



**Sisonke Farmers Market, ERF 2226 Portion 27, IXOPO, 3276  
Tel: 039 834 1510**

**BID NO.: HGDA-CE02/19/20**

**PANEL OF SERVICE PROVIDERS FOR PACKAGING AND SOURCING OF FUNDING  
FOR HIGH IMPACT PROJECTS**

<b>Name of bidder</b>	
<b>Telephone/Cellphone No.:</b>	
<b>Fax No:</b>	
<b>Email Address</b>	
<b>Address:</b>	
<b>Tender sum in Rands:</b>	
<b>Tender sum in words:</b>	

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**INVITATION TO BID  
PANEL OF SERVICE PROVIDERS FOR PACKAGING AND SOURCING OF FUNDING  
FOR HIGH IMPACT PROJECTS**

**TENDER NO: HGDA-CE02/19/20**

**REQUEST FOR BIDS**

Bids are hereby invited from suitably qualified service provider to bid for Panel of Service Providers for Packaging and sourcing of funding for high impact Projects.

This bid will be evaluated in terms of the 80/20 Preferential Procurement Point system and the points will be allocated as follows. **80 – Price, 20 – B-BBEE**

**COMPULSORY BRIEFING**

Bid documents can be obtained in Harry Gwala Development Agency Website before a **compulsory briefing** which will be held at Harry Gwala Development Agency on the **21 February 2020** at 10h00

**DOCUMENTS TO BE SUBMITTED WITH THE BID**

- ❖ A certified copy of the most recent municipal account in which the business is registered. District municipality (water) and Local municipality (rates, electricity and other services) or letter from traditional authority stating that you are staying in rural areas you don't pay for rates or letter from landlord stating that rates are not on your account but you are a tenant and you also running your company in that area.
- Certified copy of B-BBEE certificate or Sworn Affidavit (if B-BBEE Certificate or sworn affidavit is not attached or certified, preferential points won't be allocated but won't disqualify your proposal)
- Certified copies of ID's for all Shareholders as they appear on a CK
- ❖ Central Supplier Database Registration Summary Report (unique number and supplier number) failure to submit CSD registration summary report will be deemed non-responsive
- ❖ HGDA Supplier Database Registration if not registered

❖ **MANDATORY DOCUMENTS**

**NB: Please note that all those who responded from previous advert are requested not need to re-submit as this is not a re-advert, we only require an additional service providers.**

**CLOSING DATE:**

Bid documents must be submitted in a sealed envelope clearly marked with the Bid number and closing date and, dropped off in the tender box at the **Harry Gwala Development Agency Offices, Sisonke Farmers Market, Erf 2226 Portion 27, Ellerton Farm, Ixopo, 3276** by no later than **20 March 2020 before 12h00 HGDA Clock.**

Late or faxed bids will not be accepted and the Harry Gwala Development Agency reserves the right not to make an appointment. Failure to comply with the above conditions will invalidate your offer.

**CONDITIONS OF THE CONTRACT**

Harry Gwala Development Agency does not bind itself to accept the lowest or any proposal and reserves the right to accept the whole or any part of the proposal, HGDA also reserves the right to appoint. Price quoted must be valid for 90 days

**Enquiries may be directed to the following persons during office hours (08:00 – 16:30) Monday to Thursday and Friday (08:00- 15:00)**

Technical Enquiries: N. James (039 834 1510)

Procedure Related Enquiries: S.Gumede (039 834 1510)



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**Ms. N.C James**  
**Chief Executive Officer**

## SPECIFICATIONS

### THE SPECIFICATION FOR THE PACKAGING AND SOURCING OF FUNDING FOR HIGH IMPACT PROJECTS IS AS FOLLOWS:

*It is the intention of the Harry Gwala Development Agency to enter into a formal contract with a panel of service providers to provide the services described herein. These Terms of Reference and the consultant's proposals will form the basis of the contract.*

#### **Section 1: Details**

**Province** : Kwa-Zulu Natal  
**Agency** : Harry Gwala Development Agency  
**Project Name** : Packaging and Sourcing of Funding for High Impact Projects.

#### **Section 2: Background**

##### **Harry Gwala Development Agency:**

The Harry Gwala Development Agency is an economic development agency wholly-owned by the Harry Gwala District Municipality mandated to pursue and facilitate investment, economic development and empowerment in Harry Gwala.

The objective of the Harry Gwala Development Agency is to improve the competitiveness of the Harry Gwala Region by creating an environment that will enable local business to compete successfully on the international stage.

The purpose of the project is to appoint a panel of suitable service providers to assist the Harry Gwala Development Agency with Packaging and Sourcing of Funding to implement High Impact Projects specifically but not limited to the relating to the Tourism, Agriculture, Manufacturing, Forestry, Renewable Energy, Agro-Processing and Bio-fuels, Construction and ICT, Skills Development sectors within the Harry Gwala District.

## Section 3: Project Description

**Harry Gwala District Agency** hereby invites proposals from suitably qualified and experienced service providers and/or consulting firms who are capable of executing a process that will entail: -

- Writing of funding proposals and business plans that respond to priority projects of the HGDA, i.e Agriculture, Tourism, Manufacturing, Forestry, Renewable Energy, Agro-Processing and Bio-Fuels, Construction and ICT, skills development sectors within the Harry Gwala District. These priority projects would have been identified and prioritised by the HGDA.
- Engagement with potential/ various funders to secure funding in order to implement such identified projects.

It is the intention of the Harry Gwala Development Agency to enter into consultancy agreements with the successful service providers for a period of five years. *The appointment will be on an adhoc basis and at risk whereby no fees shall be payable by the Harry Gwala District Agency for the work done unless funding is received for each proposal compiled by the service provider.*

Consultants are requested to include a proposed expense recuperation structure in their proposal (Preferably a percentage of the funding received).

It is also the intention of Harry Gwala Development Agency not to pace the appointed service provider at the disadvantage to the extent that the service provider carries the burden of excessive cost that may be incurred during the implementation of this project.

### **Project Duration:**

This panel will be effective for a period of five years from the date of appointment.

## Section 4: Implementation Schedule

### **Work Schedule**

The appointed Service Provider will be required to prepare a realistic work schedule determining the stages of work to be done, along with deliverables and time frames for the development of each business plan.

## Reporting

The Service Provider will work in close co-operation with the Harry Gwala Development Agency management and will be required to submit progress reports on each stage of work that has been completed. The Service Provider will be expected to keep financial and other appropriate records and may be requested to present progress reports/ updates to the Board of Directors upon request from the Harry Gwala Development Agency.

## Section 5: Requirements Related to this Brief

### Submission of Proposals

Proposals must be submitted in sealed envelopes endorse **"PROPOSAL FOR:PACKAGING AND SOURCING OF FUNDING FOR HIGH IMPACT PROJECTS"**

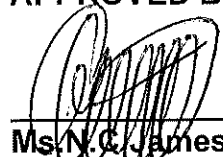
**N.B no payment will be done by HGDA to the service provider, the service provider will be paid once the funding is granted and will be paid as a percentage which will be indicated by service provider on this document.**

RECOMMENDED BY:

  
\_\_\_\_\_  
Ms. A. Ngcongco  
BSC Chairperson

13/02/2020  
Date

APPROVED BY:

  
\_\_\_\_\_  
Ms. N. C. James  
Chief Executive Officer

13/02/2020  
Date

**PRICE OFFER SCHEDULE OF QUANTITIES**

DESCRIPTION OF SERVICE	COST ESTIMATE
(Price as per specification and Panel of Service Providers for Packaging and sourcing of funding for high impact show break down cost)	
Add 15% VAT	
<b>TOTAL</b>	

**NB.** Bidders are requested to qualify their rates by attaching a breakdown of cost.  
**N.B** Price quoted must be valid for 90 days from the date of closing



**FORM A: RELEVANT EXPERIENCE**

The Bidder shall enter in the spaces provided below a list of relevant experience with similar services. **NB: please attach reference letters for previous experience as indicated below.**

Failure to provide the necessary information and reference letter will be deemed non-responsive.

Employer (Name, Tel. No. or Fax No.)	Details of Project	Value of Work (fees)	Year
Client:..... Person:..... Tel.:..... Fax:.....			
Client:..... Person:..... Tel.:..... Fax:.....			
Client:..... Person:..... Tel.:..... Fax:.....			

**N.B: Attach your own table should this space not be enough for your experience but it must be in this format**

## EVALUATION CRITERIA

The functionality evaluation points will be applied as per the table below:

**NB:** Bidders must demonstrate by submitting documentary proof in relation to the claim of points with respect to the following key competencies / areas:

### Competencies

The successful bidders or consortium must demonstrate the following key competencies for the functionality evaluation:

Competency	Point Allocation	Maximum Points
Knowledge of and practical experience in the preparation of business plans specifically in the following sectors: Tourism, Agriculture, Manufacturing, Forestry, Renewable Energy, Agro-Processing and Biofuels, Construction and ICT, Skills Development. <b>(Please include the company profile and detailed CV's of the team members who will be involved in this project in order to claim points for this competency)</b>	< 1 year 5 1 – 5 years 10 5 – 10 years 15 Above 10 years 20	20
Proof of similar projects undertaken relating to the following sectors: Tourism, Agriculture, Manufacturing, Forestry, Renewable Energy, Agro-Processing and Biofuels, Construction and ICT, Skills Development and other related areas <b>(Please submit proof for this competency in the format prescribed below)</b>	1-2 Commitment letters 5 3-4 Commitment letters 10 5 Commitment letters 15 More than 5 commitment letters 30	30
Service provider must be willing to undertake the project at risk and an expense recuperation structure is included in the proposal ( preferably a percentage of the funding received must be included in the proposal	50	50

In order to be awarded points for the second competency listed above, please submit the following:

- A list of **contactable references** for similar projects undertaken in the tabular format as per page that follows:

<b>Client Name</b>	<b>Sector (Agriculture/ Tourism/ Manufacturing/ ICT)</b>	<b>Nature of Work Undertaken (i.e. Funding Applied for and from which institution)</b>	<b>Start Date</b>	<b>Date of Completion</b>	<b>Funding Approved and amount thereof</b>	<b>Commitment Letter</b>	<b>Tel No.</b>

**NB: Minimum threshold for functionality will be 50 points, therefore any bidder who scores less than minimum threshold will be deemed Non-Responsive**

# BIDS FOR PANEL OF SERVICE PROVIDERS FOR PACKAGING AND SOURCING OF FUNDING FOR HIGH IMPACT

## *Preferential Point System*

### 1. Summary

In summary, the points system for the evaluation of the technical proposal in terms of Price and Preferential Systems is as below:-

- Price 80 points
- Preferential Point System 20 points

# REQUEST FOR BIDS: PANEL OF SERVICE PROVIDERS FOR PACKAGING AND SOURCING OF FUNDING FOR HIGH IMPACT

## CERTIFICATES OF GOOD STANDING

The bidder shall attach to this page the following:

- a) BBB-BBEE verification certificate for Preferential points claim
- b) Certified copies of Identification documents of all Members/directors of the company
- c) Individual Shareholders Number
- d) Statement of Municipal Account (rates, water, electricity, etc)
- e) HGDA Database registration if not registered
- f) Reference Letter
- g) Central Supplier Database Registration Summary Report


**NB.**

- **Certified copies must not be 3 months old, and date of certification and the name of the commissioner of oath must be visible.**
- **On statements of account we won't accept Proof of residence or eskom letter but we want the billing statement from the municipality (local, district or metro) where the company is running a business, or a letter from the landlord stating that the account is not under your name but you are a tenants in landlord's premises or a letter from the Traditional Authority stating that you living in rural areas and you don't pay any rates it must have the stamp from Traditional court/authority or a letter from a municipality confirming that there's no account under your name/company on their system.**
- **Only preferential points won't be allocated should B-BBEE Certificate or Sworn affidavit not be attached or certified.**

**NB: failure to submit one of the above listed documents will compromise your proposal and you will be deemed Non-Responsive**

**N.B: non-submission of documents which can be verified through CSD will not compromise the proposal**

**INDIVIDUAL SHAREHOLDERS TAX NUMBERS**

NAME OF SHAREHOLDER	TAX NUMBER

**PART A  
INVITATION TO BID**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (HARRY GWALA DEVELOPMENT AGENCY)**

BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					

**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


**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:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes	
	<input type="checkbox"/> No			<input type="checkbox"/> No	

**[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]**

<p>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p><input type="checkbox"/>Yes                      <input type="checkbox"/>No          [IF YES ENCLOSE PROOF]</p>	<p>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p><input type="checkbox"/>Yes                      <input type="checkbox"/>No          [IF YES, ANSWER PART B:3 ]</p>
<p>TOTAL NUMBER OF ITEMS OFFERED</p>		<p>TOTAL BID PRICE</p>	<p>R</p>
<p>SIGNATURE OF BIDDER</p>	<p>.....</p>	<p>DATE</p>	
<p>CAPACITY UNDER WHICH THIS BID IS SIGNED</p>			
<p>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</p>		<p>TECHNICAL INFORMATION MAY BE DIRECTED TO:</p>	
<p>DEPARTMENT</p>		<p>CONTACT PERSON</p>	
<p>CONTACT PERSON</p>		<p>TELEPHONE NUMBER</p>	
<p>TELEPHONE NUMBER</p>		<p>FACSIMILE NUMBER</p>	
<p>FACSIMILE NUMBER</p>		<p>E-MAIL ADDRESS</p>	
<p>E-MAIL ADDRESS</p>			



**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, 2017, 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: .....

**MBD 4  
DECLARATION OF INTEREST**

1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

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

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

3.2 Identity Number: .....

3.3 Position occupied in the Company (director, trustee, hareholder<sup>2</sup>):.....

3.4 Company Registration Number: .....

3.5 Tax Reference Number:.....

3.6 VAT Registration Number: .....

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

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

3.8.1 If yes, furnish particulars. ....

<sup>1</sup>MSCM Regulations: "in the service of the state" means to be –

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

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

3.7 Have you B-BBEE in the service of the state for the past twelve months?

YES / NO

3.7.1 If so, furnish particulars.

.....  
.....

3.8 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

3.8.1 If so, furnish particulars.

.....  
.....

3.9 Are you, aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?

YES/ NO

3.9.1 If so, furnish particulars

.....  
....

3.10 Are any of the company's directors, managers, principle shareholders or stakeholders in service of the state?

YES / NO

3.10.1 If so, furnish particulars.

.....  
.....

YES / NO

3.11 Are any spouse, child or parent of the company's directors, managers, principle shareholders or stakeholders in service of the state?

3.11.1 If so, furnish particulars.

.....

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

Full Name	Identity Number	State Employee Number

.....  
**Signature**

.....  
**Date**

.....  
**Capacity**

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

## 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

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT  
REGULATIONS 2017  
PURCHASES**

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

**1. GENERAL CONDITIONS**

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

- the 80/20 system for requirements with a Rand value of up to R50 MILLION; and
- the 90/10 system for requirements with a Rand value above R50 MILLION.

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

1.3 Preference points for this bid shall be awarded for:

- (a) Price; and
- (b) Specific contract participation goals, as specified in the attached forms.

1.3.1 The points for this bid are allocated as follows:

B-BB-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

1.4 Failure on the part of a bidder to fill in and/or to sign this form may be interpreted to mean that preference points are not claimed.

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

## 2. GENERAL DEFINITIONS

- 2.1 **“Acceptable bid”** means any bid which, in all respects, complies with the specifications and conditions of bid as set out in the bid document.
- 2.2 **“Bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods, works or services.
- 2.3 **“Comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilised have B-BBEE taken into consideration.
- 2.4 **“Consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skills and knowledge in an activity for the execution of a contract.
- 2.5 **“Contract”** means the agreement that results from the acceptance of a bid by an organ of state.
- 2.7 **“Control”** means the possession and exercise of legal authority and power to manage the assets, goodwill and daily operations of a business and the active and continuous exercise of appropriate managerial authority and power in determining the policies and directing the operations of the business.
- 2.11 **“Management”** means an activity inclusive of control and performed on a daily basis, by any person who is a principal executive officer of the company, by whatever name that person may be designated, and whether or not that person is a director.
- 2.12 **“Owned”** means having all the customary elements of ownership, including the right of decision-making and sharing all the risks and profits commensurate with the degree of ownership interests as demonstrated by an examination of the substance, rather than the form of ownership arrangements.
- 2.13 **“Person”** includes reference to a juristic person.
- 2.14 **“Rand value”** means the total estimated value of a contract in Rand denomination that is calculated at the time of bid invitations and includes all applicable taxes and excise duties.
- 2.15 **“Small, Medium and Micro Enterprises (SMMEs)”** bears the same meaning assigned to this expression in the National Small Business Act, 1996 (No 102 of 1996).
- 2.16 **“Sub-contracting”** means the primary contractor’s assigning or leasing or making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.
- 2.17 **“Trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person.
- 2.18 **“Trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

## 3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have B-BBEE brought to a comparative basis.
- 3.3 Points scored will be rounded off to 2 decimal places.



3.4 In the event of equal points scored, the bid will be awarded to the bidder scoring the highest number of points for specified goals

**4. POINTS AWARDED FOR PRICE**

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

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

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

Where

- Ps = Points scored for price of bid under consideration
- Pt = Rand value of bid under consideration
- Pmin = Rand value of lowest acceptable bid

6.2 Equity claims for a trust will only be allowed in respect of those persons who are both trustees and beneficiaries and who are actively involved in the management of the trust.

6.3 Documentation to substantiate the validity of the credentials of the trustees contemplated above must be submitted.

6.4 Listed companies and tertiary institutions do not qualify for HDI preference points.

6.5 A consortium or joint venture may, based on the percentage of the contract value managed or executed by each entity, to be entitled to preference points in respect of B-BBEE.

6.6 A person awarded a contract as a result of preference for contracting with, may not subcontract more than 25% of the value of the contract to a person who is not an B-BBEE compliant or does not qualify for the same number or more preference for B-BBEE.

**7. BID DECLARATION**

7.1 Bidders who claim points in respect of B-BBEE must complete the Bid Declaration at the end of this form.

**8. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

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**9. COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

**10. MUNICIPAL INFORMATION  
(DISCTRICT MUNICIPALITY ACCOUNT) \*WATER AND SANITATION ACCOUNT**

District Municipality where business is situated: .....

Registered Account No: .....

Stand No: .....

**(LOCAL MUNICIPALITY ACCOUNT) \*RATES, REFUSE, ELECTRICTY ACCOUNTS**

Local Municipality where business is situated: .....

Registered Account No: .....

Stand No: .....

**11 TOTAL NUMBER OF YEARS THE FIRM HAS B-BBEE IN BUSINESS? .....**

**12 Consortium / Joint Venture**

**12.1** In the event that preference points are claimed for B-BBEE members by consortia / joint ventures, the following information must be furnished in order to be entitled to the points claimed in respect of the HDI member:

Name of joint venture or consortium partner (to be consistent with paragraph 9.8)	Percentage (%) of the contract value managed or executed by the Joint Venture or Consortium partner

**12.2** I/we, the undersigned, who warrants that he/she is duly authorised to do so on behalf of the firm certify that points claimed, based on the B-BBEE status, indicated in paragraph 8 of the foregoing certificate, qualifies the firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct.

- (ii) The B-BBEE status claimed is in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 8, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.
- (iv) If the claims are found to be incorrect, the purchaser may, in addition to any other remedy it may have -
  - (a) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct; and
  - (b) 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;

**WITNESSES:**

- 1. ....
- 2. ....

.....  
Signature(s) of bidders

## DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.

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? <b>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? <b>(To access this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
  - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
  - b. B-BBEE 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. B-BBEE 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.**

**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**

**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 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 B-BBEE 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 B-BBEE requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has B-BBEE 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 B-BBEE 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 B-BBEE, 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.
- 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

.....  
Position

.....  
Name of bidder

.....  
Date