

MATATIELE LOCAL MUNICIPALITY PROVINCE OF THE EASTERN CAPE



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

APPOINTMENT OF 3 (THREE), A PANEL OF SERVICE PROVIDERS/ CONTRACTORS FOR TURNKEY FOR CONSTRUCTION OF UNITS IN MATATIELE LOCAL MUNICIPALITY

BID No.: MATAT/2024/2025-25

Matatiele

**BIDDER'S CLOSURES AT THE OFFICES OF: MATATIELE LOCAL MUNICIPALITY AT 10H00
ON 07 APRIL 2025**

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

NO LATE SUBMISSION WILL BE CONSIDERED

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

Where Nature, Agriculture, Tourism are Investments of Choice.

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

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1. CHECKLIST

**PLEASE ENSURE THAT THE FOLLOWING FORMS HAVE BEEN DULY COMPLETED AND SIGNED
AND**

THAT ALL DOCUMENTS AS REQUESTED, ARE ATTACHED TO THE TENDER DOCUMENT:

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

SIGNATURE		NAME	
CAPACITY		DATE	
NAME OF FIRM			



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**MATATIELE LOCAL MUNICIPALITY
TENDER NOTICE AND INVITATION TO TENDER
ADVERTISEMENT**

ADVERTISED ON:		MUNICIPAL NOTICE BOARD, MUNICIPAL WEBSITE, NATIONAL TREASURY e-Tender and LOCAL NEWSPAPER	
TENDER DESCRIPTION		BID NO.	CIDB GRADING REQUIRED
APPOINTMENT OF 3 (THREE), A PANEL OF SERVICE PROVIDERS/ CONTRACTORS FOR TURNKEY FOR CONSTRUCTION OF UNITS IN MATATIELE LOCAL MUNICIPALITY		MATAT/2024/2025-25	7 GB OR HIGHER
PUBLISHED DATE:	07/03/2025	CLOSING DATE:	07/04/2025
CLOSING TIME:	10h00: Tenders will be opened immediately thereafter, in public at Matatiele Local Municipality Mountain View BTO Offices R56		
AVAILABILITY OF TENDER DOCUMENTS			
Bid Documents will be available on Municipal Website and BTO Offices	The tender document fee is payable to Municipal bank account (Ned Bank 1011292106 branch code 198765, name of company and bid no as reference) (Failure to attach proof of purchase will lead to disqualification). To obtain tender documents please login to www.matateiele.gov.za or email nngcobo@matatiele.gov.za .		
Date Available	13/03/2025	Non-Refundable Fee	R1000.00
TENDER SUBMISSION RULES:			
- Tenders must be completed in accordance with the tender conditions and tender rules contained in the tender document. - The tender document and compulsory attachments/supporting documents must be placed in a sealed envelope and externally endorsed with: Tender Number; Description and Closing Date of the Tender. - Tender documents must only be submitted on the tender document issued by Matatiele Local Municipality Tender documents must be completed in blank ink only.			
MANDATORY DOCUMENTS- FAILURE TO SUBMIT ANYONE OF THEM WILL INVALIDATE YOUR TENDER OFFER.			

●Proof of Central Supplier Database (CSD) registration-●Complete all MBD 3.3, 4,5, 6.1, 8, & 9 Forms and **6.2 Local content of Local Production and Stipulated minimum threshold for local content 100% for Steel product and Components for Construction** as attached in tender document and its Annexures in full ●Authority to sign Form ●Prices quoted must be firm and must be inclusive of VAT (Applicable to VAT Vendors ●Joint Ventures Agreement signed by all parties involved.

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

●Tenders will be evaluated in terms of Matatiele Local Municipality Supply Chain Management Policy Preferential Procurement Policy Framework Act No.5 of 2000 ●Section 217 of the Constitution Act No 108 of 1996

EVALUATION CRITERIA

The Bids will be evaluated on the basis of the Preferential Procurement Policy Framework Act is 80/20 in line with the Preferential Procurement Policy Framework Act (PPPFA) of November 2022.

Only competent bidders who are competent in the advertised work and who have exceeded the minimum functionality threshold will be two phases Phase 1= **Functionality=100 Points** and Phase 2= is 90/10 in line with the Preferential Procurement Policy Framework Act (PPPFA) as amended 16 January 2023. Only bidders who obtain 65 points as a minimum functionality threshold will be evaluated further on 90/10.

Points for functionality will be scored according to the table below: Detailed sub-criteria are contained in the tender document and are binding:

Functionality Criteria	Points
Previous Company Experience	20
Key personnel	50
Accreditation	30
Total	100

90/10 Evaluation Criteria

Preferential Goals	90/10	Documents required for verification
Maximum Points	10	
1. HDI – Equity ownership	3	ID Copy of the owner/director and CSD
2. Youth-Enterprises 14-35 years (MLM)	3	CSD, ● Proof of municipal accounts or ●Proof of residence signed by ward councillor or ●Affidavit
3. Women – Equity ownership	2	ID Copy of the owner/director and CSD

4. Disability – Equity ownership	1	ID Copy of the owner/director and CSD
5. Rural Enterprises	1	CSD, ● Proof of municipal accounts or ●Proof of residence signed by ward councillor or ●Affidavit
Tender Price	90	
TOTAL	100 POINTS	

TENDER ENQUIRIES

All SCM enquiries relating to this bid must be directed to Ms M Sabasaba, e-mail: MSabasaba@matatiele.gov.za during office hours (07h30 – 16h00) weekdays. All Technical enquiries relating to this bid must be directed to Mr B Phikwa, e-mail: BPhikwa@matatiele.gov.za during office hours

TENDER DISCLAIMER

The Matatiele Local Municipality reserves the right not to appoint a contractor on highest points scored. Value for money, past experience and functionality will be the key determinants of appointment. *The Municipality will not make any award to a person or persons working for the state or failing to possess relevant credentials as stipulated in the tender requirements.*

Bidders are warned not to accept any person who request any amount for award for this bid, it is a scam and fraud, that person must be reported to the nearest police station.

Mr L.Matiwane
Municipal Manager

**EVALUATION CRITERIA
PHASE 1 FUNCTIONALITY**

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

FUNCTIONALITY REQUIREMENTS	
PRE- QUALIFICATION FUNCTIONAL ASSESSMENT –POINT SCORING	
DESCRIPTION /CRITERIA	Maximum points Allowed
Proven Company Experience in construction of RDP Houses, water tank with stands, vip toilets and electricity tubing (signed completion certificates/ refence letters and Appointment Letters must be attached) 3 or more projects =20 2 projects = 15 1 Project = 10	20
<u>CIVIL ENGINEER</u> • Bsc/BTech Degree: Civil Engineering and at least 5 years post graduate experience and having been involved in 5 building projects with value not less than R5M. The proposed engineer to be registered with professional body of civil engineers (ECSA). =30 • Bsc/BTech Degree: Civil Engineering and at least 3 years post graduate experience and having been involved in 3 building projects with value not less than R3M The proposed engineer to be registered with professional body of civil engineers (ECSA). = 15	30
<u>QUANTITY SURVEYOR</u> Bsc/BTech Degree: Quantity Surveying and at least 5 years post graduate experience and having been involved in 5 building projects	20

with value not less than R5M The proposed QS to be registered with professional body for quantity surveying (SACQSP). = 20	
Bsc/BTech Degree: Quantity Surveying and at least 3 years post graduate experience and having been involved in 3 building projects with value not less than R3M The proposed QS to be registered with professional body for quantity surveying (SACQSP).= 10	
Project Director/Leader: Must be registered with NHBRC (attach a valid NHBRC certificate)	30
TOTAL	100

A bidder scoring less than 65 points out of 100 in respect of functionality will be regarded as submitting non-responsive bid and will be disqualified.

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

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

Ps 80 1 min Where- Ps = Points scored for price of tender under consideration; Pt = Price of tender under consideration; and Pmin = Price of lowest acceptable tender. (2) A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender as stipulated on the notice to tender and tender document. (3) The points scored for the specific goal will be added to the points scored for price and the total will be rounded off to the nearest two decimal places. (4) Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

1 Tender Price	80 points
2. HDI – Equity ownership	6 points
3. Youth-Enterprises 14-35 years (MLM)	6 points

4. Women – Equity ownership	4 points
5. Disability – Equity ownership	2 points
6. Rural Enterprises (will be verified by CSD)	2 points
Total	100 points

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

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

Tenderers will be awarded points on the following basis:

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

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

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

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

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

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

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

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

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

34.5. If the raw material or input to be used for a specific item is not available locally, bidders should obtain written authorization from the DTI should there be a need to import such raw material or input and a copy of this authorization letter must be submitted together with the bid document at the closing date and time.

34.6. Bidders must complete MBD 6.2 with Annexure C and it must be submitted with the bid at the closing date and time. Failure to submit will invalidate the bid.

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

MBD 1 – MATATIELE LOCAL MUNICIPALITY

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)					
BID NUMBER:	MATAT/2024/2025-25	CLOSING DATE:	07 APRIL 2025	CLOSING TIME:	10H00
DESCRIPTION	APPOINTMENT OF 3 (THREE), A PANEL OF SERVICE PROVIDERS/ CONTRACTORS FOR TURNKEY FOR CONSTRUCTION OF UNITS IN MATATIELE LOCAL MUNICIPALITY				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Matatiele Local Municipality New BTO Offices Matatiele 4730					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?	☐ Yes ☐ No [IF YES, ANSWER PART B:3]	
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE	R	
SIGNATURE OF BIDDER			DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT	BTO OFFICES		CONTACT PERSON	MR. B. Phikwa	
CONTACT PERSON	MS. M. SABASABA		TELEPHONE NUMBER	0397378124	
TELEPHONE NUMBER	0397378263		FACSIMILE NUMBER	0397373611	
FACSIMILE NUMBER	0397373611		E-MAIL ADDRESS	BPhikwa@matatiele.gov.za	
E-MAIL ADDRESS	MSabasaba@matatiele.gov.za				

AUTHORITY TO SIGN

- SOLE PROPRIETOR (SINGLE OWNER BUSINESS) AND NATURAL PERSON

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

OR

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

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

2 COMPANIES AND CLOSE CORPORATIONS

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

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

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

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

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

PRINT NAME:			
WITNESS 1:		WITNESS 2:	

3. PARTNERSHIP

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

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

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

8 CONSORTIUM

We, the undersigned consortium partners, hereby authorize_____

_____ (Name of entity) to act as lead consortium partner and further authorize Mr./Ms.

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

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

Full Name of Consortium Member	Role of Consortium Member	% Participation	Signature
SIGNED ON BEHALF OF PARTNERSHIP:		DATE:	
PRINT NAME:			
WITNESS 1:		WITNESS 2:	

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR ONLINE
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
2. TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4	FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
2.5	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.6	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.7	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.	

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Municipality / Municipal Entity: Matatiele Local Municipality

Department: Budget and Treasury Office

Contact Person: Manager Supply Chain and Fleet Management: Ms. M. Sabasaba

Email: MSabasaba@matatiele.gov.za

Fax: 039 737 3611

ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact Person: Manager Human Settlement: Mr. B. Phikwa

Email: BPhikwa@matatiele.gov.za

Fax: 039 737 3611

2 MBD 2

TAX CLEARANCE REQUIREMENTS

IT IS A CONDITION OF BIDDING THAT -

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

APPLICATION FOR TAX CLEARANCE CERTIFICATE

(IN RESPECT OF BIDDERS)

1. Name of taxpayer / bidder:

2. Trade name:

3. Identification number:

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4. Company / Close Corporation registration number:

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5. Income tax reference number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--

6. VAT registration number (if applicable):

--	--	--	--	--	--	--	--	--	--	--	--	--	--

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

--	--	--	--	--	--	--	--	--	--	--	--	--	--

Signature of contact person requiring Tax Clearance Certificate:

Name:

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

Address:

.....

.....

DATE: 20____ / ____ / ____

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

[MBD 2

MBD 4 – MATATIELE LOCAL MUNICIPALITY

DECLARATION OF INTEREST

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/adjudicating authority.

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

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

3.2 Identity Number:

3.3 Position occupied in the Company (director, trustee, hareholder²):.....

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

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

3.8.1 If yes, furnish particulars.

.....

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:

.....
.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

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

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

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

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

.....

.....

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

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

2.2 If yes, provide particulars.

.....

.....

.....

.....

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

3.1 If yes, furnish particulars

.....
.....

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

4.1 If yes, furnish particulars

.....
.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)

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

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

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

MBD 6.1 – MATATIELE LOCAL MUNICIPALITY

MBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

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

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	
SPECIFIC GOALS	
Total points for Price and SPECIFIC GOALS	100

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

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

80/20 or 90/10

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} \end{array}$$

Where

- Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
1. HDI – Equity ownership	3			
2. Youth-Enterprises 14-35 years (MLM)	3			
3. Women – Equity ownership	2			
4. Disability – Equity ownership	1			
5. Rural Enterprises	1			

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

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

1. General Conditions

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

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

Where

x is the imported content in Rand

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

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

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

1.6. A bid may be disqualified if –

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

2. Definitions

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

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

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

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

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

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

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

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

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

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

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

_____	_____ %
-------	---------

_____ %
 _____ %

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

(Tick applicable box)

YES		NO	
-----	--	----	--

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

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

(Tick applicable box)

YES		NO	
-----	--	----	--

- 5.1. If yes, provide the following particulars:

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

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

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

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

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

IN RESPECT OF BID NO.

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

NB

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

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thedti.gov.za/industrialdevelopment/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder
entity), the following:

(a) The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that

- (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (ii) the declaration templates have been audited and certified to be correct.

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

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R

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

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

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

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

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

(C1)	Tender No.	
(C2)	Tender description:	
(C3)	Designated product(s)	
(C4)	Tender Authority:	
(C5)	Tendering Entity name:	
(C6)	Tender Exchange Rate:	
(C7)	Specified local content %	

Pula		EU		GBP	
------	--	----	--	-----	--

Signature of tenderer from Annex B

Date:

(C25) Average local content % of tender

Annex D

Imported Content Declaration - Supporting Schedule to Annex C

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

A. Exempted imported content

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

B. Imported directly by the Tenderer

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

C. Imported by a 3rd party and supplied to the Tenderer

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

D. Other foreign currency payments

			Calculation of foreign currency payments								Summary of payments
Type of payment	Local supplier making the payment	Overseas beneficiary	Foreign currency value paid	Tender Rate of Exchange							Local value of payments
(D46)	(D47)	(D48)	(D49)	(D50)							(D51)
(D52) Total of foreign currency payments declared by tenderer and/or 3rd party											
(D53) Total of imported content & foreign currency payments - (D32), (D45) & (D52) above										R 0	

Signature of tenderer from Annex B

Date:

This total must correspond with Annex C - C 23

Annex E

Local Content Declaration - Supporting Schedule to Annex C

(E1)	Tender No.				Note: VAT to be excluded from all calculations
(E2)	Tender description:				
(E3)	Designated products:				
(E4)	Tender Authority:				
(E5)	Tendering Entity name:				

Local Products (Goods, Services and Works)	Description of items purchased	Local suppliers	Value
	<i>(E6)</i>	<i>(E7)</i>	<i>(E8)</i>
	(E9) Total local products (Goods, Services and Works)		R 0
Manpower costs	(Tenderer's manpower cost)		R 0
Factory overheads	(Rental, depreciation & amortisation, utility costs, consumables etc.)		R 0
Administration overheads and mark-up	(Marketing, insurance, financing, interest etc.)		R 0
		(E13) Total local content	R 0
		This total must correspond with Annex C - C24	

Signature of tenderer from Annex B

Date:

MBD 7.1 – MATATIELE LOCAL MUNICIPALITY

CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

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

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

2.

MBD 8 – MATATIELE LOCAL MUNICIPALITY

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector? (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).	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (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 ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		

Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.7.1	If so, furnish particulars:		

CERTIFICATION

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

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

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of Bidder

MBD 9 – MATATIELE LOCAL MUNICIPALITY

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ 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).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

³ **Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.**

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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

TENDERER NAME	NATIONAL TREASURY DATABASE REGISTRATION NUMBER

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

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

Note:

TENDERER'S SIGNATURE:

12. CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES

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

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

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

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

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

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

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

NB: Please attach certified copy(ies) of ID document(s)

If the entity or any of its Directors/Shareholders/Partners, etc. rents/leases premises, a copy of the rental/lease agreement must be submitted with this tender.

Signature	Position	Date

COMMISSIONER OF OATHS

Signed and sworn to before me at _____, on _____ day of _____, 20____

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

COMMISSIONER OF OATHS:-

Position: _____

Address: _____

Apply official stamp of authority on this page:



O. Ethics Commitment for Suppliers of the Matatiele Local Municipality

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

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

This is our commitment to help build an ethical community.

Name of Company: _____

Name of authorised person: _____

Signature: _____

Date: _____

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



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

**TERMS OF REFERENCE FOR THE APPOINTMENT
OF APPOINTMENT OF 3 (THREE), A PANEL OF
SERVICE PROVIDERS/ CONTRACTORS FOR
TURNKEY FOR CONSTRUCTION OF UNITS IN
MATATIELE LOCAL MUNICIPALITY**

1. PROJECT BACKGROUND

The Matatiele is engaged to improve and accelerate delivery of RDP houses in the Province and to fast track the implementation of these projects. The Matatiele will be utilizing the pre-qualification database to appoint a suitable turnkey contractor to undertake 3 project phases such as

1.1 Inception

1.1.1 Detailed Geotechnical Report.

1.1.2 Detailed Environmental Impact Assessment Report.

1.1.3 Social Facilitation (signed Social Compact by all role players and Constitution).

1.1.4 Land Audit Report including Land Claims C.

1.1.5 Bulks Report (water, sanitation and roads).

1.1.6 Confirmation of the availability of bulk services

1.1.7 Application for Stage 2 funding.

1.1.8 Beneficiary Administration.

1.1.9 Drafting and Conclusion of all rights to develop the land.

1.1.10 Programming all the activities in the development and the cash-flow commitments.

1.1.11 Planning of approved land;

1.1.12 Township establishment process;

1.2 Planning & Design

1.2.1 Design and installation of internal reticulation services.

1.2.2 Application for stage 3 funding.

1.2.3 Project Management

1.3 Implementation.

1.3.1 Construction of housing units

1.3.2 Tenant Management

1.3.3 Close out

1.3.4 Project management

The project team **MUST** comprise of the following professional disciplines

Town Planning Professional (South African Council of Planners (SACPLAN)
Professional Land Surveyor South African Geomatics Council (SAGC)
South African Council of natural science profession SACNASP/
Environmental assessment practitioners in South Africa EAPASA
Professional Civil Engineer – Engineering Council of South Africa (ECSA)
Professional Structural Engineer- Engineering Council of South Africa (ECSA)
Quantity Surveyor- South African Council for the Quantity Surveying(SACQSP)
Geotechnical Engineer South African Institute of Civil Engineers (SAICE)
Contractor- National Home Builders’ Registration Council (NHBRC)
NB: Registered Professional with relevant professional affiliation/bodies with valid registration certificates

Detailed information on the phases of the project are put on the content of this document.

2. PROJECT LOCATION

The projects are located in different areas within Municipal jurisdiction. As a result the distance differs as per the project location.

3. LEGISLATION

- 3.1 Constitution of Republic of South Africa,1996
- 3.2 Municipal Finance Management Act, No.5 of 2000
- 3.3 Municipal Supply Chain Management Regulations of 2005- Gazette No.27388
- 3.4 Construction Industry Development Board Act 38 of 2000
- 3.5 Preferential Procurement Policy Framework Act No.5 of 2000
- 3.6 Municipal Systems Act,2000
- 3.7 National Housing Act,1997
- 3.8 National Environmental Management Act,1998
- 3.9 MLM Integrated Development Plan, 2016-2022
- 3.10 Spatial Planning and Land Use Management Act (SPLUMA),2013

4. SCOPE OF WORKS

There will be one (1) contractor to be appointed for this project as detailed in Table1. The work is organized into three (3) distinct phases as follows:

4.1 PHASE ONE (1) – INCEPTION

This phase involves assessing the available information and getting familiar with the scope of work and the project area, identifying risks and constraints and devise plans to mitigate these.

- 4.1.1 A detailed project implementation plan and cash flow for the entire project will have to be prepared.
- 4.1.2 A detailed quarterly cost analysis report (i.e. showing original costs, current costs material and professional service provider costs and any other project costs) a process will run throughout the entire project quarterly.
- 4.1.3 Although the beneficiary process has been done, there is still a need for physical verification on beneficiary registration/administration against Housing Subsidy System (HSS).
- 4.1.4 The successful contractor will have to perform the following main tasks during this phase:
 - 4.1.4.1 Review all data provided by the Municipality /Municipality and the identified outstanding information to be included in the project implementation plan;
 - 4.1.4.2 Review the project scope and visit the site to get familiar with all the details of the project and the possible geographical and logistical challenges. Any risks to the project have to be identified and mitigating measures devised; must consider the terrain and have to cost it, no variation orders will be considered,
 - 4.1.4.3 Project planning and the provision of a detailed project implementation plan detailing all activities until project closeout (including identifying risks and mitigation measures);
 - 4.1.4.4 Stakeholder engagement through on-going interaction with the Municipality , Local & District Municipality and public participation (through Social Facilitation);
 - 4.1.4.5 Conduct social facilitation (a process will run throughout the entire project) which will include discussing and agreeing top structure typologies with the community; and
 - 4.1.4.6 Project Cash Flow will have to be prepared and submitted with the Project Implementation Plan.

4.2 PHASE TWO (2) – PLANNING AND DESIGN

This phase involves the continuation of social facilitation, beneficiary registration/administration, obtaining of letter of exemption in respect of Environmental Impact Assessment (EIA), compilation of Occupational Health & Safety Plan, reviewal of the available geo-technical investigation report, foundation design, house plans, submission of details of competent person and builder to National Home Builders Registration Council (NHBRC).

4.2.1 The successful contractor will have to perform the following main tasks during this phase:

4.2.1.1 Continuation of the social facilitation;

4.2.1.2 Obtain letter of exemption in respect of Environmental Impact Assessment from relevant authorities;

4.2.1.3 Compile Occupational Health and Safety Plan

4.2.1.4 Review existing Geotechnical Investigation to comply with Global Forum on Human Settlements (GFHS2) including Groundwater Protocol Investigation;

4.2.1.5 Review the existing house designs to rural needs and ensure that they comply with Municipality 's minimum requirements and standards;

4.2.1.6 Obtain community, Department, Municipal, NHBRC and Local Authority approval of the designs;

4.2.1.7 Review existing foundation designs based on Geo-Technical Conditions for NHBRC and Municipality al and Municipal approval;

4.2.1.8 Prepare change of competent person and home builder enrolment documents and submit to Project Manager for NHBRC home enrolment;

4.2.1.9 Preparation of monthly progress reports detailing progress, challenges and mitigating measures; and

4.2.1.10 Any other activity, not listed above, required to render the project ready to commence construction.

4.3 PHASE THREE (3) – IMPLEMENTATION

This phase entails the construction of the partial services Ventilated Improved Pit (VIP and Water tanks with stand) and top structure, further social facilitation, Contracts administration and inspection

(including Principal Agents/Engineer duties), Construction Monitoring Level 3 (as per Government Gazette No. 38324, Vol. 594), Occupational Health & Safety and Environmental Management inclusive of the applicable monitoring agents and Close Out.

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

- 4.3.1.1 Continuation with the social facilitation process;
- 4.3.1.2 Construction of the required infrastructure, including Ventilated Improved Pits (VIP's) toilet.
- 4.3.1.3 Construction of forty square meter (**40m²**) top structures and water tank on stand
- 4.3.1.4 Monthly progress reporting;
- 4.3.1.5 Conduct fortnightly technical site meetings;
- 4.3.1.6 Contracts administration, inspection and certification of works (including Engineer duties), Construction Monitoring Level 3 (as per Government Gazette No. 38324, Vol. 594), Occupational Health & Safety, Environmental Management duties;
- 4.3.1.7 Further engagement with NHBRC to obtain Final Unit Reports (FURs) for all completed units;
- 4.3.1.8 Obtaining completion certificates ("Happy Letters") for all completed units;
- 4.3.1.9 Handover of houses; and services; and Provide necessary reports on project completion for project close-out and commissioning.

5 MINIMUM SPECIFICATIONS

5.1 GENERAL

- 5.1.1 All works to be carried out in compliance with the Municipality of Housing Generic Specifications (GFSH 1 to 11) and the Technical Guidelines as contained in the Housing Code and NHBRC Home Builders Manual and South African National Standards (SANS) 10400;
 - 5.1.2 All Labour and Expanded Public Works Program (EPWP) requirements should be met;
-

- 5.1.3 All works to be done in compliance with the current Occupational Health & Safety Regulations;
- 5.1.4 All works must also be done in compliance with all Environmental Regulations;
- 5.1.5 All relevant Local Authority requirements to be adhered to and relevant permission obtained; and
- 5.1.6 All works must be done in compliance with the Municipal Local Government Covid-19 Regulations as well as the NHBRC Guidelines for the Management of Projects Under Construction, During & Post Covid-19

5.2 INFRASTRUCTURE

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

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

5.3 VIP TOILETS:

- 5.3.1 Must be designed to withstand all weather conditions;
 - 5.3.2 Top structure floor area must be a minimum of 1m²; and a minimum internal height of 1.8m;
 - 5.3.3 Walls must be prefabricated concrete walls that can be disassembled and reassembled with ease (panel sizes must allow assembly without mechanical assistance);
 - 5.3.4 Top structure must be anchored to the floor;
 - 5.3.5 Doors must be stainless steel fully galvanized lockable and spring-loaded door;
 - 5.3.6 Roof must be concrete slab;
 - 5.3.7 Floors must be concrete;
 - 5.3.8 100mm black ventilation pipe fixed to the back of the toilet top structure, extending minimum 200mm above the roof (to ventilate the pit);
-

- 5.3.9 Pan with toilet seat;
- 5.3.10 Pit to have a minimum volume of 2.2m³ and to be lined; and
- 5.3.11 Pit to be sealed if dictated by the Groundwater Protocol investigation.

5.4 WATER TANKS:

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

5.5 TOPSTRUCTURE

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

- 5.5.1 2011 revised National Building regulations; South African National Standards (SANS) 10400 XA Energy Usage in Buildings and therefore all work must comply with SANS 10400;
 - 5.5.2 All external doors must be SABS approved hardwood such as meranti frame ledged button doors or similar approved doors
 - 5.5.3 All door locks must be SABS approved with a minimum of five-year guarantee
 - 5.5.4 SABS approved roof trusses to be used and Roof Covering to be cement roof tiles;
 - 5.5.5 Smaller size windows and special low E clear and E opaque safety glass for all window types as prescribed;
 - 5.5.6 Concrete aprons to be provide on all 4 sides with a minimum width of 1000mm including storm water management precautionary measures (as per NHBRC project enrolment requirement);
 - 5.5.7 Fascia's and barge boards to be provided;
 - 5.5.8 House to be plastered and painted both internally and externally;
-

- 5.5.9 Installation of a ceiling with the prescribed air gap for the entire dwelling.
- 5.5.10 Installation of above ceiling insulation comprising a 130mm mineral fiber glass blanket for the entire house; and
- 5.5.11 Installation of a pre-paid meter with distribution board including plugs and lights to all living areas of the house.

6. COMPULSORY SUBMISION

6.1 The following documents **MUST** be submitted with the proposal and failure to submit will lead to elimination. In case of a Joint Venture/Consortium all parties are expected to submit individual documentation:

- 6.1.1 Central Supplier Database (CSD) three months updated report
 - 6.1.2 Copy of Consolidated CSD and Tax Clearance Certificate (TCC) in case of Joint Venture parties
 - 6.1.3 Proof of active and valid CIDB registration – Grade 7GB (General Building) or higher (Validity will be verified on CIDB website during evaluation)
 - 6.1.4 Valid Compensation for Occupation, Injuries and Diseases Act (COIDA) certificate
 - 6.1.5 Completion of MBD 3.3-9 and its Annexures, in full
 - 6.1.6 Completion of form of offer in the tender document in full
 - 6.1.7 Compile a Bill of Quantities (BoQ) based on the milestones as per the table on page 13-14
 - 6.1.8 Signed Joint Venture/Consortium Agreement (where applicable).
 - 6.1.9 Contractor to show the Contractor Participation Goal (CPG Split) and subcontract a minimum of 30% of the value of Engineering Works as per PPPFA (30% provisional sum to be indicated).
 - 6.1.10 The tender document shall be filled by hand in black ink only. No electronic signatures shall be considered.
 - 6.1.11 Proof of tender document purchase in the name of the bidding entity
 - 6.1.12 Valid National Home Builders Registration Council (NHBRC) Certificate
-

- 6.1.13 The service provider must provide a proof of experience in construction of Reconstruction and Development Programme (RDP) houses and undertaking the relevant studies (Minimum of 2 appointment letters and references/signed completion certificate of the same project)

7. DELIVERABLES

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

- 7.1 Completing all inception, planning and design activities as described in the scope of works, to render the project ready for construction; and
- 7.2 Completing the actual construction of engineering services and top structures as described in the scope of works, including providing FURs, Certificates and “Happy Letters”.

8. PROJECT MANAGEMENT

The Service Provider will work very closely with the Matatiele Local Municipality.

It is therefore recommended that the service provider ensures that people with relevant skills are part of the project. A list of people containing, among other things, names, qualifications and experience who will be directly involved in the project must be submitted. This should clearly indicate what roles each team member will play.

All team members that will be directly involved in the project will be expected to attend all progress report meetings as scheduled and agreed upon by both parties. The selected team members shall stay the same for the duration of the project and cannot be changed without prior discussions with and approval from the Matatiele Local Municipality (MLM).

9. INFORMATION GATHERING

- 9.1 The successful Service Provider is expected to contact all the relevant Stakeholders and required officials or units within the local and provincial spheres of government to obtain relevant information that is required for the project.
 - 9.2 In the light of the event that the service provider needs a letter to confirm the motive for requesting information from the different spheres of government or parastatals, MLM will provide the requested letter.
-

However, the responsibility for collecting information necessary for the successful execution of the project remains entirely the responsibility of the service provider.

10. PROJECT TIME-FRAME

10.1.The project will have to be finished within 24 months from the date of appointment.

11. PROJECT BUDGET

11.1.Service Providers must present a work plan and budget consistent with the amount of work as specified in the “scope of work”.

12. PAYMENT MILESTONES

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

The table should be filled as per the project units per area

	PROJECT NAME		
ITEM	MILESTONE	NEW UNITS	Total
1	Inception		
2	Planning & Designs		
3.	Foundation		
4	Wall plate		
5	Roof		
6	Finishes		
7	VIP toilet		
8	Water tanks with stands		

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

13. EVALUATION CRITERIA

Bidders are required to submit their proposed methodology with a costing for all deliverables. The tender evaluation will be made on the submission made in line with these terms of reference. The Bids will be evaluated on the basis of the Preferential Procurement Policy Framework Act is 80/20 and Functionality in line with the Preferential Procurement Policy Framework Act (PPPFA) of November 2022

The bids will be evaluated in two stages, namely:

- Stage 1 – Functionality
- Stage 2 - Price and Specific goals

STAGE 1: FUNCTIONALITY (100 POINTS)

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

FUNCTIONALITY REQUIREMENTS	
PRE- QUALIFICATION FUNCTIONAL ASSESSMENT –POINT SCORING	
DESCRIPTION /CRITERIA	Maximum points Allowed
Proven Company Experience in construction of RDP Houses, water tank with stands, vip toilets and electricity tubing (signed completion certificates/ refence letters and Appointment Letters must be attached) 3 or more projects =20 2 projects = 15 1 Project = 10	20
<u>CIVIL ENGINEER</u> • Bsc/BTech Degree: Civil Engineering and at least 5 years post graduate experience and having been involved in 5 building projects with value not less than R5M. The proposed engineer to be registered with professional body of civil engineers (ECSA). =30 • Bsc/BTech Degree: Civil Engineering and at least 3 years post graduate experience and having been involved in 3 building	30

projects with value not less than R3M The proposed engineer to be registered with professional body of civil engineers (ECSA). = 15	
<u>QUANTITY SURVEYOR</u>	
Bsc/BTech Degree: Quantity Surveying and at least 5 years post graduate experience and having been involved in 5 building projects with value not less than R5M The proposed QS to be registered with professional body for quantity surveying (SACQSP). = 20	20
Bsc/BTech Degree: Quantity Surveying and at least 3 years post graduate experience and having been involved in 3 building projects with value not less than R3M The proposed QS to be registered with professional body for quantity surveying (SACQSP).= 10	
Project Director/Leader: Must be registered with NHBRC (attach a valid NHBRC certificate)	30
TOTAL	100

A bidder scoring less than 65 points out of 100 in respect of functionality will be regarded as submitting non-responsive bid and will be disqualified.

STAGE 2: PRICE AND SPECIFIC GOALS

Bids will be awarded points on the following basis:

1. Tender Price	90 points
2. HDI – Equity ownership	3 points
3. Youth-Enterprises 14-35 years (MLM)	3 points
3. Women – Equity ownership	2 points
4. Disability – Equity ownership	1 point
5. Rural Enterprises (MLM will be verified by CSD)	1 points
TOTAL	

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

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

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

14. OBJECTIVE CRITERIA

14.1. The **Municipality** reserves the right not to appoint the highest scoring bidder, in a case where the bidder has quoted below the minimum market related price of **R258 000.00 per unit**. The market related price includes all extra ordinary development site conditions i.e. double handling, difficult terrain, scatterdness of sites, creation of access roads to each unit and all geo technical site conditions.

14.2 Risk analysis:

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

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

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

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

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

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

14.4.4 Risk assessment scorecard

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

14.4.4.1.1 Pricing of bill of quantities.

14.4.4.1.2 Performance on pervious projects.

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

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

14.4.4.2.1 Severe = 04 points

14.4.4.2.2 Major = 03 points

14.4.4.2.3 Moderate = 02 points

14.4.4.2.4 Minor= 01 points

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

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

RISK ASSESSMENT SCORECARD				
Risk level	Risk description	Item pricing in BOQ	Performance on previous project	Quality
4 – Severe	Risk that will have a severe impact on achieving desired results to the extent that one or more of its critical outcome objectives will not be achieved	Multiple BOQ items not priced, BOQ incorrectly calculated, no clear or ambiguous indication of offered amount.	Project completed/not completed within 181 or more days past the stipulated time frames. Project extension due to uncontrollable and controllable determinants. Resource (Financial, Plant and human) poorly utilised.	Project completed/not completed with outstanding compliance issues
3 - Major	Risk that will have a significant impact on achieving desired results, to the extent that one or more stated outcome objectives will fall below acceptable levels.	01 to 02 BOQ items. not priced. BOQ incorrectly calculated, Ambiguous indication of offer.	Project completed within 91 to 180 days past the stipulated time frames. Project extension due to uncontrollable and controllable determinants. Resource (Financial, Plant and human) not effectively utilised	Project completed with partially resolved compliance issues

2 - Moderate	Risk that will have a Moderate impact on achieving desired results, to the extent that one or more stated outcomes objectives will fall below goals but above minimum acceptable levels	All BOQ items priced. BOQ incorrectly calculated with minor corrections.	Project completed within 90 days past the stipulated time frames. Project extension due to uncontrollable determinants. Resource (Financial, Plant and human) effectively utilised.	Project completed with resolved minor compliance issues
1 – Minor	Risk has little or no impact on achieving outcome objectives	All BOQ items effectively priced, clear indication of offer	Project completed within the stipulated time frames. Resource (Financial, Plant and human) effectively utilised.	Project completed with no outstanding compliance issues

15. LEGALITIES OF CONTRACT AND TENDER RULES

16.1 CONDITIONS OF CONTRACT–

16.1.1 The JBCC 2000 shall apply

16.2 SPECIAL CONDITIONS OF BID

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

16.2.2 Where possible the appointed contractor will source the following locally found commodities that are used in the construction of a house in accordance with the Municipality and Human Settlements norms and standards of housing designs and specification: -

16.2.2.1 Sand and cement, Concrete using aggregates such as 19mm stone, cement and sand, Mesh reinforcement – Ref 193 / 245, Damp proof Membrane 250 micron, M4

or M6 Blocks, Timber, steel and aluminium windows, Timber, steel and aluminium doors, Timber roof trusses, Clay roof tiles, Fibre cement or rhino board ceiling, Fibre cement Fascia's and Barge board, Paints, PVC Rainwater goods, Rainwater tanks, and Plumbing material.

16.3 SPECIFIC CONDITIONS OF CONTRACT

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

17.1 PUBLICATION REFERENCE

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

17.2 SUBMISSION REQUIREMENTS AND SELECTION CRITERIA

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

- Proof of Company Registration with CSD Certified ID Copies of Director(s)

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

18. CONDITIONS OF APPOINTMENT

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

19. SERVICES TO BE PROVIDED

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

20. PARTICIPATING AND SUB-CONTRACTING

20.1 Participation in this bid is open to everyone.

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

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

20.4 Duplication of bid document is prohibited.

21. CONTENTS OF BIDS

Bid is all inclusive of the functionality and price bidding.

22. PRESENTATIONS / ADJUDICATION

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

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

19. VARIANT SOLUTIONS

Any variant solutions will not be taken into consideration.

20. CESSION

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

21. PERIOD DURING WHICH BIDS ARE BINDING-

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

22. ADDITIONAL INFORMATION BEFORE THE DEADLINE FOR SUBMISSION OF BIDDERS

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

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

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

For more information, please contact Mr. B. Phikwa

Matatiele Local Municipality

102 Main Street

P.O. Box 35

MATATIELE

4730

Attention: Ms. M. Sabasaba (Manager: Supply Chain Management)

Matatiele Local Municipality

102 Main Street

P.O. Box 35

MATATIELE

4730

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

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

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

23. SUBMISSION OF BIDS

Bids must be submitted in English such that they are received before the deadline by in the letter of invitation to bid. Any infringement of these rules (e.g. unsealed envelopes) is to be considered a breach of the rules, and will lead to rejection of the bid. The envelope should carry the following information:

The address for submission of bid indicated above;

24. ALTERATIONS OR WITHDRAWAL OF BIDS

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

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

25. COSTS FOR PREPARING BIDS

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

26. OWNERSHIP OF BIDS

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

27. CONFIDENTIALITY

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

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

28. ETHICS CLAUSES / CORRUPTIVE PRACTICES

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

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

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

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

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

29. DOCUMENTARY EVIDENCE REQUIRED FROM THE SUCCESSFUL BIDDER

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

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

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

30. SIGNATURE OF CONTRACT(S)

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

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

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

31. CANCELLATION OF THE BIDS PROCEDURE

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

32. CANCELLATION MAY OCCUR WHEN

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

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

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

32.3 All technically compliant bids exceed the financial resources available;

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

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

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

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

.....
.....

Name

Date

35. SUBMISSION OF BID PROPOSALS

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

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

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

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

36. BID VALIDITY

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