



Sisonke Farmers Market, ERF 2226 Portion 27, IXOPO, 3276  
Tel: 039 834 1510 / 039 834 2740

**BID NO.: HGDA-FA07/19/20**  
**RENDERING OF SECURITY SERVICES AT HGDA**

<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>	

# **TABLE OF CONTENT**

- 1. INVITATION TO BID**
- 2. SPECIFICATION**
- 3. PRICING SCHEDULE**
- 4. EVALUATION CRITERIA**
- 5. FORMS TO BE COMPLETED**
- 6. TAX CLEARANCE CERTIFICATE REQUIREMENTS - MBD 2**
- 7. DECLARATION OF INTEREST - MBD 4**
- 8. PREFERENTIAL POINTS CLAIM FORM IN TERMS OF PREFERENTIAL PROCUREMENT REGULATIONS 2017 - MBD 6.1**
- 9. DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTISES - MBD 8**
- 10. CERTIFICATE OF INDEPENDENT BID DETERMINATION – MBD 9**



**INVITATION TO BID  
RENDERING OF SECURITY SERVICES AT HGDA  
TENDER NO: HGDA-FA07/19/20**

**REQUEST FOR BIDS**

Bids are hereby invited from suitably qualified service provider to bid for Rendering of security services at HGDA for 3 months

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 – BBEE**

**AVAILABILITY OF DOCUMENTS**

Bid documents can be obtained from Harry Gwala Development Agency Website ([www.hgda.co.za](http://www.hgda.co.za)) from **14 February 2020(Re-Advert date)**

**DOCUMENTS TO BE SUBMITTED WITH THE BID:**

- Valid tax clearance certificate (Log in details and Pin)
- ❖ 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.
- Company Registration with the Registrar of Companies and CC's (CK) (Cipro/CIPC).
- 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)
- All security personnel must be registered as required by PSIRA
- Certified copies of ID's for all Shareholders as they appear on a CK.
- ❖ HGDA Supplier Database Registration if not registered
- ❖ Central Supplier Database Registration Summary Report( unique number and supplier number)

❖ **MANDATORY DOCUMENTS**

**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 **21 February 2020 before 12h00.**

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. Madolo (039 834 1510)

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



Ms. N.C. James  
Chief Executive Officer

## SPECIFICATIONS

### THE SPECIFICATION FOR RENDERING OF SECURITY SERVICES AT HGDA

#### 1. PROVISION OF SECURITY GUARDS

Harry Gwala Development Agency is seeking the services of a security company to enter into a service level agreement (SLA) in which it will provide security services for a period of 3 months. The minimum specification is detailed below.

#### 2. SCOPE OF WORKS

- Tenders are hereby invited for the supply of Security Services for the Harry Gwala Development Agency (HGDA) premises as listed below. The duration of the service contract will commence from the date of acceptance of the contract for a period of 3 months. HGDA requires a total of 6 guards.
- It is recorded that there may during the term of the agreement be a decrease or an increase in the number of sites and security guards on which security services are required. The Harry Gwala Development Agency shall in writing advise the service provider of such changes, who shall in writing confirm the amendment to the contract and the value thereof. Such shall constitute a valid variation of the agreement.

#### 3. LIST OF REQUIRED GAURDS

SITE	NO. OF GUARDS	SECURITY GRADE	AREA
Harry Gwala Development Agency Offices: ERF 2226 Portion 27 Ellerton Farm Ixopo 3276	6 Guards (unarmed) <ul style="list-style-type: none"><li>• 2 Night</li><li>• 2 Day</li><li>• 2 Relievers</li></ul>	C/D/E	3

#### SHIFT HOURS

Night : 18h00 – 06h00

Day : 06h00 – 18h00

#### **4. GENERAL SPECIFICATIONS**

- 4.1 The bidder must submit certified proof of current registration with the Private Security Industry Regulatory Authority (PSIRA). Failure to submit these documents with the tender documents shall result in the tender to be deemed non-responsive.
- 4.2 The bidder must submit proof of current PSIRA registration of all personnel that will be carrying out the services in the scope of this tender. Failure to submit these documents with the tender shall result in the tender to be deemed non-responsive.
- 4.3 Certified copy of SAPS Criminal Clearance Certificate of company directors.
- 4.4 Proof of accreditations by ICASA for control room (Copy certified ICASA certificate) - for use of two way communication radios, failure to provide proof of registration will disqualify security company/firm, only certified copies will be considered
- 4.5 Proof of valid unemployment insurance fund (UIF), Proof of registration with Department of Labour.
- 4.6 Proof of registration with private security sector provident fund (certified copies).
- 4.7 Letter of good standing from workmen's compensation, from Department of Labour.
- 4.8 Proof of registration of guards with PSIRA must be submitted to the office of the Facilities Administrator before the preferred bidder starts working.
- 4.9 It will be considered as a breach of contract should it be discovered that any services within the scope of this tender is carried out by an unqualified person as required in 1 and 2 above.

#### **5. FUNCTION OF THE SERVICE PROVIDER:**

- 5.1 Ensure that premises and guards be visited and inspected during a shift period excluding shift changes. The visit must be entered into the logbook of the guard.
- 5.2 Report any emergencies and possible illegal activities to HGDA Control Room immediately.
- 5.3 Control and supervise all personnel on duty.
- 5.4 Ensure that personnel are at the site on time, in correct uniform and in possession of the necessary equipment.
- 5.5 Ensure that registers are up to date and available for inspection by Law Enforcement Officials.
- 5.6 Submit a monthly report to HGDA regarding all incidents within 10 days after the end of the month.
- 5.7 Make recommendations to Law Enforcement Officials with regard to improvement or preventative measures with regard to security issues relating to the site.
- 5.8 Ensure that a supervisor is available at all times.

#### **6. SECURITY PERSONNEL REQUIRED**

- 6.1 One (01) Site Supervisor to do overall supervision and conduct night visits/ patrol on-site.
- 6.2 All other security officers must be at an acceptable grade, minimum grade E.

## **7. FUNCTION OF GUARDS:**

The guard on duty at the agency site must fill in a daily log sheet indicating the following:

- 7.1 Shift start time
- 7.2 Shift end time
- 7.3 Visitors to the site – entrance and exit times
- 7.4 Inspections from Managers and Law Enforcement Officials.
- 7.5 Record inspection results and activities on hourly basis.
- 7.6 Safeguard vehicles and equipment on site
- 7.7 Safekeeping of vehicle and office keys and presenting them to authorised personnel only.
- 7.8 Monitor and authorise entrances and departures of visitors to prevent the unauthorised removal or theft of items. Recording of personal details of visitors
- 7.9 Escorting visitors to offices when required
- 7.10 Report all emergencies and possible illegal activities to the designated managers.
- 7.11 Ensure that no unauthorized person enters the premises.
- 7.12 Patrol the facilities and parameters of the site

## **8. SPECIAL CONDITIONS FOR SECURITY PERSONNEL:**

The following is required from all security personnel:

- 8.1 The Payment of guards must be in line with Private Security Industrial Regulatory Authority (PSIRA) guidelines for AREA 3.
- 8.2 Personnel must be dressed in full company security uniform when on duty.
- 8.3 Guards must be in possession of a truncheon, torch, a two-way communication device, metal detectors, pepper spray and handcuffs when on duty.
- 8.4 Security personnel must wear an ID card whilst on duty in such a manner that it can be clearly seen. The ID card must contain the members' name, surname, PSIRA number, employee number and a photo of the employee.
- 8.5 All personnel must be registered at PSIRA
- 8.6 All guards must at least have a Grade E security grading.

## **9. SECURITY PERSONNEL**

It is the responsibility of the service provider to ensure that the security personnel in his/her service and especially those deployed for the rendering of this service, meet the following requirements at all times:

### **9.1 Security Officers: Grade C/D/E**

- Security officers must be able to communicate, read and write in English.
- Security officers may not be younger than 18 years of age.
- Security officers must have a good grounding in their post descriptions and duties.

### **9.2 Supervisors and Security Officers**

- 9.2.1 Supervisors and security officers must have undergone and passed formal accredited security training.
- 9.2.2 The security company to ensure that their staff is aware and conversant with the requirements of the Minimum Information Security Standard (MISS) document
- 9.2.3 At all times supervisors and security officers must present an acceptable image/appearance which implies, inter alia, that they may not lounge about, smoke or even read newspapers while on duty.
- 9.2.4 All security personnel must, at all times, present a dedicated attitude/approach to their work, which attitude/approach shall imply, inter alia, that there shall not be unnecessary arguments with visitors/staff or discourteous behaviour towards visitors/staff.
- 9.2.5 All security personnel must be physically healthy and medically fit for the execution of their duties.
- 9.2.6 All security personnel must be registered as required by PSIRA.
- 9.2.7 All security staff must sign an undertaking in declaration to refrain from any act which might be to the detriment to HGDA's image.
- 9.2.8 Security staff is prohibited from reading documents or records in offices or unnecessary handling thereof.
- 9.2.9 No information concerning departmental activities may be furnished to the public or news media by the contractor and his/her employees.
- 9.2.10 HGDA reserves the right to ascertain from SAPS whether security personnel possess record clearances as well as to ascertain from the PSIRA whether the security personnel are registered in line with the requirements of the Act.
- 9.2.11 The personnel of the service provider must possess security clearance of a minimum of confidential level issued by an institution recognized in Government.



## **10. UNIFORMS**

The service provider undertakes to ensure that each member of his/her security personnel will at all times, when on duty, be fully equipped in respect of:

- 10.1 A uniform (corporate clothing) neat and clearly identifiable, which will include matching raincoats and overcoats.
- 10.2 A clear identification card with the member's photo, worn conspicuously on his/her person at all times;
- 10.3 Service equipment to be available at all times during guard duty, such as:
  - Pen (black & red)
  - Torch with chargers
  - All registers required for this project shall be on the service provider's cost.

## **11. ADMISSION CONTROL REGISTER OR ADMISSION FORMS**

11.1 Purpose: The purpose of the admission control register of forms is to have information available at all times regarding persons and vehicles admitted to the site within a specific period in case occurrences should take place which might lead to judicial enquiry.

11.2 Visitors register/admission control forms:

- 11.2.1 These visitor registers must be completed correctly and legibly by the security guard/officer on duty and shall make provision for the following:
  - Date of visit
  - Admission and exit times of the visitor to and from the site
  - Surname and initials of the visitors
  - Contact Details
  - Purpose of visit
  - Brand, calibre and number of firearm of any dangerous objects on visitor's possession (if any)
  - Signature of visitor

## **12. DAMAGES TO THE STATE PROPERTY AND ASSETS (AND STOLEN ASSETS)**

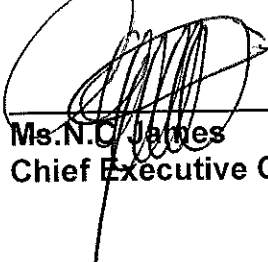
- 12.1 The staff of the contracted security company must be able to follow the basic procedures immediately when damage or loss to the state property or assets is detected.
- 12.2 The Supervisors must have the ability to investigate and furnish the respective report (i.e. incident report) to the department.
- 12.3 Such detected damage or loss to property or assets including the stolen assets must be reported to HGDA Security Manager immediately.
- 12.4 The service provider will be held liable for any damage of loss suffered by HGDA, as a result of the service provider's own or his/her employees' negligence or deliberate intent.

**RECOMMENDED BY:**

  
\_\_\_\_\_  
**Ms. A. Ngcongo**  
**BSC Chairperson**

13/02/2020  
Date

**APPROVED BY:**

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

13/02/2020  
Date

**PRICE OFFER SCHEDULE OF QUANTITIES**

<b>DESCRIPTION OF SERVICE</b>	<b>COST ESTIMATE</b>
(Price as per specification and Rendering of security services at HGDA show break down cost)	
Add 14% VAT	
<b>TOTAL</b>	

**NB.** Bidders are requested to qualify their rates by attaching a breakdown of cost.  
**N.B.** Price quotation 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 positive 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

In order to reach the final stage, the bidder must obtain at least 60 points out of 100 points for functionality. The company should demonstrate the relevant experience. The points scored in this stage are for qualification only and will not be added to the scores in the final stage.

FUNCTIONALITY CRITERIA	POINTS ALLOCATION	SCORE
<p>Proof of registration with Private Security Industry Regulatory Authority – PSIRA- for the security firm and guards to be used (20)</p>	<p>Certified and valid copy of letter of good standing from Private Industry Regulatory Authority-PSIRA not older than 3 months and proof of registration from PSIRA: security firms must also submit registration number for the company and maximum of 6 guards to be used</p> <ul style="list-style-type: none"> <li>➤ (proof of PSIRA registration of Company and a minimum of 6 CVs with proof of PSIRA registration, training certificates for guards = 30 points</li> <li>➤ proof of PSIRA registration of Company and a minimum of 4 CVs with proof of PSIRA registration, training certificates for guards = 15 points</li> <li>➤ proof of PSIRA registration of Company and a minimum of 2 CVs with proof of PSIRA registration, training certificates for guards = 5 points</li> </ul> <p><b>NB: Companies will lose</b></p>	<p>30</p>

	<b>all points for failing to meet the minimum criteria)</b>	
FINANCIAL VIABILITY (20)	<p>Bidders must submit a bank rating letter from the Bank not older than three months with a rating and points will be allocated as follows;</p> <ul style="list-style-type: none"> <li>➤ Bank Letter B/ Letter of Intent rating = 20 points</li> <li>➤ Bank Letter C rating = 15 points</li> <li>➤ Bank Letter D rating = 5 points</li> </ul>	20
PROOF OF EXPERIENCE (30)	<p>Bidders to attach an appointment letter together with reference/referral letters where similar security services were provided to different clients and points will be allocated as follows.</p> <ul style="list-style-type: none"> <li>➤ 1-2 client: Appointment letter and referral Letters Attached - 10 points</li> <li>➤ 3-4 clients: Appointment letters and referral Letters Attached - 20 points</li> <li>➤ 5-6 clients: Appointment letters and referral Letters -30 points</li> </ul>	30
Experience of the business in similar project	<ul style="list-style-type: none"> <li>➤ 1-2 years = 5 points</li> <li>➤ 3-4 years = 10 points</li> <li>➤ 5 + years = 20 points</li> </ul>	20
<b>TOTAL SCORE</b>		<b>100</b>

**NB: Minimum threshold for functionality will be 60 points, therefore any bidder who scores less than minimum threshold will be deemed non-responsive.**







# BIDS FOR RENDERING OF SECURITY SERVICES AT HGDA

## *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: RENDERING OF SECURITY SERVICES AT HGDA

### CERTIFICATES OF GOOD STANDING

The bidder shall attach to this page the following:

- a) Tax clearance certificate
- b) BBBEE verification certificate for Preferential points claim
- c) CK or Company registration Certificate
- d) Certified copies of Identification documents of all Members/directors of the company
- e) Individual Shareholders Number
- f) Statement of Municipal Account (rates, water, electricity, etc)
- g) HGDA Database registration if not registered
- h) Reference Letter
- i) Registration with the Private Security Industry Regulatory Authority (PSIRA)
- j) 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-BBEEE 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**



**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			<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]**

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

**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](http://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 been 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.

.....  
.....

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

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 2011  
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 (BBBEE) 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 R1 000 000; and
- the 90/10 system for requirements with a Rand value above R1 000 000.

1.2 The value of this bid is estimated to exceed/not exceed R1 000 000 and therefore the 80/20 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

1.3.1 The points for this bid are allocated as follows:

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

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 been 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 been 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

- $P_s$  = Points scored for price of bid under consideration  
 $P_t$  = Rand value of bid under consideration  
 $P_{\min}$  = 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 BEE.
- 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 BEE compliant or does not qualify for the same number or more preference for BEE.
- #### 7. BID DECLARATION
- 7.1 Bidders who claim points in respect of BEE must complete the Bid Declaration at the end of this form.



**8. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

---

**9. COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

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

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

Registered Account No: .....

Stand No: .....

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

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

Registered Account No: .....

Stand No: .....

**11 TOTAL NUMBER OF YEARS THE FIRM HAS BEEN IN BUSINESS? .....**

**12 Consortium / Joint Venture**

**12.1** In the event that preference points are claimed for BEE 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 BEEE 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 BEEE 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? (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).	<input type="checkbox"/>	<input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (To access this Register enter the National Treasury's website, <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).	<input type="checkbox"/>	<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?	<input type="checkbox"/>	<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?	<input type="checkbox"/>	<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. 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.

**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**

.....

### 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