

# GEORGE MUNICIPALITY



QUOTATION NUMBER: DPD078/2016

## QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE MOTOR AT DAVIDSON COURT

ENQUIRIES: MS ZINOBIA SPIES  
YORK STREET  
GEORGE  
(044) 802 2033

ISSUED BY:  
THE CITY COUNCIL  
MUNICIPALITY OF GEORGE  
P O BOX 19  
GEORGE  
6530

### SUMMARY FOR TENDER OPENING PURPOSES

NAME OF TENDERER: .....

SUPPLIER DATABASE NO.: .....

TOTAL PRICE (INCLUDING VAT)	R
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#### PREFERENCES CLAIMED FOR:

B-BBEE Status Level of Contributor:	
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Preference Points Claimed:	
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**B-BBEE certificates submitted with the quotation document MUST be VALID ORIGINAL B-BBEE CERTIFICATES or VALID CERTIFIED COPIES OF THE B-BBEE CERTIFICATES**

**QUOTATION CLOSES AT 12H00 ON TUESDAY, 7 JUNE 2016**

## TENDERER CONTACT DETAILS

This information shall be used for any correspondence or contact with the tenderer.

Please indicate whether you want to receive any correspondence via e-mail or send to your postal address by registered mail.

Name of Bidding Company: .....		<b>Mark choice of correspondence with X</b>
Postal Address:	..... ..... ..... ..... Postal Code: .....	
E-mail Address:	.....	
Telephone Number:	.....	
Cellular Number:	.....	
Facsimile Number:	.....	

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### GENERAL TENDER INFORMATION

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QUOTATION ADVERTISED	: Tuesday, 24 May 2016
COMPULSORY SITE MEETING	: Tuesday, 31 May 2016 at 10h00
VENUE FOR SITE MEETING	: Davidson Court, Davidson Drive, George
CLOSING DATE	: 07 June 2016
CLOSING TIME	: 12H00
LOCATION OF TENDER BOX	: <b>Tender Box</b> at the George Municipality, on the First Floor, Department: Financial Services, Supply Chain Management Unit, Civic Centre, York Street, George.

**GEORGE MUNICIPALITY**

**DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING**

**CONTRACT NUMBER: DPD078/2016**

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## **The Tender (Part T)**

**PART T1 Tender Procedures**

- T1.1 Tender Notice and Invitation to Tender
- T1.2 Tender Data

**PART T2 Returnable Documents (All documents / schedules are returnable)**

- T2.1 List of Returnable Schedules Required for Tender Evaluation
- T2.1 Returnable Schedules
- T2.2 Other documents that will be incorporated into the contract
- T2.4 Returnable Schedules that will be incorporated in the contract

## GEORGE MUNICIPALITY

DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING

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## QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE MOTOR AT DAVIDSON COURT

## Quotation Notice and Invitation to Quote (T1.1)

<p>Kwotasieries word hiermee ingewag vir die:</p> <p><b>VERVANGING VAN BESTAANDE HEK EN HEK MOTOR BY DAVIDSON COURT</b></p> <p>Voltooide kwotasieries in 'n verseelde koevert, duidelik gemerk:</p> <p><b>Kwotasierie Nr.: DPD078/2016</b>, moet voor Dinsdag, 7 Junie 2016 om 12:00 in die tender bus by die George Munisipaliteit, Eerste Vloer, Direktooraat: Finansiële Dienste, Voorsieningskanaaleenheid, Burgersentrum, Yorkstraat, George geplaas word. Geen kwotasieries sal toegelaat word om in die tenderbus geplaas te word na 12:00. Kwotasieries sal om 12:05 dieselfde dag in die Komiteekamer oopgemaak word. Laat of ongemerkte kwotasieries sal nie oorweeg word nie. Geen kwotasieries per faks of e-pos sal aanvaar word nie.</p> <p>Kwoteerders moet by die CIDB geregistreer wees en dit word geraam dat tenderaars 'n graderingsvlak van 1SQ of hoër moet hê.</p> <p>'n <b>Verpligte terrein vergadering</b> sal by Davidson Court, Davidson Drive, George op Dinsdag, 31 Mei 2016 om 10:00 gehou word.</p> <p><b>Indien die verpligte terrein vergadering nie bygewoon word nie, sal u kwotasierie gediskwalifiseer word.</b></p> <p>Kwotasierie dokumente is verkrygbaar teen 'n R37-00 nie-terugbetaalbare deposito by die Voorsieningskanaalbestuursseenheid op die 1ste Vloer, Burgersentrum, Yorkstraat, George.</p> <p>Kwotasierie dokumente is gratis op die George Munisipaliteit se webblad beskikbaar: <a href="http://www.george.org.za">www.george.org.za</a>.</p> <p>Kwotasieries sal ge-evalueer en toegeken word in terme van die Wet op die Raamwerk vir Voorkeurverkrygingsbeleid (Wet 5 van 2000) Regulasies 2011, asook George Munisipaliteit se Voorsieningskanaalbestuursbeleid, waar 80 punte ten opsigte van die prys en 20 punte ten opsigte van B-BBEE status toegeken sal word.</p> <p>Vir ebsite inligting, kontak Me Zinobia Spies by (044) 802 2033.</p>	<p>Quotations are hereby invited for the:</p> <p><b>REPLACEMENT OF EXISTING GATE AND GATE MOTOR AT DAVIDSON COURT</b></p> <p>Completed quotations in a sealed envelope, clearly marked:</p> <p><b>Quotation No.: DPD078/2016</b> must be placed in the tender box at the George Municipality on the First Floor, Directorate: Financial Services, Supply Chain Management Unit, Civic Centre, York Street, George by no later than 12:00 on Tuesday, 7 June 2016. Quotations are not allowed to be placed in the tender box after 12:00. Quotations will be opened on the same day in the Committee Room at 12:05. Late or unmarked quotations will not be considered. No quotations per fax or e-mail will be accepted.</p> <p>Bidders must be registered with the CIDB and it is estimated that tenderers should have a grading designation of 1SQ or higher.</p> <p><b>A compulsory site meeting</b> will be held on Tuesday, 31 May 2016 at 10:00 at Davidson Court, Davidson Drive, George.</p> <p><b>Non-attendance of the compulsory site meeting will disqualify your quotation.</b></p> <p>Quotation documents are available at a non-refundable deposit of R37-00 each from the Supply Chain Management Unit, First Floor, Civic Centre, York Street, George.</p> <p>Quotation documents are available on the George Municipality's website: <a href="http://www.george.org.za">www.george.org.za</a>, free of charge.</p> <p>Quotations will be evaluated and adjudicated in terms of the Preferential Procurement Policy Framework Act (Act 5 of 2000) Regulations 2011 and the George Municipality's Supply Chain Management Policy, where 80 points will be scored for price and 20 points for B-BBEE status.</p> <p>For more information, contact Ms Zinobia Spies at (044) 802</p>
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<p>Die Munisipaliteit behou hom die reg voor om enige versoek vir 'n kwotasie terug te trek en/of te her-adverteer of enige kwotasie te verwerp of gedeeltelik te aanvaar. Die Munisipaliteit is nie daartoe gebind om die laagste of enige kwotasie te aanvaar nie.</p> <p><b>Dit sal van alle suksesvolle tenderaars verwag word om op die Wes-Kaapse Verskaffersdatabasis (WKVD) te registreer.</b></p> <p><b>T BOTHA MUNISIPALE BESTUURDER GEORGE MUNISIPALITEIT GEORGE 6530</b></p>	<p>2033.</p> <p>The Municipality reserves the right to withdraw any invitation to quote and/or to readvertise or to reject any quotation or to accept a part of it. The Municipality is not bound to accept the lowest or any quotation.</p> <p><b>It will be required from all successful tenderers to register on the Western Cape Supplier Database (WCSD).</b></p> <p><b>T BOTHA MUNICIPAL MANAGER GEORGE MUNICIPALITY GEORGE 6530</b></p>
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## Tender Data (T1.2)

<b>Clause number</b>	The conditions of Tender are the <b>Standard Conditions of Tender</b> as contained in Annexure F of Board Notice 136 of 2015 in Government Gazette No. 38960 of 10 July 2015, Construction Industry Development Board (CIDB) Standard for Uniformity in Construction Procurement. (See www.cidb.org.za). The Standard Conditions of Tender for Procurements make several references to the Tender Data for details that apply specifically to this Tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the standard conditions of Tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.
<b>F.1</b>	<b>General</b>
	The Employer is the George Municipality, Directorate: Human Settlements, Land Affairs and Planning, P O Box 19, George, 6530.
<b>F.1.2</b>	<b>Tender Documents</b>
	<p>The Tender documents issued by the Employer comprise:</p> <p><b><u>The Tender</u></b>  <b>Part T1: Tender Procedures</b>  T1.1 Tender notice and invitation to tender  T1.2 Tender data</p> <p><b>Part T2 Returnable Documents</b>  T2.1 List of returnable documents  T2.1 Returnable schedules  T2.2 Other documents required for tender evaluation purposes  T2.3. Returnable schedules that will be incorporated in the contract</p> <p><b><u>The Contract</u></b>  <b>Part C1: Agreement and contract data</b>  C1.1 Form of offer and acceptance  C1.2 Contract data  C1.3 Objections and Complainants form  C1.4 Form of Guarantee (Pro forma)</p> <p><b>Part C2: Pricing data</b>  C2.1 Pricing instructions  C2.2 Pricing Schedule</p> <p><b>Part C3: Scope of Works</b>  C3.1 Scope of Works  Part C4 Health and Safety Specification</p>
<b>F.1.4</b>	<b>Communication and employer's agent:</b>
	Name: Ms Zinobia Spies Tel: (044) 802 2033
<b>F.2</b>	<b>Tenderer's obligations</b>
<b>F.2.1</b>	<b>Eligibility</b>



F.2.1.1	<p>Only tenderers who satisfy the following criteria are eligible to submit tenders:</p> <ul style="list-style-type: none"> <li>(a) Quality control practices and procedures which ensure compliance with stated employer's requirements.</li> <li>(b) Availability of resources.</li> <li>(c) Capacity to mobilize own and sub-contracting resources.</li> <li>(d) Availability of skills to manage and perform the contract (assigned personnel).</li> <li>(e) Quality achievements on previous contracts of a similar nature.</li> <li>(f) Previous work of a similar nature.</li> </ul>		
<b>F.2.1</b>	<b>Construction Industry Development Board (CIDB) Registration</b>		
	<p>Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations, for a <b>1SQ</b> class of construction work, are eligible to have their tenders evaluated.</p> <p>Joint Ventures are eligible to submit tenders provided that:</p> <ul style="list-style-type: none"> <li>(a) Every member of the Joint Venture is registered with the CIDB;</li> <li>(b) The lead partner must be registered in the relevant class of construction work; and</li> <li>(c) The combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a 1SQ class of construction work of value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations.</li> </ul>		
F.2.7	<p>The arrangements for a <b>compulsory site meeting</b> are:</p> <table border="1" data-bbox="311 1024 1432 1110"> <tr> <td data-bbox="311 1024 717 1110"><b>Date:</b> Tuesday, 31 May 2016 <b>Starting time:</b> 10H00</td> <td data-bbox="717 1024 1432 1110"><b>Location:</b> Davidson Court, Davidson Drive, George.</td> </tr> </table>	<b>Date:</b> Tuesday, 31 May 2016 <b>Starting time:</b> 10H00	<b>Location:</b> Davidson Court, Davidson Drive, George.
<b>Date:</b> Tuesday, 31 May 2016 <b>Starting time:</b> 10H00	<b>Location:</b> Davidson Court, Davidson Drive, George.		
F.2.12	No alternative Tender offer will be considered.		
F.2.13.1	Submit one tender offer only, either as a single tendering entity or as a member in a joint venture to provide the whole of the works, services or supply identified in the contract data and described in the scope of works, unless stated otherwise in the tender data.		
F.2.13.2	Return all returnable documents to the employer after completing them in their entirety in non-erasable black ink.		
F.2.13.3	Submit the parts of the tender offer communicated on paper as an original plus the number of copies stated in the tender data, with an English translation of any documentation in a language other than English, and the parts communicated electronically in the same format as they were issued by the employer.		
F.2.13.4	Sign the original and all copies of the tender offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint venture shall state which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer.		

F.2.13.5	<p>Seal the original and each copy of the tender offer as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.</p> <p>The Employer's address for delivery of tender offers and identification details are: George Municipality, First Floor, Department: Financial Services, Supply Chain Management Unit, Civic Centre, York Street, George (location of tender box). The identification details are: Quotation number DPD078 /2016.</p>
F.2.13.6	A two-envelope system will <b>not</b> be followed.
F.2.13.8	Accept that the employer will not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and market as stated.
F.2.13.9	Accept that tender offers submitted by facsimile or e-mail will be rejected by the employer, unless stated otherwise in the tender data.
F.2.15	<b>Closing time</b>
F.2.15.1	<p>Ensure that the employer received the tender offer at the address specified in the tender data not later than the closing time stated in the tender data. Accept that proof of posting shall not be accepted as proof of delivery.</p> <p>The closing time for submission of tender offers is at <b>12H00 on Tuesday, 7 June 2016.</b></p>
F.2.16	<b>Tender offer validity</b>
F.2.16.1	The Tender offer validity period is 90 days.
F.2.17	<b>Clarification of tender after submission</b>
	Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of tenderers or substance of the tender offer is sought, offered, or permitted.
F.2.18	<b>Provide other material</b>
F.2.18.1	Provide, on request by the employer, any other material that has a bearing on the tender offer, the tenderer's commercial position (including notarized joint venture agreements), referencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the tenderer not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employer's request, the employer may regard the tender offer as non-responsive.
F.2.19	<b>Inspections, tests and analysis</b>
	Provide access during working hours to premises for inspections, tests and analysis as provided for in the tender data.
F.2.22	Return all retained Tender documents within 28 day after the expiry of the validity period.
F.2.23	<b>Certificates</b>
	Include in the tender submission or provide the employer with any certificates as stated in the tender data.

F.3.4.1	The time and location for opening of the tender offers is: <b>12h00 on Tuesday, 7 June 2016. The Tender Box at the George Municipality is on the First Floor, Department: Financial Services, Supply Chain Management Unit, Civic Centre, York Street, George.</b>																														
F.3.11	<b>Evaluation of tender offers</b>																														
F.3.11.2	<p>Method 1: Price and Preference</p> <p>In the case of a price and preference</p> <ol style="list-style-type: none"> <li>1) Score tender evaluation points for price.</li> <li>2) Score points for BBBEE contribution.</li> <li>3) Add the points scored for price and BBBEE.</li> </ol>																														
F.3.11.3	<p>Method 2: Functionality, Price and Preference</p> <p>In the case of functionality, price and preference</p> <ol style="list-style-type: none"> <li>1) Score the functionality, rejecting all tender offers that fail to achieve the minimum number of points for functionality as stated in the Tender Data.</li> <li>2) No tender must be regarded as an acceptable tender if it fails to achieve the minimum qualifying score for functionality as indicated in the tender invitation.</li> <li>3) Tenders that have achieved the minimum qualification score for functionality must be evaluated further in terms of the preference points system prescribed in paragraphs 4 and 5 below.</li> </ol> <p><b>The 80/20 preference point system for acquisition of services, works or goods up to Rand value of R1 million.</b></p> <ol style="list-style-type: none"> <li>4) (a)(i) The following formula must be used to calculate the points for price in respect of tenders (including price quotation) with a rand value equal to, or above R30,000 and up to Rand value of R1,000,000 (all applicable taxes included): <math display="block">P_s = 80 \left[ 1 - \frac{P_t - P_{\min}}{P_{\min}} \right]</math> <p>Where  Ps = Points scored for comparative price of tender or offer under consideration;  Pt = Comparative price of tender or offer under consideration; and  Pmin = Comparative price of lowest acceptable tender or offer.</p> </li> </ol> <p>(4)(b) Subject to subparagraph (4)(c), points must be awarded to a tender for attaining the B-BBEE status level of contribution in accordance with the table below:</p> <table border="1" data-bbox="349 1312 1404 1627"> <thead> <tr> <th>B-BBEE Status Level of Contributor</th> <th>80/20 Number of Points</th> <th>90/10 Number of Points</th> </tr> </thead> <tbody> <tr><td>1</td><td>20</td><td>10</td></tr> <tr><td>2</td><td>18</td><td>9</td></tr> <tr><td>3</td><td>16</td><td>8</td></tr> <tr><td>4</td><td>12</td><td>5</td></tr> <tr><td>5</td><td>8</td><td>4</td></tr> <tr><td>6</td><td>6</td><td>3</td></tr> <tr><td>7</td><td>4</td><td>2</td></tr> <tr><td>8</td><td>2</td><td>1</td></tr> <tr><td>Non-compliant contributor</td><td>0</td><td>0</td></tr> </tbody> </table> <p>(4)(c) A maximum of 20 points may be allocated in accordance with subparagraph (4)(b).  (4)(d) The points scored by tender in respect of B-BBEE contribution contemplated in subparagraph (4)(b) must be added to the points scored for price as calculated in accordance with subparagraph (4)(a).  (4)(e) Subject to paragraph 4.3.8 the contract must be awarded to the tender who scores the highest total number of points.</p> <p>The 90/10 preference points system for acquisition of services, works or goods with a Rand value above</p>	B-BBEE Status Level of Contributor	80/20 Number of Points	90/10 Number of Points	1	20	10	2	18	9	3	16	8	4	12	5	5	8	4	6	6	3	7	4	2	8	2	1	Non-compliant contributor	0	0
B-BBEE Status Level of Contributor	80/20 Number of Points	90/10 Number of Points																													
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	<p>R1 million.</p> <p>(5)(a) The following formula must be used to calculate the points for price in respect of tenders with a Rand value above R1,000,000 (all applicable taxes included):</p> $P_s = 90 \left[ 1 - \frac{P_t - P_{\min}}{P_{\min}} \right]$ <p>Where  Ps = Points scored for comparative price of tender or offer under consideration;  Pt = Comparative price of tender or offer under consideration; and  Pmin = Comparative price of lowest acceptable tender or offer.</p> <p>(5)(b) Subject to subparagraph (5)(c), points must be awarded to a tender for attaining the B-BBEE status level of contribution in accordance with the table below:</p> <table border="1" data-bbox="349 625 1404 940"> <thead> <tr> <th>B-BBEE Status Level of Contributor</th> <th>80/20 Number of Points</th> <th>90/10 Number of Points</th> </tr> </thead> <tbody> <tr><td>1</td><td>20</td><td>10</td></tr> <tr><td>2</td><td>18</td><td>9</td></tr> <tr><td>3</td><td>16</td><td>8</td></tr> <tr><td>4</td><td>12</td><td>5</td></tr> <tr><td>5</td><td>8</td><td>4</td></tr> <tr><td>6</td><td>6</td><td>3</td></tr> <tr><td>7</td><td>4</td><td>2</td></tr> <tr><td>8</td><td>2</td><td>1</td></tr> <tr><td>Non-compliant contributor</td><td>0</td><td>0</td></tr> </tbody> </table> <p>(5)(c) A maximum of 10 points may be allocated in accordance with subparagraph (5)(b).  (5)(d) The points scored by tender in respect of B-BBEE contribution contemplated in subparagraph (5)(b) must be added to the points scored for price as calculated in accordance with subparagraph (5)(a).  (5)(e) Subject to paragraph 4.3.8 the contract must be awarded to the tender who scores the highest total number of points.</p>	B-BBEE Status Level of Contributor	80/20 Number of Points	90/10 Number of Points	1	20	10	2	18	9	3	16	8	4	12	5	5	8	4	6	6	3	7	4	2	8	2	1	Non-compliant contributor	0	0
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Non-compliant contributor	0	0																													
F.3.11.6	<b>Decimal places</b>																														
	Score price, preference and functionality, as relevant, to two decimal places.																														

F.3.13	<p>Tender offers will only be accepted if:</p> <ul style="list-style-type: none"> <li>(a) the Tenderer has in his or her possession an original valid Tax Clearance Certificate issued by the South African Revenue Services or has made arrangements to meet outstanding tax obligations;</li> <li>(b) 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;</li> <li>(c) the Tenderer submits a letter of intent from an approved insurer undertaking to provide the Performance Bond to the format included in Part T2.2 of the procurement document.</li> <li>(d) the Tenderer is registered with the Construction Industry Development Board in an appropriate contractor grading designation.</li> <li>(e) the Tenderer has not: <ul style="list-style-type: none"> <li>(i) abused the Employer's Supply Chain Management System; or</li> <li>(ii) failed to perform on any previous contract and has been given a written notice to this effect.</li> </ul> </li> <li>(f) the tender offer is signed by a person authorized to sign on behalf of the Tenderer.</li> <li>(g) the Tenderer has complete the Compulsory 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.</li> <li>(h) the Tenderer is registered and in good standing with the compensation fund or with a licensed compensation insurer;</li> <li>(i) the Employer is reasonably satisfied that the Tenderer has in terms of the Construction Regulations, 2003, issued in terms of the Occupational Health and Safety Act, 1993, the necessary competencies and resources to carry out the work safely.</li> <li>(j) the Tenderer has not failed to perform on any previous contracts and has not been given a written notice to the effect.</li> <li>(k) the Tenderer has submitted certified copies of the directors, owners and shareholders identity documents with the tender offer.</li> <li>(l) the Tenderer must be registered on the Western Cape Supplier Database, Copies of the registration forms are available on the George Municipality's website: <a href="http://www.george.org.za">www.george.org.za</a></li> <li>(m) Tenderer who submitted a tender as a Joint Venture has included an acceptable Joint Venture Agreement with his/her tender or has provided a letter of intent to form a Joint Venture signed by all parties.</li> <li>(n) the Tenderer is not in arrears for more than 30 days with municipal rates and taxes and services charges.</li> <li>(o) the Tenderer complies with the specifications and conditions applicable to the product and submitted all the required documentation as stipulated in part C3: Scope of Works.</li> </ul>
F.3.17	<b>Provide copies of the contracts</b>
	The employer will provide the successful tenderer with one (1) paper copy of the signed contract as soon as possible after completion and signing of the form of offer and acceptance.
F.3.20	<p>The additional conditions of Tender are:</p> <ol style="list-style-type: none"> <li>1. George Municipality may also request that the Tenderer provide written evidence that his/her financial, labour and resources are adequate for carrying out the project.</li> <li>2. The George Municipality reserves the right to appoint a firm of chartered accountants and auditors and/or execute any other financial investigations on the financial resources of any Tenderer. The Tenderer shall provide all reasonable assistance in such investigations.</li> <li>3. Tender documents must be completed in black ink, and prices must include VAT, only where applicable and requested in the schedule of activities.</li> <li>4. Corrections may not be made by means of a correction fluid such as Tipp-Ex or a similar product. In the event of a mistake having been made it shall be crossed out in ink and be accompanied by a full signature at each and every alteration. The Municipality reserves the right to reject the Tender if corrections are not made in accordance with the above.</li> </ol>

F.3.22	<b>Compliance with Occupational Health and Safety Act 1993</b>
	Tenderers are to note that the requirements to the Occupational Health and Safety (OHS) Act No. 85 of 1993. The tenderer shall be deemed to have read and fully understood the requirements of the above Act and Regulations and to have allowed for all costs in compliance therewith during supply and delivery of all materials or any other services.

**B-BBEE certificates submitted with the tender documents MUST be a VALID ORIGINAL B-BBEE CERTIFICATE or VALID CERTIFIED COPY OF THE B-BBEE CERTIFICATE.**

**In the case of a Trust, Consortium or Joint Venture, they 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.**

## TAX CLEARANCE CERTIFICATE

**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 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. 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](http://www.sars.gov.za).
3. 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](http://www.sars.gov.za).
4. 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.
5. 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.
6. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
7. Copies of the TCC 001 “Application for a Tax Clearance” form are available from any SARS branch office nationally or on the website: [www.sars.gov.za](http://www.sars.gov.za).
8. 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](http://www.sars.gov.za).

**DECLARATION OF INTEREST**

1.	No bid will be accepted from persons in the service of the state*.	
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 the 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 / her representative: .....	
3.2	Identity number: .....	
3.3	Position occupied in the Company (director, trustee, shareholder <sup>2</sup> ): .....	
3.4	Company Registration Number: .....	
3.5	Tax Reference Number: .....	
3.6	VAT Registration Number: .....	
3.7	The names of all directors / trustees / shareholders / members, their individual identity numbers and state employee numbers (where applicable) must be indicated in paragraph 4 below.	
3.8	Are you presently in the service of the state?*	<b>YES / NO</b>
3.8.1	If yes, furnish the following particulars:  Name of person / director / trustee / shareholder member: .....  Name of state institution at which you or the person connected to the bidder is employed: .....  Position occupied in the state institution: .....  Any other particulars: .....	
3.9	Have you been in the service of the state for the past twelve months?	<b>YES / NO</b>



3.9.1	If so, furnish particulars. ..... .....	
3.10  3.10.1	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?  If yes, furnish the following particulars:  Name of person: .....  Name of state institution at which you or the person connected to the bidder is employed: .....  Position occupied in the state institution: .....  Any other particulars: ..... .....	<b>YES / NO</b>
3.11  3.11.1	Are you aware of any relationship (family, friend, other) between the bidder and any person in the service of the state who may be involved with the evaluation and or adjudication of this bid?  If yes, furnish the following particulars:  Name of person: .....  Name of state institution at which you or the person connected to the bidder is employed: .....  Position occupied in the state institution: .....  Any other particulars: ..... .....	<b>YES / NO</b>
3.12  3.12.1	Are any of the company’s directors, managers, principal shareholders or stakeholders in the service of the state?  If yes, furnish the following particulars:	<b>YES / NO</b>

	<p>Name of person / director / trustee / shareholder / member:                  .....</p> <p>Name of state institution at which you or the person connected to the bidder is employed:                  .....</p> <p>Position occupied in the state institution: .....</p> <p>Any other particulars: .....</p> <p>.....</p>	
<p>3.13</p> <p>3.13.1</p>	<p>Is any spouse, child or parent of the company’s directors, trustees, managers, principle shareholders or stakeholders in the service of the state?</p> <p>If yes, furnish the following particulars:</p> <p>Name of person / director / trustee / shareholder / member:                  .....</p> <p>Name of state institution at which you or the person connected to the bidder is employed:                  .....</p> <p>Position occupied in the state institution: .....</p> <p>Any other particulars: .....</p> <p>.....</p>	<p><b>YES / NO</b></p>
<p>3.14</p> <p>3.14.1</p>	<p>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?</p> <p>If yes, furnish particulars:                  .....</p> <p>.....</p>	<p><b>YES / NO</b></p>
<p>4. Full details of directors / trustees / members / shareholders:</p>		

<b>THE FOLLOWING INFORMATION IS COMPULSORY TO COMPLETE:</b>			
<b>Full Name</b>	<b>Identity Number</b>	<b>Individual Tax Number for each Director</b>	<b>State Employee Number (where applicable)</b>
<b>5.</b>	<b>The contract will be automatically cancelled if there is a conflict of interest which is not disclosed by the bidder.</b>		

.....  
Signature

.....  
Date

.....  
Capacity

.....  
Name of Bidder

<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 or 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 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 exercise control over the company.

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

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

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

### 1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
- the 80/20 system for requirements with a Rand value of up to R1 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).
- 1.2 The value of this bid is estimated not to exceed R1 000 000 (all applicable taxes included) and therefore the 80/20 preference point 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.
- 1.4 The maximum points for this bid are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	80
<b>B-BBEE STATUS LEVEL OF CONTRIBUTION</b>	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

- 1.5 Failure on the part of a bidder to submit 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 a sworn affidavit confirming annual turnover and level of black ownership in case of an EME and QSE together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

### 2. DEFINITIONS

- (a) **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- (b) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (c) **“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;
- (d) **“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;
- (e) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003) as amended by Act No 46 of 2013;
- (f) **“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;
- (g) **“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;
- (h) **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- (i) **“EME”** means an Exempted Micro Enterprise as defines by Codes of Good Practice issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (j) **“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;
- (k) **“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;
- (l) **“non-firm prices”** means all prices other than “firm” prices;
- (m) **“person”** includes a juristic person;
- (n) **“QSE”** means a Qualifying Small Enterprise as defines by Codes of Good Practice issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 ( Act No. 53 of 2003);
- (o) **“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;

- (p) **“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;
- (q) **“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;
- (r) **“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
- (s) **“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 OR 90/10 PREFERENCE POINT SYSTEMS

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

**80/20**                      or                      **90/10**

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

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>B-BBEE Status Level of Contributor</b>	<b>Number of points (90/10 system)</b>	<b>Number of points (80/20 system)</b>
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 5.2 A bidder who qualifies as an EME in terms of the B-BBEE Act must submit a sworn affidavit confirming Annual Total Revenue and Level of Black Ownership.
- 5.3 A Bidder other than EME or QSE 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 1.4 AND 5.1**

7.1 B-BBEE Status Level of Contribution: = (maximum of 10 or 20 points)  
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or a sworn affidavit.

**8. SUB-CONTRACTING**

8.1 Will any portion of the contract be sub-contracted?

*(Tick applicable box)*

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

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.

*(Tick applicable box)*

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

**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 MUNICIPAL INFORMATION

**Municipality where business is situated:** .....

**Registered Account Number:** .....

**Stand Number:**.....

9.8 Total number of years the company/firm has been in business:.....

9.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of 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. ....

.....
SIGNATURE(S) OF BIDDERS(S)
DATE: .....
ADDRESS .....
.....
.....

**SWORN AFFIDAVIT – BBEE EXEMPTED MICRO ENTERPRISE****SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE**

I, the undersigned,

<b>Full name &amp; Surname</b>	
<b>Identity number</b>	

Hereby declare under oath as follows:

- The contents of this statement are to the best of my knowledge a true reflection of the facts.
- I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

<b>Enterprise Name</b>	
<b>Trading Name</b>	
<b>Registration Number</b>	
<b>Enterprise Address</b>	

- I hereby declare under oath that:
  - The enterprise is \_\_\_\_\_ % black owned;
  - The enterprise is \_\_\_\_\_ % black woman owned;
  - Based on the management accounts and other information available on the \_\_\_\_\_ financial year, the income did not exceed R10,000,000.00 (ten million rands);
  - Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% black owned	<b>Level One</b> (135% B-BBEE procurement recognition)	
More than 51% black owned	<b>Level Two</b> (125% B-BBEE procurement recognition)	
Less than 51% black owned	<b>Level Four</b> (100% B-BBEE procurement recognition)	

- The entity is an empowering supplier in terms of **the dti** Codes of Good Practice.
- I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
- The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

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

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

\_\_\_\_\_  
 Commissioner of Oaths  
 Signature & stamp

## 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:
  - 9.10 abused the municipality’s / municipal entity’s supply chain management system or committed any improper conduct in relation to such system;
  - 9.11 been convicted for fraud or corruption during the past five years;
  - 9.12 willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  - 9.13 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).

**10. 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> <p><b>The Database of Restricted Suppliers now resides on the National Treasury’s ebsite (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		

4.2	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)?  <b>The Register for Tender Defaulters can be accessed on the National Treasury’s website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b>	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"/>
4.5.1	If so, furnish particulars:		

**CERTIFICATION**

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

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

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

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

1. This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
3. Municipal Supply Regulation 38(1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - 3.1 take all reasonable steps to prevent such abuse;
  - 3.2 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
  - 3.3 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 (MBD9) 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:

**GEORGE MUNICIPALITY**

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)

- 6. I have read and I understand the contents of this Certificate;
- 7. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
- 8. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
- 9. 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;
- 10. 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:
  - 10.1 has been requested to submit a bid in response to this bid invitation;
  - 10.2 could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - 10.3 Provides the same goods and services as the bidder and/or is in the same line of business as the bidder.

**MBD9**

- 11 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.
- 12 In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - 12.1 prices;
  - 12.2 geographical area where product or service will be rendered (market allocation);
  - 12.3 methods, factors or formulas used to calculate prices;
  - 12.4 the intention or decision to submit or not to submit, a bid;
  - 12.5 the submission of a bid which does not meet the specifications and conditions of the bid; or bidding with the intention not to win the bid.
- 5. 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.
- 6. 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.
- 7. 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

<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.



**CERTIFICATE FOR MUNICIPAL SERVICES (COMPULSORY TO COMPLETE)**

Information required in terms of the Supply Chain Management Regulations, Regulation 28 (1) (c).

<b>Tender Number:</b> DPD078/2016
<b>Name of the Bidder:</b> _____

**DETAILS OF THE BIDDER/S: Owner / Proprietor / Director(s) / Partner(s), etc:**

Physical Business address of the Bidder	Municipal Account Number(s)

If there is not enough space for all the names, please attach the additional details to the Tender document.

Name of Director / Member / Partner	Identity Number	Physical <b>residential</b> address of Director / Member / Partner	Municipal Account number(s)

I, \_\_\_\_\_, the undersigned,  
(full name in block letters)

certify that the information furnished on this declaration form is correct and that I/we have no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days.

\_\_\_\_\_  
Signature

THUS DONE AND SIGNED for and on behalf of the Bidder / Contractor

at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 2015

**PLEASE NOTE:**

**MUNICIPAL ACCOUNTS FOR ALL PROPERTIES OWNED BY BIDDER/S MUST BE ATTACHED TO THE TENDER DOCUMENT!**

Even if the requested information is not applicable to the Bidder, the table above should be endorsed **NOT APPLICABLE** with a reason and **THIS DECLARATION MUST STILL BE COMPLETED AND SIGNED.** In the event of leasing, a lease agreement **MUST** be attached to the tender document.

GEORGE MUNICIPALITY

DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING

CONTRACT NUMBER: DPD078/2016

QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE  
MOTOR AT DAVIDSON COURT

## Returnable Documents (Part T2)

*(ALL Documents and Schedules MUST BE RETURNED for the TENDER to Qualify)*

- T2.1 List of Returnable Schedules Required for Tender Evaluation
- T2.1 Returnable Schedules
- T2.2 Other documents that will be incorporated into the contract
- T2.3 Returnable Schedules that will be incorporated in the contract

### **NOTE:**

Although the documents under Part T2 is headed “Returnable Documents” in line with the CIDB model, these are not the only documents to be returned together with the Tender. **All** the documents indicated on document T1, must be completed and signed where applicable and submitted as a **complete set of documents**.

**GEORGE MUNICIPALITY**

**DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING**

**CONTRACT NUMBER: DPD078/2016**

**QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE MOTOR AT DAVIDSON COURT**

**List of Returnable Schedules Required for Tender Evaluation Purposes (T2.1)**

- Form 2.1.1 General Information
- Form 2.1.2 Authority for Signatory
- Form 2.1.3 Schedule of Work Carried Out by Tenderer
- Form 2.1.4 Proposed Key Personnel
- Form 2.1.5 Schedule of Infrastructure and Resources
- Form 2.1.6 Schedule of Approach and Methodology
- Form 2.1.7 Schedule of Proposed Sub-Contractors
- Form 2.1.8 Financial References

**FORM 2.1.1 GENERAL INFORMATION**

1. Name of tendering entity: \_\_\_\_\_

9. Contact details

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

Tel no : (\_\_\_\_\_) \_\_\_\_\_

Fax no : (\_\_\_\_\_) \_\_\_\_\_

E-mail address : \_\_\_\_\_

10. Legal entity: Mark with an **X**.

Sole proprietor	
Partnership	
Close corporation	
Company (Pty) Ltd	
Joint venture	

In the case of a Joint venture, provide details on joint venture members:

Joint venture member	Type of entity (as defined above)

11. Income tax reference number: \_\_\_\_\_  
(in the case of a joint venture, provide for all joint venture members)

12. Regional services area where the enterprise is registered: \_\_\_\_\_  
(In the case of a joint venture, provide for all joint venture members)

13. Regional services levy registration number: \_\_\_\_\_  
(In the case of a joint venture, provide for all joint venture members)

14. VAT registration number: \_\_\_\_\_ (In the case of a joint venture, provide for all joint venture members)

8. Company or closed corporation registration number: \_\_\_\_\_  
 (In the case of a joint venture, provide for all joint venture members)
9. Details of proprietor, partners, closed corporation members, or company directors, indicating technical qualifications where applicable (Form on the next page).
10. For joint ventures the following must be attached (**COMPULSORY**):
- Written power of attorney for authorised signatory.
  - **Pro-forma of the joint venture agreement.**  
 \* If the Joint Venture Agreement is not attached, the tender will not be considered!

**DETAILS OF PROPRIETOR, PARTNERS, CLOSED CORPORATION MEMBERS OR COMPANY DIRECTORS**

Name and Identity Number	Relevant qualifications and experience	Years of relevant experience

**Name of Tendering Entity :** \_\_\_\_\_

**Signature :** \_\_\_\_\_ **Date :** \_\_\_\_\_

**FORM 2.1.2 AUTHORITY FOR SIGNATORY**

Details of person responsible for Tender process

Name .....

Contact number ( ) .....

Address of office submitting the Tender .....

.....

.....

Telephone no ( ) .....

Fax no ( ) .....

E-mail address .....

Signatories for close corporations and companies shall confirm their authority by attaching to this form a **duly signed and dated original or certified copy** of the relevant resolution of their members or their board of directors, as the case may be.

“By resolution of the board of directors passed on (date) .....

Mr. ....

has been duly authorized to sign all documents in connection with the Tender for Contract Number .....and any Contract which may arise there from on behalf of

(BLOCK CAPITALS) .....

.....

.....

SIGNED ON BEHALF OF THE COMPANY .....

IN HIS CAPACITY AS .....

DATE .....

FULL NAMES OF SIGNATORY .....

AS WITNESSES 1. ....

2. ....

**FORM 2.1.3 SCHEDULE OF WORK CARRIED OUT BY TENDERER**

**Previous experience**

Provide the following information on relevant previous experience (indicate specifically projects of similar or larger size and/or which is similar with regard to type of work. In addition to any requirements, bidders must furnish particulars of:

- a. all contracting services provided to an organ of state in the last five years;
- b. any similar contracting services provided to an organ of state in the last five years.

This information is material to the award of the Contract.

Description	Value (R, VAT excluded)	Year(s) executed	Reference		
			Name	Organisation	Tel no

Name of Tendering Entity:

---

Signature :

Date :

---

**FORM 2.1.4 PROPOSED KEY PERSONNEL**

The Tenderer shall list below the key personnel (including first nominee and the second choice alternate), whom he proposes to employ on the project should his/her quotation be accepted, both at his/her headquarters and on the site, to direct and for the execution of the work, together with their qualifications, experience, positions held and their nationalities.

DESIGNATION	NAME OF	NATIONALITY:	SUMMARY OF			HDI Status	Fee (Time Based)
	NOMINEE / ALTERNATE		QUALIFICATIONS AND NQF STATUS	EXPERIENCE AND PRESENT OCCUPATION	PRESENT	Yes/No	
HEADQUARTERS Partner/director							
Project manager							
Other key staff (give designation)							

Name of Tendering Entity : \_\_\_\_\_

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



**Returnable Schedules Required For Tender Evaluation**

**Part T2.1**

Form 2.1.4 continued ....

DESIGNATION	NAME OF	NATIONALITY:	SUMMARY OF		HDI Status Yes/No	Fee (Time Based)
	NOMINEE / ALTERNATE		QUALIFICATIONS AND NQF STATUS	EXPERIENCE AND PRESENT OCCUPATION		
<u>CONSTRUCTION MONITORING</u>						
Other key staff (give designation)						

**Name of Tendering Entity :** \_\_\_\_\_

**Signature :** \_\_\_\_\_ **Date :** \_\_\_\_\_

**FORM 2.1.5 SCHEDULE OF INFRASTRUCTURE AND RESOURCES**

Provide information on the following:

**Infrastructure and resources available**

Physical facilities

Description	Address	Area (m <sup>2</sup> )

**Equipment**

Provide information on equipment and resources that you have available for this project (attach details if the space provided is not enough):

Description : Equipment owned	Number of units
Description : Computer Hardware	Number of units
Description : Software to be Used	Number of units

**Size of enterprise and current workload**

What was your turnover in the previous financial year? \_\_\_\_\_

What is the estimated turnover for your current financial year? \_\_\_\_\_

List your current contracts and obligations

Description	Value ®	Start date	Duration	Expected completed date

Do you have the capacity to supply the goods and services described in this Tender, should the contract be awarded to you?

**Staffing Profile**

Provide information on the staff that you have available to execute this contract (attach a separate list if the space provided is insufficient)

Permanently employed staff : gender and race	Number of staff
Temporary staff to be employed for the project : gender and race	Number of staff

Name of Tendering Entity : \_\_\_\_\_

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

**FORM 2.1.6 SCHEDULE OF APPROACH AND METHODOLOGY/ WORK PLAN**

**Understanding the terms of reference / brief**

- 1. Do you as the contractor understand what is required in terms of the project stated above?

Yes		No	
-----	--	----	--

(Tick Appropriate Block)

- 2. If you answered Yes to question 1 above, please explain briefly your understanding of the project in no more than 50 words:


- 3. Considering questions 1 and 2 above, please provide in summary, details of your proposed approach and work plan to the successful completion of the above project.


- 4. Briefly state if you have any innovative approach for this particular project mentioned above, that you feel will be unique but also economically superior to the normal workable approach at presently undertaken as the norm.


**Name of Tendering Entity :**

**Signature :**

**Date :**

**FORM 2.1.7 SCHEDULE OF PROPOSED SUB-CONTRACTORS**

The Tenderer shall, in accordance with the provisions of condition of Tender, list below the sub-contractors he/she proposes to employ for part(s) of the work.

*If any or all of the sub-contractor/s listed hereunder are not approved subsequent to acceptance of the Tender, it shall in no way invalidate the Tender or the Contract, and the Tendered unit rates for the respective items of work shall remain final and binding even if sub-contractor/s not listed below is approved by the Employer.*

PART OR TYPE OF WORK	PROPOSED SUB-CONTRACTOR	WORK RECENTLY EXECUTED BY SUB-CONTRACTOR

**FORM 2.1.8 FINANCIAL REFERENCES****FINANCIAL STATEMENTS**

I/We agree, if required, to furnish an audited copy of the latest set of financial statements together with my/our Directors' and Auditors' report for consideration by the Employer.

**DETAILS OF TENDERING ENTITY'S BANK**

I/We hereby authorize the Employer/Engineer to approach all or any of the following banks for the purposes of obtaining a financial reference:

<b>DESCRIPTION OF BANK DETAIL</b>	<b>BANK DETAILS APPLICABLE TO TENDERER 'S HEAD OFFICE</b>
Name of bank	
Branch name	
Branch code	
Street address	
Postal address	
Name of manager	
Telephone number	(    )
Fax number	(    )
Account number	

**GEORGE MUNICIPALITY**

**DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING**

**CONTRACT NUMBER: DPD078/2016**

**QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE  
MOTOR AT DAVIDSON COURT**

**Other Documents Required For Tender Evaluation  
Purposes (Part T2.2)**

- Form 2.2.1 Certificate of Tenderer's Attendance at the Compulsory Site Meeting
- Form 2.2.2 Written Proof of Tenderers registration at the Construction Industry Development Board (CIDB)

**FORM 2.2.1 CERTIFICATE OF TENDERER'S ATTENDANCE AT THE COMPULSORY CLARIFICATION MEETING**

This is to certify that I, ..... ,  
representative of (Tenderer) .....

.....  
of (address) .....

.....

Telephone number .....

Fax number .....

attended Clarification Meeting on **Tuesday, 31 May 2016 at 10:00** in the company of

(George Municipality / Employer's Representative) .....

**PLEASE NOTE:**

Tenderers are requested to submit the minutes received at above-mentioned compulsory information session/meeting with their Tender documents. (Non-submission of this information may lead to rejection of this Tender)

TENDERER 'S REPRESENTATIVE: .....

GEORGE MUNICIPALITY / EMPLOYER'S REPRESENTATIVE: .....



**FORM 2.2.2 PROOF OF REGISTRATION AT THE CONSTRUCTION INDUSTRY  
DEVELOPMENT BOARD (CIDB)**

The Tenderer is to affix to this page:

- Written proof of Tenderers registration at the CIDB

**GEORGE MUNICIPALITY**

**DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING**

**CONTRACT NUMBER: DPD078/2016**

**QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE  
MOTOR AT DAVIDSON COURT**

**Returnable Schedules that will be Incorporated in  
the Contract (Part T2.2)**

Form 2.2.3

Record of Addenda to Tender Documents

**FORM 2.2.3 RECORD OF ADDENDA TO TENDER DOCUMENTS**

We confirm that the following communications received from the Employer before the submission of this Tender offer, amending the Tender documents, have been taken into account in this Tender offer:

	<b>Date</b>	<b>Title or Details</b>
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Attach additional pages if more space is required.

Signed: ..... Date: .....

Name: ..... Position: .....

SIGNED ON BEHALF OF TENDERER: .....

**1. Infrastructure and resources available**

Evaluation of the following in terms of the size, nature and complexity of goods and/or services required:

- Physical facilities
- Infrastructure and resources available for the contract owned by the Tenderer
- Infrastructure and resources the Tenderer intends renting, should the contract be awarded to him.

**2. Size of enterprise, and current workload**

Evaluation of the Tenderer's position in terms of:

- Previous and expected current annual turnover
- Current contractual obligations
- Capacity to execute the contract

**3. Staffing profile**

Evaluation of the Tenderer's position in terms of:

- Staff available for this contract being Tendered for
- Qualifications and experience of key staff to be utilized on this contract.

**4. Previous experience**

Evaluation of the Tenderer's position in terms of his previous experience. Emphasis will be placed on the following:

- Experience in the relevant technical field
- Experience of contracts of similar size
- Some or all of the references will be contacted to obtain their input.

**5. Financial ability to execute the contract**

Evaluation of the Tenderer's financial ability to execute the contract. Emphasis will be placed on the following:

- Professional indemnity
- Contact the Tenderer's bank manager to assess the Tenderer's financial ability to execute the contract and the Tenderer hereby grants his consent for this purpose.

If the Tender does **not** meet the requirements contained in the George Municipality Procurement Policy, and the mentioned framework, it will be rejected by the Council, and may not subsequently be made acceptable by correction or withdrawal of the non-conforming deviation or reservation.

**6. Penalties**

The George Municipality will if upon investigation it is found that a preference in terms of the Act and these regulations has been obtained on a fraudulent basis, or any specified goals are not attained in the performance of the contract, on discretion of the Departmental Head, one or more of the following penalties will be imposed:

- Cancel the contract and recover all losses or damages incurred or sustained from the Tenderer.
- Impose a financial penalty of twice the theoretical financial preference associated with the claim, which was made in the Tender.
- Restrict the Tenderer, its shareholders and directors on obtaining any business from the George Municipality for a period of 5 years.

**Good standing with SA Revenue Services**

Attach a valid **original tax clearance certificate** to the **second page of your Tender document**.

**PLEASE NOTE:** In case of a **Joint Venture**, the valid **original tax clearance certificate/s of all the partners in the Joint Venture**, must be **submitted** with the Tender document.

ONLY THE VALID ORIGINAL TAX CLEARANCE  
CERTIFICATE/S FROM SARS WILL BE ACCEPTED, CERTIFYING THAT THE  
TAXES OF THAT PERSON TO BE IN ORDER, OR THAT SUITABLE  
ARRANGEMENTS HAVE BEEN MADE WITH SARS.

**Compliance with Employment Equity Act 55 of 1998**

Attach a valid certificate from the Department of Labour, or a declaration (Refer to Equity Ownership Table) by the designated EMPLOYER, that the EMPLOYER complies with the relevant chapters of the Employment Equity Act.

A failure to comply with the above is sufficient ground for rejection of any offer to conclude an agreement or for cancellation of the agreement.

**Definitions in terms of the last mentioned Act.**

**“designated EMPLOYER** means-

- a) a EMPLOYER who employs 50 or more employees;
- b) a EMPLOYER who employees fewer than 50 employees, but has a total annual turnover that is equal to or above the applicable annual turnover of a small business in terms of Schedule 4 to this Act.”

**“Schedule 4”**

**TURNOVER THRESHOLD APPLICABLE TO DESIGNATED EMPLOYERS**

<b>Sector or sub sector in accordance with the Standard Industrial Classification</b>	<b>Total annual turnover</b>
Agriculture	R 2,00 m
Mining and Quarrying	R 7,50 m
Manufacturing	R 10,00 m
Electricity, Gas and Water	R 10,00 m
Construction	R 5,00 m
Retail and Motor Trade and Repair Services	R 15,00 m
Wholesale Trade, Commercial Agents and Allied Services	R 25,00 m
Catering, Accommodation and other Trade	R 5,00 m
Transport, Storage and Communications	R 10,00 m
Finance and Business Services	R 10,00 m
Community, Social and Personal Services	R 5,00 m

**GEORGE MUNICIPALITY**

**DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING**

**CONTRACT NUMBER: DPD078/2016**

**QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE  
MOTOR AT DAVIDSON COURT**

**The Contract (Part C)**

Part C1	Agreement and Contract Data
Part C2	Pricing Data
Part C3	Scope of Works

**GEORGE MUNICIPALITY**

**DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING**

**CONTRACT NUMBER: DPD078/2016**

**QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE  
MOTOR AT DAVIDSON COURT**

**Agreement And Contract Data (Part C1)**

- Part C1.1 Form of Offer and Acceptance
- Part C1.2 Contract Data
- Part C1.3 Objections and Complainants Form
- Part C1.4 Form of Guarantee

GEORGE MUNICIPALITY

DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING

CONTRACT NUMBER: DPD078/2016

QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE MOTOR AT DAVIDSON COURT

Form of Offer and Acceptance (Part C1.1)

(AGREEMENT) OFFER

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract for the procurement of:

.....

The Tenderer, identified in the Offer signature block below, has examined the documents listed in the Tender Data and addenda thereto as listed in the Tender schedules, and by submitting this Offer has accepted the Conditions of Tender.

By the representative of the Tenderer, deemed to be duly authorised, signing this apart of this Form of Offer and Acceptance, the Tenderer offers to perform all of the obligations and liabilities of the Service Provider under the Contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the Conditions of Contract identified in the Contract Data.

THE OFFERED TOTAL (INCLUDING VAT) IS:

.....

.....rand (in words); R ..... (in figures),

This Offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the Tender Data, whereupon the Tenderer becomes the party named as the Service Provider in the Conditions of Contract identified in the Contract Data.

Signature(s) \_\_\_\_\_

Name(s) \_\_\_\_\_

Capacity \_\_\_\_\_

(Name and address of organisation)



**ACCEPTANCE**

By signing this part of this Form of Offer and Acceptance, the Employer identified below accepts the Tenderer’s Offer. In consideration thereof, the Employer shall pay the Service Provider the amount due in accordance with the, Conditions of Contract identified in the Contract Data. Acceptance of the Tenderer’s Offer shall form an agreement, between the Employer and the Tenderer upon the terms and conditions contained in this Agreement and in the Contract that is the subject of this Agreement.

The terms of the contract are contained in

Part C1 Agreements and Contract Data, (which includes this Form of Offer and Acceptance)

Part C2 Pricing Data

Part C3 Scope of Work

and drawings and documents or parts thereof, which may be incorporated by reference into Parts C1 to C3 above.

The Tenderer shall within two weeks after receiving a completed copy of this Agreement, contact the Employer's representative (whose details are given in the Contract Data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the, Conditions of Contract identified in the Contract Data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this Agreement.

Notwithstanding anything contained herein, this Agreement comes into effect on the date when the Tenderer receives one fully completed original copy of this document, including the Schedule of Deviations (if any). Unless the Tenderer (now Contractor) within five working days of the date of such receipt notifies the Employer in writing of any reason why he cannot accept the contents of this Agreement, this Agreement shall constitute a binding contract between the parties.

Signature

\_\_\_\_\_

Name

**MR TREVOR BOTHA**

Capacity

**MUNICIPAL MANAGER  
GEORGE MUNICIPALITY  
CIVIC CENTRE  
YORK STREET  
GEORGE**

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the Tender documents and the receipt by the Tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this Agreement.

**FOR THE TENDERER:**

Signature(s)

Name(s)

Capacity

\_\_\_\_\_  
(Name and address of organisation)

**FOR THE EMPLOYER:**

Signature

Name

Capacity

\_\_\_\_\_  
**MR TREVOR BOTHA**  
**MUNICIPAL MANAGER**  
**GEORGE MUNICIPALITY**  
**CIVIC CENTRE**  
**YORK STREET**  
**GEORGE**

**GEORGE MUNICIPALITY**

**DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING**

**CONTRACT NUMBER: DPD078/2016**

**QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE MOTOR AT DAVIDSON COURT**

**Contract Data (Part C1.2)**

**CONDITIONS OF CONTRACT**

The **Standard Professional Services Contract (Second Edition, September 2005)** published by the Construction Industry Development Board, are applicable to this.

Copies of these Conditions of Contract may be obtained from the Construction Industry Development Board’s website [www.cidb.org.za](http://www.cidb.org.za).

**PART 1: DATA PROVIDED BY THE EMPLOYER**

The following contract specific data are applicable to this Contract:

Clause 1	The Employer is the George Municipality.	
3.4 and 3.5	The Authorised and Designated representative of the Employer is:	
	Name: Ms Zinobia Spies	
	The Employer's address for receipt of communications is:	
	<u>Physical address:</u> York Street George, 6530	<u>Postal address:</u> George Municipality PO Box 19 George, 6530
	Telephone: (044) 802 2033	
	The Project is for the Replacement of Existing Gate and Gate motor at Davidson Court, George	
3.6	The Service Provider may release public or media statements or publish material related to the Services or Project subject to the approval of the Employer.	
3.7	The Services Provision shall be completed for the portions as set out in the Scope of Works.	
5.1.1 and 5.1.2	The Service Provider is required to provide the Service with all reasonable care, diligence and skill in accordance with generally accepted professional techniques and standards. Where services include the powers to certify, decide or otherwise exercise discretion in regard to a contractor agreement between the Employer and others then the Service provider shall act in respect of that contract/agreement as an independent	
5.4.1	The Service Provider is required to provided the following insurances:	
	1. Insurance against	
	Cover is:	Equivalent to the project value

Clause 1	The Employer is the George Municipality.	
	Period of cover:	Duration of Project
	Deductibles are:	
5.5	The Service Provider is required to obtain the Employer’s prior approval in writing before taking any of the following actions: 1. Appointing Sub-Contractors for the performance of any part of the Services.	
Additional Clause to be added 7.3	The Employer will not be responsible for any overtime worked by or overtime payments made to personnel, or any additional costs not specified in the tender submitted by the Tenderer.	
9.1	Copyright of documents prepared for the Project shall be vested with George Municipality.	
12.1	Settlement of disputes is to be in terms of Clause 49 and 50 of the Supply Chain Management Policy of the George Municipality. See Document C1.3.	
14	Where not specifically indicated, all tendered prices, rates, tariffs, fees, etcetera are to include 14% VAT.	

**PART 2: DATA PROVIDED BY THE SERVICE PROVIDER**

Clause		
5.1	The Service Provider is:	
5.3	The authorized and designated representative of the Service Provider is:	
	Name:	
	The Service Provider's address for receipt of communications is	
	Physical address:	Postal address:
	Telephone:	
	Fax:	
	E-mail:	

GEORGE MUNICIPALITY

DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING

CONTRACT NUMBER: DPD078/2016

QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE MOTOR AT DAVIDSON COURT

## Objections and Complainants Form (Part C1.3)

(Section 1.11.15 of the George Municipality's Supply Chain Management Policy)

### (1) Details of Objector/Complainant

Name: \_\_\_\_\_

Address: (postal and street): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

Contact person: \_\_\_\_\_

Reference number of Tender : \_\_\_\_\_

### Other Party's Details (If any)

Name: \_\_\_\_\_

Address: (postal and street): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

Contact person: \_\_\_\_\_

Reference number of Tender: \_\_\_\_\_

Description of Issue[s] in Dispute

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List of Documents Attached

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Determination Sought in Respect of Objection or Complaint

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Form submitted by:

Name: \_\_\_\_\_

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

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

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

Place: \_\_\_\_\_

**GEORGE MUNICIPALITY**

**DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING**

**CONTRACT NUMBER: DPD078/2016**

**QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE  
MOTOR AT DAVIDSON COURT**

## **Form of Guarantee (Part C1.4)**

The Tenderer must affix proof of Guarantee to this page.

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**Pricing Data (Part C 2)**

C2.1 Pricing Instructions

C2.2 Pricing Schedule



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MOTOR AT DAVIDSON COURT**

## **Pricing Instructions (Part C2.1)**

### **C2.1 PRICING INSTRUCTIONS**

1. Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except Value Added Tax (VAT)), and other levies payable by the successful tenderer, such duties, taxes and levies being those applicable 14 days before the closing time stated in the tender data.
2. Show VAT payable by the employer separately as an addition to the tendered total of the prices.
3. Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data.
4. State the rates and prices in Rand unless instructed otherwise in the tender data. The conditions of contract identified in the contract data may provide for part payment in other currencies.

## GEORGE MUNICIPALITY

DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING

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QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE  
MOTOR AT DAVIDSON COURT**Pricing Schedule (C2.2)**

<b>DESCRIPTION</b>	<b>PRICE</b>
Replacement of Existing gate and gate motor at Davidson Court, George, as per the Scope of Works / Specifications	R
14% VAT	R
<b>TOTAL (INCLUDING VAT)</b>	<b>R</b>

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CONTRACT NUMBER: DPD078/2016

QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE MOTOR AT DAVIDSON COURT

## Scope of Works (C3)

### C 3.1 DESCRIPTION OF WORKS

#### Specifications for the replacement of the existing gate at Davidson court

**Note to Engineer: All work to conform to the Minimum Housing Standards, Issued by the Provincial Government of the Western Cape, March 2014.**

**Any deviation from the specifications or minimum standards must be approved in writing by the Director, Human Settlements, Land Affairs & Planning, prior to any work being done.**

**Main Gate: replace existing gate and gate motor**

#### **SPECIFICATIONS AS FOLLOW:**

Contractor to supply and install a new Galvanised Steel gate matching the existing gate in size, but with additional reinforcement from wrapping when vehicle impacts the unit.

Contractor to provide and install a new industrial grade sliding gate motor, with a 10 year warranty and at least 2 year guarantee period on the motor, the installer must provide proof that he/she is registered to supply the specific motor and that the warrantee period will be in place. The installation package must include a 2 year service period of 6 month intervals; proof of services will be required. Installer must also reprogram all the tenants' remotes to operate the new motor and issue the two controllers that come with the motor to this office, if this cannot be done, the installer will have to allow for 44 new remote controllers.

Contractor must allow for any remedial work to the track system to repair the damage cause by the vehicle impact.

Contractor must cart away all rubble and dispose of at the municipal dumping site.

#### **HEALTH AND SAFETY GUIDELINES TO PERFORM THE WORK AS SET OUT ABOVE:**

The appointed contractor will have to submit a health and safety plan, contractor must be registered with a recognized Health & Safety body and their registration must also be in good standing, and the cost for the health and safety plan must be covered by the appointed contractor.

Workforce will have to wear personal protective clothing, i.e. overalls, safety boots, safety eyewear, hard hats, protective gloves and reflective vests.

Site area must be demarcated to restrict access for individuals or any animals from the surrounding area. Safety cones and construction signs will have to be placed to screen off the work area and to make on coming pedestrian traffic aware of the construction taking place.

**Contractor to note that all work is subject to a 3 month retention period and that 10% of the project amount will be held back for that period and it will only be paid out when the defects that may occur within the 3 months has been repaired, inspected and signed off.**

GEORGE MUNICIPALITY

DIRECTORATE: HUMAN SETTLEMENTS, LAND AFFAIRS AND PLANNING

CONTRACT NUMBER: DPD078/2016

QUOTATION FOR THE REPLACEMENT OF EXISTING GATE AND GATE  
MOTOR AT DAVIDSON COURT

## **Health and Safety Specification (C4)**

INFORMATION INCLUDED IN THE SCOPE OF WORKS / SPECIFICATIONS