

# NKANGALA DISTRICT MUNICIPALITY



## QUOTATION DOCUMENT

### Project No: 7011/12 SUPPLY AND DELIVERY OF PERSONNEL PROTECTIVE CLOTHING

Name of Entity \_\_\_\_\_

Price( Excl VAT) \_\_\_\_\_

<b>Prepared &amp; Issued By:</b> Supply Chain Management Unit Nkangala District Municipality 2A Walter Sisulu Street <b>MIDDELBURG</b> 1050 Tel: 013-249 2105 Fax: 013-249 2087	<b>Enquiries : Elmon Nkosi</b> Social Services Department Nkangala District Municipality 2A Walter Sisulu Street <b>MIDDELBURG</b> 1050 Tel: 013-249 2130 Fax: 013-249 2136
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#### SUBMISSION DETAILS

<b>TENDER BOX</b>	NKANGALA DISTRICT MUNICIPALITY 2A WALTER SISULU STREET, GROUND FLOOR MIDDELBURG(MPUMALANGA)
<b>CLOSING DATE AND TIME</b>	<b>02 MARCH 2012 @ 12H00</b>

# NKANGALA DISTRICT MUNICIPALITY

Project No: 7011/12  
**SUPPLY AND DELIVERY OF PERSONNEL PROTECTIVE CLOTHING**

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# NKANGALA DISTRICT MUNICIPALITY

## Project No: 7011/12 SUPPLY AND DELIVERY OF PERSONNEL PROTECTIVE CLOTHING

### DEPARTMENT OF SOCIAL SERVICES

NKANGALA DISTRICT MUNICIPALITY hereby invites Quotations from suitably qualified service Providers for the Supply and Delivery of Personnel Protective Clothing.

Quotations may only be submitted on the quotation document issued. Copies of the quotation document will be available at Nkangala District Municipality Office Building at reception and on the website: [www.nkangaladm.org.za](http://www.nkangaladm.org.za)

Quotations, in a sealed envelope and clearly marked “**Project No: 7011/12 SUPPLY AND DELIVERY OF PERSONNEL PROTECTIVE CLOTHING**” must be submitted in the Tender Box , Nkangala District Municipality, 2A Walter Sisulu Street, Middelburg, Mpumalanga, not later than **12h00 on 02 MARCH 2012.**

#### GENERAL:

- **Service providers not registered on council’s database to submit a completed application form prior to submitting the quotation.**
- Quotations shall remain valid for a period of 90 days from closing date, no late, faxed or e mailed quotations will be accepted

For enquiries, please contact Mr. Elmon Nkosi at 013 249 2130 or Mrs. Trudie v Niekerk, SCM Office at 013 249 2123 during office hours, Monday to Friday between 07H30-13H00 and 13H45-16H15.

Quotations will be evaluated in terms of the Supply Chain Management policy of the Nkangala District Municipality ([www.nkangaladm.org.za](http://www.nkangaladm.org.za)) and Procurement and Preferential Procurement Regulations, 2011. The lowest quotation will not necessarily be accepted and the right to accept the whole or part of any quotation or not to consider any quotation not suitably endorsed is fully reserved by Nkangala District Municipality.

**AG ZIMBWA –ACTING MUNICIPAL MANAGER  
NKANGALA DISTRICT MUNICIPALITY**

<b>INSTRUCTIONS TO QUOTATION:</b>	
1.	Failure to complete all returnable schedules and signing thereof will result in an automatic disqualification.
2.	Proposals and any other supporting documents must be attached to the back of this quotation document.
3.	No quotation document will be considered unless submitted on Council's Official quotation Document
4.	A quotation document submitted by a registered company may not be considered unless accompanied by a resolution of a Board of Directors of the Company authorizing the person to sign the quotation document on behalf of the Company.
5.	Quotations completed in ink shall be submitted in a sealed envelope, clearly marked with the relevant Project number and / or project description, to the Tender Box: Ground Floor Nkangala District Municipality 2A Walter Sisulu Street, Middelburg.
6.	Quotations received after the closing date and time shall not be considered.
7.	The Council retains the right to call for any additional information that may deem necessary
8.	The Council will not be held responsible for any expenses incurred by the company in preparing and submitting the quotations.
9.	If quoting as a Joint Venture, the Joint Venture Agreement must be submitted with the quotation documents detailing the split of responsibilities in terms of the tender specifications, i.e. percentage of work to be done by each partner.
10.	Check the quotation documents on receipt for completeness and notify the employer of any discrepancy or omission.
11.	Treat as confidential all matters arising in connection with the quotation. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a quotation offer in response to the invitation.
12.	Obtain, as necessary for submitting a quotation, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are not attached but which are incorporated into the quotation documents by reference
13.	Pricing the tender State the rates and prices in Rand.
14.	Quotation communicated on paper shall be submitted as an original.
15.	<b>Telephonic, telegraphic, telex, facsimile or e-mailed quotations will <u>not</u> be accepted.</b>
16.	Accept that quotations, which do not provide all the data or information requested completely and in the form required, may be regarded by the employer as non-responsive
17.	The quotation validity period is 90 Days.

18	The company quoting, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the Labour Intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements.								
19	<p><b>The following is required to be submit with the quotation:</b></p> <p><b>(1) an original valid Tax Clearance Certificate issued by the South African Revenue Services;</b></p> <p><b>(2) A copy of the Company / CC Registration. In case of Joint Venture –both companies / cc to submit registration documentation.</b></p> <p><b>(3) In case of Joint Venture – the Joint Venture Agreement.</b></p> <p><b>(4) Duly Signed and dated of Authority of Signatory on company Letterhead.</b></p>								
20	<p><b>Evaluation of Quotations</b></p> <p>Notice is drawn to the fact that the awarding of this quotation will be in terms of the Supply Chain Management Policy of the Nkangala District Municipality.</p>								
21	<p><b>Evaluation points</b></p> <p>Preference points for this bid shall be awarded for:</p> <p>(a) Price; and</p> <p>(b) B-BBEE Status Level of Contribution.</p>								
	The maximum points for this quotation are allocated as follows:								
	<table border="1"> <thead> <tr> <th></th> <th>POINTS</th> </tr> </thead> <tbody> <tr> <td><b>PRICE</b></td> <td><b>80</b></td> </tr> <tr> <td><b>B-BBEE STATUS LEVEL OF CONTRIBUTION</b></td> <td><b>20</b></td> </tr> <tr> <td><b>Total points for Price and B-BBEE must not exceed</b></td> <td><b>100</b></td> </tr> </tbody> </table>		POINTS	<b>PRICE</b>	<b>80</b>	<b>B-BBEE STATUS LEVEL OF CONTRIBUTION</b>	<b>20</b>	<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>
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<b>PRICE</b>	<b>80</b>								
<b>B-BBEE STATUS LEVEL OF CONTRIBUTION</b>	<b>20</b>								
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>								
22	The number of paper copies of the signed contract to be provided by the Employer is one.								
23	<p>The additional conditions of quotation are:</p> <ol style="list-style-type: none"> <li>1 Nkangala District Municipality may also request that the company quoting provide written evidence that his financial, labour and resources are adequate for carrying out the project.</li> <li>2 The Nkangala District Municipality reserves the right to appoint a firm of chartered accountants and auditors and / or execute any other financial investigations on the financial resources of any entity quoting. The entity quoting shall provide all reasonable assistance in such investigations.</li> <li>3 The Nkangala District Municipality reserves the right to appoint a different Contractor for each project. The entity quoting shall be required to complete the form of offer.</li> <li>4 That the issuing by the contractor of cessions is expressly prohibited except if and when prior written approval of the Nkangala District Municipality under the signature of the Municipal Manager for the issue of a cession has been requested and obtained.</li> <li>5 That the Council reserves the right not to appoint contractor whose contract was terminated due to non- performance by this Council in the past 12 months.</li> </ol>								

## NKANGALA DISTRICT MUNICIPALITY

**Project No: 7011/12**  
**SUPPLY AND DELIVERY OF PERSONNEL PROTECTIVE CLOTHING**

### **T2.1 LIST OF RETURNABLE DOCUMENTS**

The following returnable Schedules MUST be completed:

#### **Returnable Schedules required for evaluation purposes**

Form A	COMPULSORY ENTERPRISE QUESTIONARE
Form B	DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES
Form C	PREFERENCE SCHEDULE
Form D	DECLARATION OF INTEREST
Form E	CERTIFICATE OF INDEPENDENT BID DETERMINATION
Form F	DECLARATION OF MUNICIPAL ACCOUNT
Form G	SCHEDULE OF PREVIOUS EXPERIENCE
Form H	SCHEDULE OF PROPOSED SUB- CONTRACTORS

**FORM A: COMPULSORY ENTERPRISE QUESTIONNAIRE**

*In the case of a Joint Venture – This page is to be completed and submitted in respect of each partner*

- 1. **NAME OF ENTERPRISE** \_\_\_\_\_
  - 2. **CONTACT PERSON** \_\_\_\_\_
  - 3. **CONTACT NUMBER** \_\_\_\_\_
  - 4. **FAX NUMBER** \_\_\_\_\_
  - 5. **E-MAIL ADDRESS** \_\_\_\_\_
  - 6. **POSTAL ADDRESS**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - 7. **PHYSICAL ADDRESS**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - 8. **VAT REGISTRATION NUMBER** \_\_\_\_\_
  - 9. **TAX REFERENCE NUMBER** \_\_\_\_\_
  - 10. **HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED**

YES		NO	
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- IF YES, WHO WAS THE CERTIFICATE ISSUED BY?**
- AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)
  - A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN NATIONAL ACCREDITATION SYSTEM (SANAS)
  - A REGISTERED AUDITOR
- (Tick applicable box)

11 (A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)

ARE YOU THE ACCREDITED REPRESENTATIVE  
IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED ?

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

If Yes enclose Proof

.....

Signature

.....

Date

**ATTACH THE FOLLOWING DOCUMENTS HERETO**

1. **For Closed Corporations**

CK1 or CK2 as applicable (Founding Statement)

2. **For Companies**

- A copy of the Certificate of Incorporation
- Copies of the ID's of the Directors and the shareholders register

3. **For Joint Venture Agreements**

- Copy of the Joint Venture Agreement between all the parties,
- as well as the documents in (1) or (2) of each Joint Venture member.

4. **For Partnership**

- Copies of the ID's of the partners

5. **One person Business / Sole trader**

- Copy of ID

6. **Original Tax Valid Tax Clearance Certificate issued by the South African revenue Service**

7. **Duly Signed and dated original or certified copy of Authority of Signatory on company Letterhead**

8. **B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE**

**FORM B: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

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

Item	Question	Yes	No
4.1	<p><b>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</b></p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p><b>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></p> <p><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	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:		
4.4	<b>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?</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

**CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME).....

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

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

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

## FORM C: PREFERENCE SCHEDULE

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

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

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

#### 1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R1 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed/not exceed R1 000 000 (all applicable taxes included) and therefore the 80/20 System shall be applicable.

1.3 Preference points for this bid shall be awarded for:

- (c) Price; and
- (d) B-BBEE Status Level of Contribution.

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

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

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

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

#### 2. DEFINITIONS

2.1 “**all applicable taxes**” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less .
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

### 3. ADJUDICATION USING A POINT SYSTEM

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

### 4. POINTS AWARDED FOR PRICE

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

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

**80/20**

**or**

**90/10**

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

Where

$P_s$  = Points scored for comparative price of bid under consideration

$P_t$  = Comparative price of bid under consideration

$P_{\min}$  = Comparative price of lowest acceptable bid

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

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

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

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

enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub- contractor is an EME that has the capability and ability to execute the sub-contract.

5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

**6. BID DECLARATION**

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

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

7.1 B-BBEE Status Level of Contribution: ..... = .....(maximum of 10 or 20 points)

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

**8. SUB-CONTRACTING**

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

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

8.1.1 If yes, indicate:

- 1 what percentage of the contract will be subcontracted? \_\_\_\_\_ %
- 2 the name of the sub-contractor? \_\_\_\_\_
- 3 the B-BBEE status level of the sub-contractor? \_\_\_\_\_
- 4 whether the sub-contractor is an EME? 

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

**9. DECLARATION WITH REGARD TO COMPANY/FIRM**

9.1 Name of firm: \_\_\_\_\_

9.2 VAT registration number \_\_\_\_\_

9.3 Company registration number \_\_\_\_\_

9.4

**TYPE OF FIRM** ( Tick Applicable Box)

- Partnership/ Joint Venture/ Consortium
- One Person business/ sole propriety
- Close Corporation
- Company
- (Pty) Ltd
- Other : Specify \_\_\_\_\_

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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9.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.  
[TICK APPLICABLE BOX]

9.7 MUNICIPAL INFORMATION:

Municipality where business is situated

---

Registered Account Number

---

Stand Number

---

9.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?

---

9.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

The information furnished is true and correct;

- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a

fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution

**WITNESSES:**

1. ....

.....  
SIGNATURE(S) OF BIDDER(S)

1. ....

DATE:

ADRESS:

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

**FORM D: DECLARATION OF INTEREST**

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

**3.1 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 Company Registration Number

---

3.4 Tax Reference Number

---

3.5 VAT Registration Number

---

3.6 Are you presently employed by the state\*?

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

3.6.1 If so, furnish the following particulars

---

3.7 Have you been in the service of the state for the past twelve months?

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

3.7.1 If so, furnish the following 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	
-----	--	----	--

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 the following particulars

---

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

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

3.10.1 If so, furnish the following particulars

---

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

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

If so, furnish particulars:

---

**DECLARATION**

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2.1 TO 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name

## FORM E: CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

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

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_

(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_

(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 consortium<sup>3</sup> 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.

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

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

Js9141w 4

**FORM F: MUNICIPAL UTILITY ACCOUNT**

**DECLARATION BY THE TENDERER**

I the undersigned \_\_\_\_\_, has been duly

authorized to sign all documents with the Tender for Contract Number \_\_\_\_\_ on behalf of

\_\_\_\_\_ hereby make a declaration as follows:  
(referred to herein as "the Bidder")

1. I declare that the bidder and /or any of its director(s) / member(s) does not owe the municipality, or any other municipality and/or municipal entity any amount which is in arrears in respect of any municipal rates and taxes or municipal service charges.
  
2. I understand and accept that in the event that this declaration is proved to be false, the bid shall be rejected forthwith. All other rights of the municipality (including but not limited to the right to claim damages where applicable) shall remain reserved in full.

SIGNED ON BEHALF OF THE COMPANY

\_\_\_\_\_

IN HIS CAPACITY AS

\_\_\_\_\_

DATE

\_\_\_\_\_

FULL NAMES OF SIGNATORY

\_\_\_\_\_





## FORM OF OFFER

### OFFER

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract in respect of the following works:

### **Project No: 7011/12 : SUPPLY AND DELIVERY OF PERSONNEL PROTECTIVE CLOTHING**

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

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

### **THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS**

.....

..... Rand (in words); R ..... (In figures).

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

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

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

Capacity \_\_\_\_\_

For the tenderer \_\_\_\_\_

(Name and address of organisation)

Name & Signature

Of Witness \_\_\_\_\_

Name

\_\_\_\_\_

Date

## BILL OF QUANTITIES

Item	Description	Qty	Rate	Amount (R)
1	Millennia bunker Suit [Jacket and trouser]	10		
2	Fire fighting boots	10		
3	Bunker kit bag	2		
4	Fire fighting Goggles	23		
5	Fire Fighting Balaclavas	23		
6	Fire fighting gloves	23		
7	Rescue gloves	23		
	<b>SUB TOTAL</b>			
	<b>VAT</b>			
	<b>TOTAL</b>			

**TOTAL AMOUNT TO BE FORWARDED TO FORM OF OFFER**

# SCOPE OF WORK

## PERSONAL PROTECTIVE EQUIPMENT (PPE)

### **1. Advanced Bunker Jacket and Bunker Trouser (Quantity x 10)**

- Sizes: Lx3; XLx5; XXL x2.
- The fibre must consist of 60 % para-aramid and 40% PBO
- Must be light weighted
- Must be suitable for use in structural fire fighting.
- Weave must be rip stop
- Colour must be Natural (Gold or black) with yellow reflective stripes
- Must consist of an inner and outer layer.
- Thermal exposure: must be able to retain strength and flexibility even after thermal exposure.
- Must be water absorption resistant
- Durability: product must be durable and abrasion resistant.
- Must be thermal and laundry shrinkage resistant.
- Product must have 5 year tear warranty and with radio pocket on chest.

### **2. Fire Boots (Quantity x 10)**

- Sizes: 1xSize 6; 6xSize 8; 3xSize 9;
- Black and yellow
- Steel toe cap
- Steel mid sole
- Waterproof

### **3. Bunker Kit Bag (Quantity x 2)**

- Black/ yellow Carry bag

### **4. Fire Fighting- Balaclavas(Quantity x 23)**

- Full Face and Chest

### **5. Goggles (Quantity x 23)**

- Fire and rescue protective eyewear.
- Hard anti scratch out side lens coating.
- Anti fog inside lens coating.
- Ultra vision with foam.

### **6. Fire fighting Gloves (Quantity x 23)**

- Similar to Fire Knox
- Comply with the relevant fire code.

### **7. Rescue Gloves (Quantity x 23)**

- Similar to Mechflex.
- Synthetic type.

## PROPOSALS

**Proposal not more than 12 pages long to be attached to the back of this document**