

AMAJUBA DISTRICT MUNICIPALITY
CALL FOR EXPRESSION OF INTEREST
Appointment of Panel of Professional Service Providers
E2017/01

Call for Expression of Interest are hereby invited from businesses registered in the Central Supplier Database in terms applicable Professional Act for Consulting Engineers to be appointed as Professional Service Providers to the Amajuba District Municipality on the panel of service providers for a period of three (3) years.

In compliance with the new Preferential Procurement Policy framework regulations Act 5, 2000 as gazette, the tenderer must attach a proof of locality and financial statements, the Project Director must have a minimum of a National Diploma in Civil Engineering and be eligible to register with ECSA as a Professional Technician.

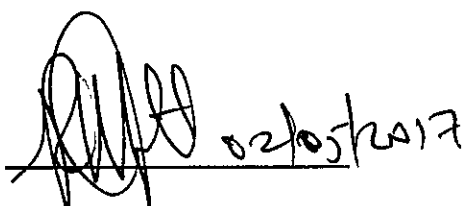
NB: Bidders are required to submit original and valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their bids, to substantiate their B-BBEE rating claims. Failure to submit the B-BBEE Certificate will result in forfeiting the points

Bid documents are available from the Amajuba District website www.amajuba.gov.za
Completed BID documents including all returnable documents in sealed envelopes endorsed "**CALL FOR EXPRESSION OF INTEREST**" be deposited in the municipality's tender box located at the reception of Amajuba District Municipality, B 9356 Main Street, Section 1, Madadeni, 2951; after which all EOI received will be opened in public. No late EOI submitted after the closing date and time will be accepted.

Amajuba District Municipality does not bind itself to accept the lowest or any bid and reserves the right not to appoint.

For bidding enquiries kindly contact **Mrs. Nokwazi Nzimande** or by email nokwazin@amajuba.gov.za of the SCM Unit, and for technical enquiries kindly contact **Mr. Siphamandla Mabizela** or by email siphamandlam@amajuba.gov.za on 034-329 7200 during office hours.

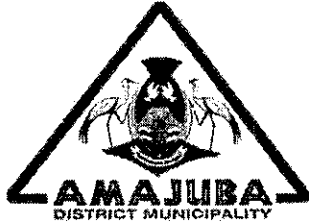
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Closing date: Wednesday, 14 June 2017 @12h00 noon



MR S. R MATHOBELA KA ZWANE

MUNICIPAL MANAGER





Private Bag 6615
NEWCASTLE
2940

B9356, Amajuba
Building, Section 1,
Madadeni

AMAJUBA DISTRICT MUNICIPALITY
CALL FOR EXPRESSION OF INTEREST

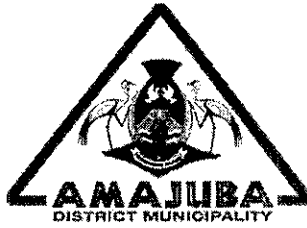
E 1.1 NOTICE AND CALL FOR EXPRESSION OF INTEREST

Call for Expression of Interest is hereby invited from Registered Companies in terms of the applicable Profession Act 2000 (act no. 46 of 2000) for Civil Engineering Services, to be appointed as a Professional Service Provider to the Amajuba District Municipality on the panel of professional service providers (PSP's) for a period not exceeding three (3) years.

The Call for Expression of interest must include inter alia the following:

- Detailed business profile
- Technical Field expertise: -
 - Water – network
 - Sanitation Network Services

There will be no compulsory clarification meeting. Completed documents including all returnable documents in sealed envelopes endorsed **“CALL FOR EXPRESSION OF INTEREST”** be deposited in the municipality's tender box located at the reception of Amajuba District Municipality, B9356 MAIN Street, Section 1, Madadeni, 2951, not later than 12h00 on the 14 June 2017 after which all expressions received will be opened in public. No late expressions submitted after the closing date and time will be accepted.



AMAJUBA DISTRICT MUNICIPALITY

CALL OF EXPRESSION OF INTEREST

Private Bag 6615
NEWCASTLE
2940

B9356, Amajuba
Building, Section 1
Madadeni

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Number	Heading
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E2.1	List of returnable documents



Private Bag 6615
NEWCASTLE
2940

B9356, Amajuba
Building, Section 1,
Madadeni

AMAJUBA DISTRICT MUNICIPALITY

CALL FOR EXPRESSION OF INTEREST

CALL FOR EXPRESSION OF INTEREST

Issued by: Mr. Siphamandla Mabizela
Private bag 6615
Newcastle
2940

Prepared by: S. Mabizela

Contact: 034 3297200
Name: Mr. S. Mabizela
Telephone: 034 3297200

Name of respondent:

E 1.2 Submission Data

The conditions applicable to this call for expressions of interest of tender are the Standard Conditions for the calling for Expressions of Interest

The Standard Conditions for the calling for Expressions of Interest make several references to the Submission Data for details that apply specifically to this submission. The Submission Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions for the calling for Expressions of Interest.

Each item of data given below is cross-referenced to the clause in the Standard Conditions for the calling for Expressions of Interest.

Clause number	Submission Data
H.1	Amajuba District Municipality
H.1.2	The documents associated with the calling for expressions of interest issued by the employer comprise:

Part E.1: Submission procedures

Invitation and notice for submissions of expressions of interest
Submission data

All Professional Service Providers must be registered company in terms of Engineering Professional Act, section for Consulting Engineers and Architects. Proof of such registration must be attached to the submitted Bid Proposal

Part E.2: Returnable documents

1. Company Registration Proof
2. Central Supplier Database (CSD) registration Number;
3. B-BBEE certificate
4. Authority of Signatory
5. Proof of company locality

E.2.2 Submission schedules

A Detail Business Profile

Part E.3 Indicative scope of work

The main aim of this call for expression of interest is to develop a panel of professional service provider for the Amajuba District Municipality. This panel will be appointed to be in the database for a period not more than three (3) years. Professional Service providers who qualify will be enlisted in the Amajuba DM panel of consultants.

The indicative scope of work of the appointed Professional Service Providers (PSP) will be as follows:

1. Feasibility studies
2. Geotechnical investigations
3. Application for water use licences
4. Prepare Business Plans required to access funding for project as identified in the Amajuba District Municipality IDP
1. Undertake any topographical surveys required.
2. Develop Environmental Management Plans that will address all Environmental Impacts during the Construction phase in accordance with the requirements of the Departments of Agriculture and Environmental affairs.
3. Prepare preliminary and detail designs and producing of drawings for consideration and approval by Amajuba District Municipality.
4. Manage the contract to undertake the project including the preparation of contractor payments using the applicable systems of Amajuba District Municipality.
5. Undertake any quality control tests required
6. Attendance of the professional team meetings.
7. Prepare and maintain a consultant payment schedule to keep track of all Fee Claims, which will be submitted with each claim.
8. Prepare a monthly project report
9. Prepare Hand Over certification and Close out.
10. Preparations of As-built drawings and submission in GIS format.
11. Development of necessary safety plans to ensure compliance to OHSA.

H.1.4 The employer's agent is:

Name: Mr. Siphamandla Mabizela

Address: B9356 Section1, Madadeni, 2951 or Private Bag 6615, Newcastle 2940

Tel: 034 3297 200

Fax: 034 3143 785

E-mail: siphamandlam@amajuba.gov.za

H.2.7 The employer's address for delivery of submissions and identification details to be shown on each submission package are:

Location of tender box: Amajuba District Municipality

Physical address: B9356 Main Street, Section 1, Madadeni, 2951

Identification details: Call for Expression of Interest

H.2.8 The closing time for submissions is as stated in the Notice and Invitation to Submit an Expression of Interest.

H.2.9 Telephonic, telegraphic, telex, facsimile or e-mailed submissions offers will **not** be accepted.

H.3.3 Late submissions will **NOT** be considered.

H.3.9 Requirements of Tenders for Eligibility

Only those Tenderers who satisfy the following eligibility criteria are eligible to submit tenders:

- (a) Central Supplier Database (CSD) registration Number;
- (b) Tax clearance issued by the South African Revenue Services or has made arrangements to meet outstanding tax obligations;
- (c) the Tenderer is not in arrears for more than 3 (three) months with municipal rates and taxes and municipal service charges. The latest municipal account is to be attached.
- (d) the Tenderer or any of its directors / shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;
- (e) **the Tenderer has not:**
 - (i) abused the Employer's Supply Chain Management System; or MBD 8
 - (ii) failed to perform on any previous contract and has been given a written notice to this effect;
- (f) the Tenderer has completed the Declaration of Interest and the Compulsory MBD 4 Enterprise Questionnaire and there are no conflicts of interest which may impact on the Tenderer's ability to perform the contract in the best interests of the Employer or potentially compromise the tender process and persons in the employ of the state are permitted to submit tenders or participate in the contract;
- (g) 50% directors / members / owners of the organisation must be ECSA registered as either Professional Engineer/s or Professional Technologist/s must include professional registration number and a certified copy of an academic certificate.
- (h) the Tenderer has submitted a copy of a joint venture agreement (if applicable);
- (i) the Tender Offer is signed by a person authorised on behalf of the Tenderer, and attached a company resolution of signatories.
- (j) the Tenderer has completed and signed all returnable documents where relevant;
- (k) the Tenderer has met the following minimum criteria:
 - (i) Only Tenderers scoring 70% or more for quality will be considered eligible to be listed /considered eligible.
 - (ii) Tenderers failing to meet the minimum score of 70% will be categorised as emerging consultants, and will be listed on the panel of consultants to be considered under Amajuba DM emerging consultant development program.

Functionality Criteria

The procedure for evaluation of responsive submissions is:

The Call for Expression of Interest will be evaluated and points will be scored as set out below.


Evaluation Description		Maximum points to be scored
2.2.1	Overall quality of the proposal <ul style="list-style-type: none"> • Good = 15 Points • Satisfactory = 10 Points • Poor = 5 Points 	15
2.2.2	Experience of the Key Personnel <ul style="list-style-type: none"> • Project Director = 8 points (Pr Eng or Pr Tech) • Project Manager = 7 points (Pr Eng or PrTech) 	15
2.2.3	Technical approach and understanding of the tasks <ul style="list-style-type: none"> • Logical and Clear = 20 points • Is Acceptable = 10 points • Lacks Clarity = 5 points • Unacceptable = 0 points 	20
2.2.4	Experience of working on water and sanitation projects <ul style="list-style-type: none"> More than 3 = 5 points More than 6 = 10 points More than 10 = 5 points 	15
2.2.5	Locality: Amajuba area (proof to be provided) 3 different documents as proof to be provided = 10 points	10
2.2.6	Labour Intensive Construction & management NQF 7 : (Yes/No)	10
2.2.7	Proposal on skill development and ceding 30% of works to emerging contractors, and skills transfer to ADM officials: <ul style="list-style-type: none"> • Good = 15 Points • Satisfactory = 10 Points • Poor = 5 Points 	15
Total		100

In compliance with the new Preferential Procurement Policy framework regulations Act 5, 2000 as gazetted.

The tenderer must attach a proof of locality and financial statements, the Project Director must have a minimum of a National Diploma in Civil Engineering and be eligible to register with ECSA as a Professional Technician.

THE EXPRESSIONS SCORING BELOW 70 WILL NOT BE SHORTLISTED FURTHER and PREFERENCE WILL BE GIVEN TO SERVICE WITH HIGHEST NUMBER OF POINTS.

Approved/Not Approved

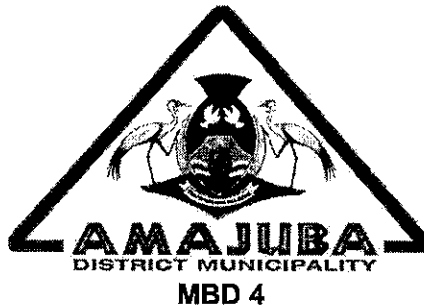
 02/05/2017

Mr. S. Mathobela ka Zwane
Acting Municipal Manager

TAX CLEARANCE CERTIFICATE REQUIREMENTS

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

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



DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of 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/adjudging 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, shareholder²):.....

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.

(Please Tick /Mark the correct option in the following questions)

3.8 Are you presently in the service of the state? **YES / NO**

3.8.1 If yes, furnish particulars.

¹MSCM Regulations: "in the service of the state" means to be –

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

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

3.9 Have you been in the service of the state for the past twelve months? **YES / NO**

3.9.1 If yes, furnish particulars.....

.....

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.10.1 If yes, furnish particulars.

.....
.....

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

3.11.1 If yes, furnish particulars

.....
.....

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

3.12.1 If yes, furnish particulars.

.....
.....

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

3.13.1 If yes, furnish particulars.

.....
.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. **YES / NO**

3.14.1 If yes, furnish particulars:

.....
.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder



MBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2001

PURCHASES

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011.

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value up to R50 000 000; and

1.2 The value of this bid is estimated not to exceed R50 000 000 and therefore the 80/20 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

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

	POINTS
1.3.1.1 PRICE	80
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION	20
Total points for Price and B-BBEE must not exceed	100

Separate Preference Points Claim Forms will be used for the promotion of the specific goals for which points have been allocated in paragraph 1.3.1.2 (b) above.

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification

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

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

2.

DEFINITIONS

- 2.1.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less .
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;

- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

4.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

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

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

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

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

6. BID DECLARATION

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

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

7.1 B-BBEE Status Level of Contribution: = (maximum of 20 points)

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

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted?%
- (ii) the name of the sub-contractor?
- (iii) the B-BBEE status level of the sub-contractor?
- (iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm :

9.2 VAT registration number :

9.3 Company registration number :

9.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

9.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business?

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify

that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (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 paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution

WITNESSES:

1.

2.

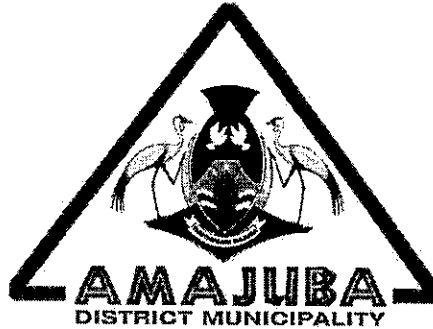
<p>.....</p> <p>SIGNATURE(S) OF BIDDER(S)</p> <p>.....</p>

DATE:.....

ADDRESS:.....

.....

.....



DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.1.1	If so, furnish particulars:		
4.2	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)? (To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder