | <b>AREA</b>   | <b>LOCAL MUNICIPALITY</b> | <b>DISTRICT MUNICIPALITY</b> | <b>No OF WATER TANKS</b> | <b>No. OF VIPs</b> | <b>NO. OF UNITS</b> |
|------------|---------------|---------------------------|------------------------------|--------------------------|--------------------|---------------------|
| <b>1.</b>  | <b>MAFUBE</b> | <b>MATATIELE</b>          | <b>ALFRED NZO</b>            | <b>260</b>               | <b>260</b>         | <b>260</b>          |
|            | <b>TOTAL</b>  |                           |                              |                          |                    | <b>260</b>          |

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**TABLE 2: PROJECT INFORMATION**

| <b>NO.</b> | <b>DESCRIPTION</b>                                                        | <b>STATUS</b> | <b>COMMENT</b>                                                                                                                                                        |
|------------|---------------------------------------------------------------------------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.         | Number of approved beneficiaries                                          | 260           | <i>List of approved beneficiaries will be provided by the Municipality.</i>                                                                                           |
| 2.         | EIA Exemption                                                             | Completed     | <i>Exemption letter will be provided by the Municipality.</i>                                                                                                         |
| 3.         | Geo-technical Investigation                                               | Completed     | <i>The Geo-tech report will be provided to the successful bidder. Where investigated positions have changed, such sites shall be subject to further investigation</i> |
| 4.         | House Plan                                                                | Completed     | <i>To be issued by the Department of Human Settlements</i>                                                                                                            |
| 5.         | Foundation Design                                                         | Completed     | <i>To be issued by the Professional Service Provider</i>                                                                                                              |
| 6.         | Water Tank and Stand Design                                               | Completed     | <i>To be issued by the Professional Service Provider</i>                                                                                                              |
| 7.         | VIP Toilet and Design                                                     | Completed     | <i>To be issued by the Professional Service Provider</i>                                                                                                              |
| 8.         | NHBRC Home Enrolment                                                      | Outstanding   | <i>The Professional Service Provider to amend existing enrolment with NHBRC.</i>                                                                                      |
| 9.         | Global Positioning System (GPS) – Co-ordinates for each beneficiary stand | Completed     | <i>To be issued by the Professional Service Provider</i>                                                                                                              |
| 10.        | Occupational Health & Safety Plan                                         | Outstanding   | <i>Contractor to provide and implement Health &amp; Safety Plan</i>                                                                                                   |
| 11.        | Construction                                                              | Outstanding   | <i>Contractor has not been appointed</i>                                                                                                                              |
| 12.        | Close out Report                                                          | Outstanding   | <i>Contractor will be responsible for close-out report</i>                                                                                                            |

#### **4. SCOPE OF WORKS**

There will be one (1) contractor appointed for the construction phase of this project as outlined under Section 4.1 below.

##### **4.1 CONSTRUCTION**

This phase entails the construction of RDP houses and the partial services (VIP and Water tanks with stand) and top structure, further social facilitation, Contracts administration and inspection (including Principal Agents/Engineer duties), Construction Monitoring Level 3 (as per Government Gazette No.

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38324, Vol. 594), Occupational Health & Safety and Environmental Management inclusive of the applicable monitoring agents and Close Out.

4.1.1 The contractor will be responsible for the following during this stage:

4.1.1.1 Continuation with the social facilitation process;

4.1.1.2 Construction of the required infrastructure, including Ventilated Improved Pits (VIP's) toilet and water tank on stand;

4.1.1.3 Construction of forty square metre (**40m<sup>2</sup>**)/ (**45m<sup>2</sup>**) for disabled top structures and foundations;

4.1.1.4 Monthly progress reporting;

4.1.1.5 Conduct fortnightly technical site meetings;

4.1.1.6 Further engagement with NHBRC to obtain Final Unit Reports (FURs) for all completed units;

4.1.1.7 Obtaining completion certificates (“Happy Letters”) for all completed units;

4.1.1.8 Handover of houses; and services; and provide necessary reports on project completion for project close-out and commissioning.

## **5 MINIMUM SPECIFICATIONS**

### **5.1 GENERAL**

5.1.1 All works to be carried out in compliance with the Municipality of Housing Generic Specifications (GFSH 1 to 11) and the Technical Guidelines as contained in the Housing Code and NHBRC Home Builders Manual and SANS 10400;

5.1.2 All Municipality of Labour and Expanded Public Works Program (EPWP) requirements should be met;

5.1.3 All works to be done in compliance with the current Occupational Health & Safety Regulations;

5.1.4 All works must also be done in compliance with all Environmental Regulations. Specifically, must utilize already existing roads/water course crossings. Development of new roads and watercourse crossing or the expansion thereof is prohibited.

5.1.5 All relevant Local Authority requirements to be adhered to and relevant permission obtained; and

5.1.6 All works must be done in compliance with the Municipality of Local Government Covid-19 Regulations as well as the NHBRC Guidelines for the Management of Projects Under Construction, During & Post Covid-19

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## **5.2 INFRASTRUCTURE**

In addition to the above, the minimum requirements for infrastructure will be in accordance with the following:

- 5.2.1 Guidelines for Human Settlements Planning and Design Vol. 1 & 2 (“Redbook”);
- 5.2.2 NHBRC Technical Requirements, SANS 10400 and
- 5.2.3 Municipality of Housing Generic Specification, GFSH 08;

## **5.3 VIP TOILETS:**

- 5.3.1 Must be designed to withstand all weather conditions;
- 5.3.2 Top structure floor area must be a minimum of 1m<sup>2</sup>; and a minimum internal height of 1.8m;
- 5.3.3 Top structure must be anchored to the floor;
- 5.3.4 Doors must be stainless steel fully galvanized lockable and spring-loaded door;
- 5.3.5 Roof must be concrete slab;
- 5.3.6 Floors must be concrete;
- 5.3.7 100mm black ventilation pipe fixed to the back of the toilet top structure, extending minimum 200mm above the roof (to ventilate the pit);
- 5.3.8 Pan with toilet seat;
- 5.3.9 Pit to have a minimum volume of 2.2m<sup>3</sup> and to be lined; and
- 5.3.10 Pit to be sealed if dictated by the Groundwater Protocol investigation.

## **5.4 WATER TANKS:**

- 5.4.1 Must be a minimum size of 2500 litres (SABS approved);
- 5.4.2 Tanks to be seated on a plinth of minimum height of 0.5m;
- 5.4.3 Tank stand must be designed to support the full tank as well as withstand all weather conditions;
- 5.4.4 Gutters and downpipes provided to drain the entire roof into the tank and gutters must be fixed to the wall up to the water tank and must be designed to withstand all weather conditions while the tank is empty or full; and
- 5.4.5 The designs must be provided in both hard and soft copy.

## **5.5 TOPSTRUCTURE**

In addition to the specification already mentioned, the following are additional minimum requirements:

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- 5.5.1 2015 revised National Building regulations; South African National Standards (SANS) 10400 XA Energy Usage in Buildings and therefore all work must comply with SANS 10400;
- 5.5.2 All external doors must be SABS approved hardwood such as meranti frame ledged button doors or similar approved doors
- 5.5.3 All door locks must be SABS approved with a minimum of five-year guarantee
- 5.5.4 SABS approved roof trusses to be used and Roof Covering to be cement roof tiles;
- 5.5.5 Smaller size windows and special low E clear and E opaque safety glass for all window types as prescribed;
- 5.5.6 Concrete aprons to be provide on all 4 sides with a minimum width of 1000mm including storm water management precautionary measures (as per NHBRC project enrolment requirement);
- 5.5.7 Fascia's and barge boards to be provided;
- 5.5.8 House to be plastered and painted both internally and externally;
- 5.5.9 Installation of a ceiling with the prescribed air gap for the entire dwelling.
- 5.5.10 Installation of above ceiling insulation comprising a 130mm mineral fiberglass blanket for the entire house; and
- 5.5.11 Installation of a pre-paid meter with distribution board including plugs and lights to all living areas of the house.

## **6 PROJECT DELIVERABLES**

### **6.1 GENERAL**

The scope of works detailed in Section 4 clearly describes the extent of what is expected from the contractor. Project deliverables can, however, be summarized as follows:

- 6.1.1 Completing the actual construction of engineering services and top structures as described in the scope of works, including providing FURs, Certificates and “Happy Letters”

## **7 PROPOSAL FORMAT**

Bidders must submit (one) 1 sealed envelope of their proposal to fulfill the project deliverables described above:

- 7.1. PROPOSAL ENVELOPE** is to contain a copy of document as **Financial Proposal**.

### **7.2 FINANCIAL SCHEDULE OF RATES**

The Average Construction Rate is firm and fixed, including total fees and expenses (**VAT zero rated**), in order to complete the project.

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**TABLE 3: SCHEDULE OF RATES**

| <b>CONSTRUCTION (40 m<sup>2</sup> House)</b> |                                                                                                                                                      |             |            |             |                  |
|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------|-------------|------------------|
| <b>NO.</b>                                   | <b>ACTIVITY DESCRIPTION</b>                                                                                                                          | <b>UNIT</b> | <b>QTY</b> | <b>RATE</b> | <b>TOTAL</b>     |
| 3.1                                          | <b>Foundation</b> - Stiffened Raft - [C2] (earthworks, drainage, concrete & reinforcement): TYPE 1                                                   | NO.         | 244        |             |                  |
| 3.2                                          | <b>Foundation</b> - Stiffened Raft - [R] (earthworks, drainage, concrete & reinforcement): TYPE 2                                                    | NO.         | 16         |             |                  |
| 3.3                                          | <b>Foundation / Ground Slab</b> - Stiffened Strip Footing - [C2] (earthworks, drainage, concrete & reinforcement)                                    | NO.         | 1          |             | <b>Rate only</b> |
| 3.4                                          | <b>Foundation / Ground Slab</b> - Normal Foundation - [R] (earthworks, drainage, concrete & reinforcement)                                           | NO.         | 1          |             | <b>Rate only</b> |
| 3.5                                          | <b>Wall plate</b> (Brickwork, Doors and Frames, Windows and electrical tubing)                                                                       | NO.         | 260        |             |                  |
| 3.6                                          | <b>Roof</b> (Structure, Underlay, Covering and beam filling)                                                                                         | NO.         | 260        |             |                  |
| 3.7                                          | <b>Completion</b> (Ceiling and insulation, finishes, aprons, plastering and painting, electrical works, fascia, barge boards, gutters and downpipes) | NO.         | 260        |             |                  |
| 3.8                                          | 2500L Water tank and stand                                                                                                                           | NO.         | 260        |             |                  |
| 3.9                                          | VIP Toilets                                                                                                                                          | NO.         | 260        |             |                  |
| 3.10                                         | Monthly progress reporting and EPWP reports                                                                                                          | NO.         | 1          |             |                  |
| 3.11                                         | Obtaining of FUR's from NHBRC, COC's, Happy letters and completion certificates                                                                      | NO.         | 260        |             |                  |
| 3.12                                         | Implementation of Occupational Health and Safety Plan                                                                                                | NO.         | 1          |             |                  |
| 3.13                                         | Implementation of Environmental Management Plan                                                                                                      | NO.         | 1          |             |                  |
| <b>SUBTOTAL</b>                              |                                                                                                                                                      |             |            | <b>R</b>    | <b>R</b>         |
| <b>TOTAL = SUM OF SUB TOTALS</b>             |                                                                                                                                                      |             |            | <b>R</b>    | <b>R</b>         |

Bidders must ensure that they fill this document **with black ink**, Failure to completely fill this document will result in your bid not being considered.

The Financial schedule provided shall specify and state a firm and fixed price, including total fees and expenses (VAT zero rated), in order to complete the project. Payment will only be made upon the completion of each milestone. Payment milestones are as detailed in section 8.

**NB:** “Where no Geo-technical investigation report or foundation designs are currently available, a site classification of **C2** must be used for pricing purposes”

**TABLE 3B: RATES ONLY**

| <b>NO.</b>                    | <b>DESCRIPTION OF EXTRA WORK</b>        | <b>UNIT</b> | <b>QTY</b>      | <b>RATE</b> | <b>AMOUNT</b> |
|-------------------------------|-----------------------------------------|-------------|-----------------|-------------|---------------|
| 1                             | Access road with storm water control    | km          | 1               |             | RATE ONLY     |
| 2                             | Paving and ramp at the doorway          | m2          | 1               |             | RATE ONLY     |
| 3                             | Hand and Grab rails                     | m           | 1               |             | RATE ONLY     |
| 4                             | Sub-surface drainage                    | m           | 1               |             | RATE ONLY     |
| 5                             | Hard rock excavation                    | m3          | 1               |             | RATE ONLY     |
| 6                             | Boulder excavation                      | m3          | 1               |             | RATE ONLY     |
| 7                             | Supply and filling of imported material | m3          | 1               |             | RATE ONLY     |
| 8                             | Cutting of slopes less 2m deep          | m2          | 1               |             | RATE ONLY     |
| 9                             | Cutting of slopes more than 2m deep     | m2          | 1               |             | RATE ONLY     |
| 10                            | Retaining walls less than 2m deep       | m2          | 1               |             | RATE ONLY     |
| 11                            | Retaining walls more than 2m deep       | m2          | 1               |             | RATE ONLY     |
| 12                            | Double handling of material (Per Unit)  | km          | 1               |             | RATE ONLY     |
| 13                            | Triple handling of material (Per Unit)  | km          | 1               |             | RATE ONLY     |
| 14                            | Demolish & Cart away                    | No.         | 1               |             | RATE ONLY     |
| <b>TOTAL RATE ONLY AMOUNT</b> |                                         |             |                 |             |               |
|                               |                                         |             | <b>PER UNIT</b> |             |               |

**NB:** This table is merely to allow bidders to indicate estimated costs/ rate only for all extra over extraordinary activities that are over and above normal extraordinary conditions.

***And will only be executed upon prior approval by the Matatiele Local Municipality when the need arises. Failure to obtain prior approval may lead to claims not being entertained.***

Bidders must ensure that they fill this document **with black ink**, Failure to completely fill this document will result in your bid not being considered.

The Financial schedule provided shall specify and state a firm and fixed price, including total fees and expenses (VAT zero rated), in order to complete the project. Payment will only be made upon the completion of each milestone. Payment milestones are as detailed in section 8.

**NB:** “Where no Geo-technical investigation report or foundation designs are currently available, a site classification of **C2** must be used for pricing purposes”.

## **8. PAYMENT MILESTONES**

Payment will only be made upon value created on site, approved and certified by competent person or Municipality for the completion of milestones (payment milestones) as follows:

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**TABLE 4: PAYMENT MILESTONES**

| ITEM                  | MILESTONE                                                                                                                                            | UNIT | QUANTITY | PERCENTAGE PAYABLE PER UNIT COST |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|------|----------|----------------------------------|
| 1                     | <b>Foundation/Ground Slab</b> (earthworks, drainage, concrete & reinforcement)                                                                       | No.  | 1        | 22.0%                            |
| 2                     | <b>Wall plate</b> (Brickwork, Doors and Frames, Windows and electrical tubing)                                                                       | No.  | 1        | 22.0%                            |
| 3                     | <b>Roof</b> (Structure, Underlay, Covering and beam filling)                                                                                         | No.  | 1        | 22.0%                            |
| 4                     | <b>Completion</b> (Ceiling and insulation, finishes, aprons, plastering and painting, electrical works, fascia, barge boards, gutters and downpipes) | No.  | 1        | 22.0%                            |
| 5                     | 2500L Water tank and stand                                                                                                                           | No.  | 1        | 5.0%                             |
| 6                     | VIP Toilets                                                                                                                                          | No.  | 1        | 5.0%                             |
| 7                     | Monthly progress reporting and EPWP reports                                                                                                          | No.  | 1        | 0.2%                             |
| 8                     | Obtaining of FUR's from NHBRC, COC's, Happy letters and completion certificates                                                                      | No.  | 1        | 0.8%                             |
| 9                     | Implementation of Occupational Health and Safety Plan                                                                                                | No.  | 1        | 0.5%                             |
| 10                    | Implementation of Environmental Management Plan                                                                                                      | No.  | 1        | 0.5%                             |
| <b>TOTAL PER UNIT</b> |                                                                                                                                                      |      |          |                                  |

**NB:** A sectional completion plan must be provided as a proposal by the contractor, agreed upon and approved by the Municipality. A written approval of the sectional completion plan must form part of the contract. All claims will only be paid as per certified value created on site.

## 9. EVALUATION CRITERIA (as per municipal policy)

### 12. FUNCTIONALITY

With regard to functionality the following criteria will be applicable and the maximum points of each criterion is indicated below:

#### EVALUATION CRITERIA MAFUBE

##### PHASE 1 FUNCTIONALITY

| NO  | CRITERION AND RISK ASSESSMENT BY MUNICIPALITY: FUNCTIONALITY EVALUATION                                                                   | SCORE     | POINTS (ASSESSOR TO TICK) |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------|-----------|---------------------------|
| 1.  | <b>PREVIOUS EXPERIENCE IN RDP PROJECTS TO BE SUBMITTED BY THE BIDDER (attach signed appointment letters with completion certificates)</b> |           | <b>20</b>                 |
| 1.1 | Completed Minimum of Three RDP projects with 500 or more housing units.                                                                   | 20        |                           |
| 1.2 | Completed Minimum of Three RDP projects with between 300 and 400 housing units.                                                           | 10        |                           |
| 1.3 | Completed Minimum of Two RDP projects between 150 and 250 housing units.                                                                  | 5         |                           |
| 2.  | <b>KEY PERSONNEL IN RDP PROJECTS</b>                                                                                                      |           | <b>30</b>                 |
|     | <b>SITE MANAGER</b> (attach C.V with traceable references and Btech or degree in Construction Management (attach certified certificate)   | <b>15</b> |                           |
| 2.1 | Site Management experience of 15 years or more                                                                                            | 15        |                           |
| 2.2 | Site Management experience of 10-14 years                                                                                                 | 10        |                           |
| 2.3 | Site Management experience of 2-9 years                                                                                                   | 5         |                           |
|     | <b>QUANTITY SURVEYOR</b> (attach C.V with traceable references and Btech/Bsc degree in Quantity Surveying (attach certified certificate)  | <b>15</b> |                           |
| 2.4 | Quantity surveying experience of 15 years or more                                                                                         | 15        |                           |

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|              |                                                                                                                                                                                                                                                                                 |    |            |
|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|
| 2.5          | Quantity surveying experience of 10-14 years or more                                                                                                                                                                                                                            | 10 |            |
| 2.6          | Quantity surveying experience of 2-9 years or more                                                                                                                                                                                                                              | 5  |            |
| 3.           | <b>EQUIPMENT RELEVANT FOR THE ASSIGNMENT</b>                                                                                                                                                                                                                                    |    | <b>20</b>  |
| 3.1          | Access to all of the following: 1. TLB; 2. Tipper Truck or Drop-side truck; 3. Compactor / Roller; 2X Bakkie; and 5. Batch Plant or Concrete Mixer<br><u>Please attach registration certificate(log book)</u><br><u>Lease agreement or proof of ownership</u> (To be submitted) | 20 |            |
|              |                                                                                                                                                                                                                                                                                 |    |            |
| 4.           | <b>Contractor's understanding of the execution of a successful RDP Project Methodology. Submit clear step by step Illustration / Flow Chart as Per (Phase:1, 2 &amp; 3)</b>                                                                                                     |    | <b>5</b>   |
| 5            | <b>NATIONAL HOME BUILDERS REGISTRATION COINCIL (NHBRC) (Attached Valid Certificate)</b>                                                                                                                                                                                         |    | <b>25</b>  |
| <b>TOTAL</b> |                                                                                                                                                                                                                                                                                 |    | <b>100</b> |

**A bidder scoring less than 80 out 100 in respect of functionality will be regards as submitting non-responsive bid and will be disqualified.**

**Bidders should take note of the above technical (quality) evaluation criteria.**

All the necessary documentation must be submitted for the Evaluation Panel to make an informed evaluation. Evaluation of the Technical (Quality) Requirements will be based on the information provided by the bidder.

[i] **Experience** – Detailed experience must be provided.

[ii] **Expertise** – The qualifications and capacity of the company/team to undertake the work must be provided for evaluation purposes.



### 13. OBJECTIVE CRITERIA

- a. The **Department** reserves the right not to appoint the highest scoring bidder, in a case where the bidder has quoted below the minimum market related price of **R170 000.00 per unit**. The market related price includes all extra ordinary development site conditions i.e. double handling, difficult terrain, scatteredness of sites, creation of access roads to each unit and all geo technical site conditions.

14.2 Risk analysis:

14.3 The Municipality has the right to conduct a risk analysis on shortlisted bidders including contractors site visit and conduction of loco inspection.

14.4 The risk assessment implies a systematic identification and judgement of potential risks levels to create a foundation decision making

14.5 The risk analysis will be conducted on **previous completed projects** not older than **three (03) years** from the list of projects that were used to assess the contractor at the time they were shortlisted to participate in the panel of contractors. Bidders must submit appointment letters, performance reports which must reflect 90% completion, practical completion certificates or final completion certificate for assessment of risk.

14.5.1 Where bidders **fail** to supply performance report or a bidder has not undertaken a project within the requested period, the Department will request performance report from the projects assessed during the evaluation for placement on the panel.

14.5.2 Where client references are found to be unreachable or uncooperative to submitting performance reports. the department will not allocate any points for non-submission.

14.5.3 Where performance reports are found to be fraudulent or there's misrepresentation of information, the Department will eliminate the bidder from further evaluation.

#### 14.5.4 Risk assessment scorecard

14.5.4.1 The risk assessment score card will focus on the following risk factors.

14.5.4.1.1 Pricing of bill of quantities.

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14.5.4.1.2 Performance on pervious projects.

14.5.4.1.3 Quality standard of completed projects this refers to assessment of quality, contract extension and variation orders.

14.5.4.2 Risk will be assessed through scoring risk levels as below:

14.5.4.2.1 Severe = 04 points

14.5.4.2.2 Major = 03 points

14.5.4.2.3 Moderate = 02 points

14.5.4.2.4 Minor= 01 points

14.5.4.3 The average score of seven **(07) points** will be maximum risk level the Department is willing to accept.

14.5.4.4 Bidders who score a total average of eight **(08) points and above** will be considered to containing a potential **significant to severe risk level** and **will not be considered for appointment.**

| <b>RISK ASSESSMENT SCORECARD</b> |                                                                                                                                                         |                                                                                                                |                                                                                                                                                          |                                                                    |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| <b>Risk level</b>                | <b>Risk description</b>                                                                                                                                 | <b>Item pricing in BOQ</b>                                                                                     | <b>Performance on previous project</b>                                                                                                                   | <b>Quality</b>                                                     |
| <b>4 – Severe</b>                | Risk that will have a severe impact on achieving desired results to the extent that one or more of its critical outcome objectives will not be achieved | Multiple BOQ items not priced, BOQ incorrectly calculated, no clear or ambiguous indication of offered amount. | Project completed/not completed within <b>181 or more days past</b> the stipulated time frames. Project extension due to uncontrollable and controllable | Project completed/not completed with outstanding compliance issues |

|                     |                                                                                                                                                                    |                                                                                               |                                                                                                                                                                                                                             |                                                             |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
|                     |                                                                                                                                                                    |                                                                                               | determinants.<br>Resource<br>(Financial,<br>Plant and<br>human) poorly<br>utilised.                                                                                                                                         |                                                             |
| <b>3 - Major</b>    | Risk that will have a significant impact on achieving desired results, to the extent that one or more stated outcome objectives will fall below acceptable levels. | 01 to 02 BOQ items. not priced.<br>BOQ incorrectly calculated, Ambiguous indication of offer. | Project completed within <b>91 to 180 days past</b> the stipulated time frames.<br>Project extension due to uncontrollable and controllable determinants.<br>Resource (Financial, Plant and human) not effectively utilised | Project completed with partially resolved compliance issues |
| <b>2 - Moderate</b> | Risk that will have a Moderate impact on achieving desired results, to the extent that one or more stated                                                          | All BOQ items priced.<br>BOQ incorrectly calculated with minor corrections.                   | Project completed within 90 days past the stipulated time frames.<br>Project extension due to uncontrollable                                                                                                                | Project completed with resolved minor compliance issues     |

|                  |                                                                               |                                                             |                                                                                                                  |                                                         |
|------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
|                  | outcomes objectives will fall below goals but above minimum acceptable levels |                                                             | determinants. Resource (Financial, Plant and human) effectively utilised.                                        |                                                         |
| <b>1 – Minor</b> | Risk has little or no impact on achieving outcome objectives                  | All BOQ items effectively priced, clear indication of offer | Project completed within the stipulated time frames. Resource (Financial, Plant and human) effectively utilised. | Project completed with no outstanding compliance issues |

## 16. LEGALITIES OF CONTRACT AND TENDER RULES

### 16.1 GENERAL CONDITIONS OF CONTRACT–

**16.1.1** The JBCC shall apply

### 16.2 SPECIAL CONDITIONS OF BID

**16.2.1** Appointed contractors must procure goods within the local municipality. Where it is proven beyond reasonable doubt that these goods and material could not be found, the service provider must inform the client before proceeding to the district jurisdiction. When they are convinced that no supplier in the area, then they can proceed beyond the jurisdiction of the district municipality.

**16.2.2** Where possible the appointed contractor will source the following locally found commodities that are used in the construction of a house in accordance with the

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Department of Human Settlements' norms and standards of housing designs and specification: -

**16.2.2.1** Sand and cement, Concrete using aggregates such as 19mm stone, cement and sand, Mesh reinforcement – Ref 193 / 245, Damp proof Membrane 250 micron, M4 or M6 Blocks, Timber, steel and aluminium windows, Timber, steel and aluminium doors, Timber roof trusses, Clay roof tiles, Fibre cement or rhino board ceiling, Fibre cement Fascia's and Barge board, Paints, PVC Rainwater goods, Rainwater tanks, and Plumbing material.

### **16.3 SPECIFIC CONDITIONS OF CONTRACT**

- 16.3.1** The Contractor will have to sign a valid contract agreement with the Municipality immediately upon approval of the award.
  - 16.3.2** The successful tenderer shall subcontract a minimum of 30% of the contract value to designated groups, this applies to contracts above R30 million value in terms of the PPPFA Act 5 of 2000, regulation 2017.
  - 16.3.3** The Contractor will be liable for any recollection of missing data, as a result of poor completion of questionnaire by the appointed entity;
  - 16.3.4** Copyright of the reports to be delivered by the bidder to the Department will vest upon the Department on acceptance of the final reports.
  - 16.3.5** The contractor must have access to internet as basis of communication (email).
  - 16.3.6** The contractor will furnish the Municipality with an invoice upon Completion of each milestone (along with other required supporting documentation).
  - 16.3.7** Contractor will be required to attend an initial meeting organized by the Municipality to introduce the relevant project stakeholders.
  - 16.3.8** All works must be done in compliance with the Department of Local Government Covid 19 Regulations as well as the NHBRC Guidelines for the Management of Projects Under Construction, During and Post Covid 19
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## **17. INSTRUCTIONS TO BIDDERS**

### **17.1 PUBLICATION REFERENCE**

In submitting their bid, bidders must respect all instructions, forms, Terms of reference, contract provisions and specifications contained in this bid dossier. Failure to submit a bid containing all the required information and documentation within the deadline specified will lead to the rejection of the bid.

### **17.2 SUBMISSION REQUIREMENTS AND SELECTION CRITERIA**

Bidders are required to submit the following documents (copies must be certified):

- **Original** Valid Tax Clearance Certificate from SARS;
- Proof of Company Registration with CSD Certified ID Copies of Director(s)

Invalid or non-submission of the documents listed above will lead to the disqualification and where the bidder is registered on the Municipal Database System reference can be made to such document and it is the bidders responsibility to ensure that the document does exist and verification of such registration will be done by the municipality and where the bidder is found to be not registered or have submitted incorrect registration details will be regarded as non-responsive and be disqualified from the bid.

## **18. CONDITIONS OF APPOINTMENT**

Compliance with requirements and performance as stipulated in terms of the Terms of Reference is a specific condition of the appointment of the Service Provider. The Municipality will provide all relevant information available for the purpose of successfully completing the project.

## **19. SERVICES TO BE PROVIDED**

The services required by the Municipality are described in these Terms of Reference.

## **20. PARTICIPATING AND SUB-CONTRACTING**

20.1 Participation in this bid is open to everyone.

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20.2 Bids should be submitted by the same service provider or consortium, which has submitted the proposal on the basis of the above. **No change whatsoever in the identity or composition of the bidder is permitted;**

20.3 Short-listed service provider or consortia are not allowed to form alliances with any other firms or to sub-contract to each other for the purpose of this contract;

20.4 Duplication of bid document is prohibited.

## **21. CONTENTS OF BIDS**

Bid is all inclusive of the functionality and price bidding.

## **22. PRESENTATIONS / ADJUDICATION**

18.1 The Evaluation Committee may call for presentation by the short-listed bidders, after having established its written provisional conclusions but before concluding the technical evaluation.

18.2 The date and time of any such presentation will be confirmed or notified to the short-listed bidders at least seven days in advance. If a bidder is prevented from attending presentation by force majeure, a mutually convenient alternative appointment may be arranged with the bidder. If the bidder is unable to attend this second appointment, its bids will be eliminated from the evaluation process.

## **19. VARIANT SOLUTIONS**

Any variant solutions will not be taken into consideration.

## **20. CESSION**

No **cession agreement** will be entered to between the municipality and any Service Provider.

## **21. PERIOD DURING WHICH BIDS ARE BINDING-**

Bidders are bound by their bids for 90 days after the deadline for the submission of bids. In exceptional cases, before the period of validity expires, the Contracting Authority may ask bidders to extend the period for a specific number of days, which may not exceed 60. The successful bidder must maintain its bid for a further 60 days from the date of notification that its bid has been selected for the contract.

## **22. ADDITIONAL INFORMATION BEFORE THE DEADLINE FOR SUBMISSION OF BIDDERS**

The bid dossier should be clear enough to avoid the Contracting Authority from having request additional information during the procedure. If the Contracting Authority, either on own

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initiative or in response to the request of a short-listed candidate, provides additional information on the bid dossier, such information will be sent in writing to all other bidders at the same time.

Bidders may submit questions in writing to the following address up to 7 days before the deadlines for submission of bids, specifying the publication reference and the bid title:

**For more information, please contact Ms T Matela**

**Matatiele Local Municipality**

**102 Main Street**

**P.O. Box 35**

**MATATIELE**

**4730**

**Attention: Mr. Z.C MATOLO (Manager: Supply Chain Management)**

**Matatiele Local Municipality**

**102 Main Street**

**P.O. Box 35**

**MATATIELE**

**4730**

Any prospective bidders seeking to arrange individual meetings with either the Contracting Authority during the bid period may be excluded from the bid procedure.

Any clarification of the bid dossier will be communicated simultaneously in writing to all bidders at the latest 3 calendar days before the deadline for submission of bids. No further clarifications will be given after this date.

Visit by individual prospective bidder during the bid period are not permitted other than the site visits for good reasons.

## **23. SUBMISSION OF BIDS**

Bids must be submitted in English such that they are received before the deadline by in the letter of invitation to bid. Any infringement of these rules (e.g. unsealed envelopes) is to be considered a

breach of the rules, and will lead to rejection of the bid. The envelope should carry the following information:

The address for submission of bid indicated above;

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## **24. ALTERATIONS OR WITHDRAWAL OF BIDS**

24.1 Bidders may alter or withdraw bids by written notification prior to the deadline for submission of bids. No bid may be altered after this deadline.

24.2 Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with clause 8. The envelope must be marked “Alteration” or “Withdrawal” as appropriate.

## **25. COSTS FOR PREPARING BIDS**

No costs incurred by the bidder in preparing and submitting the bid shall be reimbursable. All such costs shall be borne by the bidder. In particular, if proposed key members were interviewed, all costs shall be borne by the bidder.

## **26. OWNERSHIP OF BIDS**

The Contracting Authority retains ownership in all bid received (this excludes intellectual property for all but the successful bidder) under this tendering procedure. Consequently, bidders have no right to have their bids returned to them.

## **27. CONFIDENTIALITY**

27.1 The entire evaluation procedure, from the drawing up of the shortlist to the signature of the contract, is confidential. The Evaluation / Adjudication Committee’s decisions are collective and its deliberations are held in closed session. The members of the Evaluation / Adjudication Committee are bound to secrecy.

27.2 The evaluation reports and written records, in particular, are for official use only and may be communicated to neither the bidders nor to any party other than the Contracting Authority.

## **28. ETHICS CLAUSES / CORRUPTIVE PRACTICES**

28.1 Any attempt by a bidder to obtain confidential information, enter into unlawful agreements with competitors or influence the Evaluation / Adjudication Committee or the Contracting Authority during the process of examining, clarifying, evaluating, comparing and adjudication bid will lead to the rejection of its bid and may result in administrative penalties.

28.2 The bidder must not be affected by any potential conflict of interest

28.3. The Matatiele Local Municipality reserves the right to suspend or cancel funding to this project if corrupt practices of any kind are discovered at any stage of the award process or

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during the implementation of a contract, if the Contracting Authority fails to take all appropriate measures to remedy the situation. For the purposes of this provision, “corrupt practices” are the offer of a bribe, gift, gratuity or commission to any person as an inducement or reward for performing or refraining from any act relating to the award of a contract or implementation of a contract already concluded with the Contracting Authority.

28.4 Failure to comply with one or more of the ethics clauses may result in the exclusion of the bidder or contractor from other Community contracts and in penalties.

## **29. DOCUMENTARY EVIDENCE REQUIRED FROM THE SUCCESSFUL BIDDER**

29.1 The successful bidder will be informed in writing that its bid has been accepted (notification of award). Before the Contracting Authority signs the contract with a Successful bidder, a successful bidder may be requested to provide additional information as deemed necessary by the Contracting Authority.

29.2 This evidence or these documents must carry a date, which cannot be more than 180 days in relation to the deadline for the submission of the bidder. In addition, a sworn statement shall be furnished stating that the situations described in these documents have not changed since then.

29.3 If the successful bidder fails to provide these documents or is found to have provided false information, the award will be considered null and void. In such a case, the Contracting Authority may award the bid to another bidder or cancel the bid procedure.

## **30. SIGNATURE OF CONTRACT(S)**

30.1 Within 7 days of receipt of the contract already signed by the Contracting Authority, the selected bidder shall sign and date the contract and return it to the Contracting Authority.

30.2 Failure of the selected bidder to comply with this requirement may constitute grounds for the annulment of the decision to award the contract. In such a case, the Contracting Authority may award the bid to another bidder or cancel the bid procedure.

30.3 The other candidates will be informed that their bids were not accepted, by means of a standard letter.

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**31. CANCELLATION OF THE BIDS PROCEDURE**

In the event of cancellation of the bid procedure, bidders will be notified of the cancellation by the Contracting Authority. If the bid procedure is cancelled before the envelopes of any bid has been opened, the unopened and sealed envelopes will be returned to the bidders.

**32. CANCELLATION MAY OCCUR WHEN**

32.1 The bid procedure has been unsuccessful, i.e., no qualitatively or financially worthwhile bid has been received or there is no response at all;

32.2 The economic or technical data of the project have been fundamentally altered;

32.3 Exceptional circumstances or *force majeure* render normal performance of the contract impossible;

32.3 All technically compliant bids exceed the financial resources available;

32.4 There have been irregularities in the procedure, in particular where these have prevented fair competition;

32.5 In no event shall the Contracting Authority be liable for any damages whatsoever including, without limitation, damages for loss of profits, in any way connected with the cancellation of a bid even if the Contracting Authority has been advised of the possibility of damages;

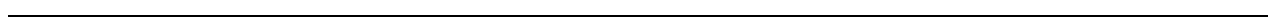
32.6 The publication of a procurement notice does not commit the Contracting Authority to implement the programme or project announced.

I, the undersigned, hereby confirm the acknowledgement of the Terms of Reference as part of the appointment.

.....  
.....

Name

Date



### **35. SUBMISSION OF BID PROPOSALS**

35.1. Bid proposals must be deposited in a Bid Box at the BTO, Mountain View Offices of the Matatiele Municipality, Matatiele, 4730.

35.2. Bid proposals must be submitted in one (1) envelope clearly marked **as follows:**

35.2.1. **TENDER REF AS REFERENCED IN THE TABLE ABOVE.**

35.3. Faxed, emailed or couriered bid proposals will not be accepted. The Bids will be opened in public.

### **36. BID VALIDITY**

36.1. This bid will be valid for sixty (90) days after the closing date.

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