



**ELIAS MOTSOALEDI LOCAL MUNICIPALITY**

**EMLM 20/2021**

**APPOINTMENT OF MAXIMUM OF TWO SERVICE PROVIDERS FOR DESIGN, PRINT AND PRODUCTION OF CORPORATE PUBLICATIONS, PRINT COLLATERAL AND BRANDING MATERIAL FOR ELIAS MOTSOALEDI LOCAL MUNICIPALITY FOR A PERIOD OF THIRTY-SIX (36) MONTHS AS AND WHEN REQUIRED) RE-ADVERT**

<b>CLOSING DATE:</b>	<b>06 AUGUST 2021</b>	<b>TIME</b>	<b>11:00</b>
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<b>NAME OF TENDERER / BIDDER</b>	
<b>TOTAL BID PRICE</b>	
<b>CENTRAL SUPPLIER DATABASE NUMBER</b>	MAAA
<b>B-BBEE LEVEL (e.g Level 1)</b>	<b>LEVEL</b>
<b>CONTACT PERSON</b>	
<b>TELEPHONE NUMBER</b>	
<b>FAX NUMBER</b>	

<b>ENQUIRIES REGARDING BID PROCEDURES</b>		<b>TECHNICAL ENQUIRIES</b>	
<b>MANAGER: SUPPLY CHAIN MANAGEMENT</b>		<b>SIMON MAKUA</b>	
<b>M MTHIMUNYE</b>		<b>MANAGER: PUBLIC RELATIONS</b>	
<b>TEL. NUMBER</b>	<b>TEL.013 262 3056</b>	<b>TEL. NUMBER</b>	<b>013 262 3056</b>
<b>TENDER ISSUED BY</b>			
<b>SUPPLY CHAIN MANAGEMENT UNIT</b>			
<b>ELIAS MOTSOALEDI LOCAL MUNICIPALITY</b>		<b>P.O. BOX 48, GROBLERSDAL, 0470</b>	

**ELIAS MOTSOLEDI LOCAL MUNICIPALITY**

TENDER DETAILS						
TENDER NUMBER	<b>EMLM 20/2021</b>					
TENDER TITLE	<b>APPOINTMENT OF MAXIMUM OF TWO SERVICE PROVIDERS FOR DESIGN, PRINT AND PRODUCTION OF CORPORATE PUBLICATIONS, PRINT COLLATERAL AND BRANDING MATERIAL FOR ELIAS MOTSOLEDI LOCAL MUNICIPALITY FOR A PERIOD OF THIRTY-SIX (36) MONTHS AS AND WHEN REQUIRED) RE-ADVERT</b>					
CLOSING DATE	<b>06 AUGUST 2021</b>		CLOSING TIME		<b>11H00</b>	
SITE MEETING	DATE	N/A	TIME	N/A	N/A	N/A
SITE MEETING ADDRESS	N/A					
CIDB GRADING REQUIRED	<b>NO</b>		LEVEL AND CATEGORY		<b>N/A</b>	
TENDER DOCUMENT FEE	<b>R1,000.00 (if collecting from the Municipality) Free when downloading from e-tender portal</b>		PREFERENCE POINT SYSTEM		<b>80/20</b>	
BID BOX SITUATED AT	<b>MAIN OFFICES, 2<sup>ND</sup> GROBLER AVENUE, Elias Motsoaledi Local Municipality,.</b>					
OPERATING HOURS	The bid box is open during office hours, Monday to Friday from 07h30 to 16h15.					
OFFER TO BE VALID FOR	90	DAYS FROM THE CLOSING DATE OF TENDER.				
<p><b>PLEASE NOTE:</b></p> <ol style="list-style-type: none"> <li>1. Prospective suppliers must be registered on CSD prior to submitting bid (open tender)</li> <li>2. Tenders that are deposited in the incorrect box will not be considered.</li> <li>3. Mailed, telegraphic, telex, or faxed tenders will not be accepted.</li> <li>4. No late bids after closing date and time will be accepted.</li> <li>5. Bids not clearly marked and unamend will not be accepted.</li> <li>6. Bids may only be submitted on the bid documentation provided by the municipality.</li> <li>7. No awards will be made to a person:             <ol style="list-style-type: none"> <li>i. Who is in the service of the state,</li> <li>ii. If that person is not a natural person , of which any director, manager, principal shareholder or stakeholder is a person in the service of the state</li> <li>iii. Who is an advisor or consultant contracted with the municipality or municipal entity</li> </ol> </li> </ol>						

**BIDDER'S TENDER DOCUMENTATION DECLARATION CERTIFICATION**

I, the undersigned certify that the information furnished on this declaration form is correct, completed and submitted.

NAME OF REPRESENTATIVE	
POSITION / DESIGNATION	
SIGNATURE	
DATE	

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**T1.1 TENDER NOTICE & INVITATION**  
**ELIAS MOTSOLEDI LOCAL MUNICIPALITY**  
**TENDER NO: EMLM 20/2021**  
**CLOSING DATE: 06 AUGUST 2021 AT 11H00**



In terms of Section 110 of the Municipal Finance Management Act, 2003 (No. 56 of 2003), tenders are hereby invited for **APPOINTMENT OF MAXIMUM OF TWO SERVICE PROVIDERS FOR DESIGN, PRINT AND PRODUCTION OF CORPORATE PUBLICATIONS, PRINT COLLATERAL AND BRANDING MATERIAL FOR ELIAS MOTSOLEDI LOCAL MUNICIPALITY FOR A PERIOD OF THIRTY-SIX (36) MONTHS AS AND WHEN REQUIRED) RE-ADVERT**

Tender documents and specifications are available and can be obtained from CASHIERS OFFICE IN THE MAIN OFFICES, 2<sup>ND</sup> Grobler Avenue Groblersdal, P.O. Box 48, Groblersdal, 0470 (Tel: [013] 262 3056, at a non-refundable deposit of **R1,000.00** when the bidder request/need a document from the municipality and it is free of charge when downloaded from the e-Tender Portal. Payments can be made through bank guaranteed cheque payable to the Elias Motsoaledi Local Municipality or cash.

The closing time for receipt of tenders is **06 AUGUST 2021 at 11H00** Telegraphic, telephonic, telex, facsimile, e-mail, unmarked and **late tenders** will under no circumstances be considered and accepted. The tender box will be emptied just after closing time on the closing date. Hereafter all bids will be open in public.

Any technical enquiries relating to the tender document may be directed to the **Executive Support (Mr. Simon Makua) at 013 262 3056 or at smakua@emlm.gov.za** for technical assistance.

Fully completed tender documents, clearly marked "**APPOINTMENT OF MAXIMUM OF TWO SERVICE PROVIDERS FOR DESIGN, PRINT AND PRODUCTION OF CORPORATE PUBLICATIONS, PRINT COLLATERAL AND BRANDING MATERIAL FOR ELIAS MOTSOLEDI LOCAL MUNICIPALITY FOR A PERIOD OF THIRTY-SIX (36) MONTHS AS AND WHEN REQUIRED) RE-ADVERT**" with "**NAME of TENDERER**" must be placed in a sealed envelope and placed in the **tender box** on the **2<sup>nd</sup> Grobler Avenue**, Elias Motsoaledi Local Municipality, Main Offices, Groblersdal, **by no later than 06 AUGUST 2021 at 11H00** The envelope must be endorsed with number, title and closing date as indicated above.

Bidders will be evaluated on functionality whereby **42 points (70%)** has to be attained before financial proposals can be looked at. A preferential point system shall apply whereby a contract will be allocated to a tenderer in accordance with the Preferential Procurement Policy Framework Act, Act No. 5 of 2000 and as defined in the Conditions of Tender in the tender document, read in conjunction with the Supply Chain Management Policy of Elias Motsoaledi Local Municipality where 80 points will be allocated in respect of price and 20 points in respect of B-BBEE Status Level of Contribution.

No awards will be made to a person:

- Who is not registered on the Central Supplier Database;
- Who is in the service of the state;
- If that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; and/or
- Who is an advisor or consultant contracted with the municipality or municipal entity.

The municipality reserves the right to withdraw any invitation to tender and/or to re-advertise or to reject any tender or to accept a part of it. The municipality does not bind itself to accepting the lowest tender or award a contract to the bidder scoring the highest number of points



## TERMS OF REFERENCE FOR

### **APPOINTMENT OF MAXIMUM OF TWO SERVICE PROVIDERS FOR DESIGN, PRINT AND PRODUCTION OF CORPORATE PUBLICATIONS, PRINT COLLATERAL AND BRANDING MATERIAL FOR ELIAS MOTSOALEDI LOCAL MUNICIPALITY FOR A PERIOD OF THIRTY-SIX (36) MONTHS AS AND WHEN REQUIRED) RE-ADVERT**

#### **1. INTRODUCTION**

Invitation to submit proposals:

Elias Motsoaledi Local Municipality invites service providers to submit proposals for the design, print and production of corporate publications, print collateral and branding material for Elias Motsoaledi Local Municipality for a period of thirty-six (36) months **as and when** required.

#### **2. OVERVIEW OF RESPONSIBILITIES OF APPOINTED SERVICE PROVIDERS OF THE PANEL**

It will be expected of both agencies to develop, conceptualise and develop creative, artwork and where necessary reproduce branded materials required. Full lists of responsibilities of the advertising agency or company are further described within the scope of work and deliverables

#### **3. CORE SERVICES**

- Design, layout, proofreading, editing and production of corporate publications
- Design, layout, production and installation of branding material, signage and related applications

#### **4. SCOPE OF WORK AND DELIVERABLES**

##### **a) Design, layout, proofreading, editing and production of corporate publications and print collateral**

In consultation with Elias Motsoaledi Local Municipality, the appointed service provider will be required to: -

- Design of layout of brochures, advertisements, leaflets, newsletters, posters, banners (all printed material)
- Printing of brochures, leaflets, newsletters, posters, banners, annual reports and other legislated documents

##### **b) Design, layout, production and installation of branding material, signage and related applications**

In consultation with Elias Motsoaledi Local Municipality, the appointed service provider will be required to: -

- Production of Elias Motsoaledi Local Municipality branded corporate gifts as requested by the municipality.
  - Production of Elias Motsoaledi Local Municipality branding materials
  - Production and installation of Elias Motsoaledi Local Municipality signage
  - Supply of branded high-end quality corporate gifts
  - Standardising corporate material in the consistent application of the municipality's logo
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## 5. BILL OF QUANTITIES (PRICING SCHEDULE)

The bill of quantities must be completed in full.

### a) DESIGN, LAYOUT, PROOFREADING, EDITING AND PRODUCTION OF CORPORATE PUBLICATIONS AND PRINT COLLATERAL

ITEM DESCRIPTION	YEAR 1 (Including VAT)	YEAR 2 (Including VAT)	YEAR 3 (Including VAT)
<b>1. STRATEGY AND DEVELOPMENT</b>			
Creative concept, application and execution	R	R	R
Strategy development, application and execution	R	R	R
<b>2. ANNUAL REPORT</b>			
Creative design & layout	R	R	R
Print: A4 210mm x 297mm (Full colour) Cover 350gsm matt with gold foiling UV 600 pages double sided Spot vanish Inside paper 160gsm gloss white, 2 sided (Process black, process cyan, process magenta, process yellow)	R	R	R
Proof reading and language editing	R	R	R
<b>3. SOCIAL-ECONOMIC REVIEW AND OUTLOOK (SERO)</b>			
Creative design and layout	R	R	R
Print: A4 210mm x 297mm (Full colour) Cover 350gsm glow white 2 sided (Process black, process cyan, process magenta, process yellow) Thread sown, perfect binding thread sown. Perfect binding 560 pages excluding cover	R	R	R
Proof reading and language editing	R	R	R
<b>4. MUNICIPAL ECONOMIC REVIEW AND OUTLOOK (MERO)</b>			
Creative design and layout	R	R	R
Print: A4 (210mm x 297mm) Cover 350gsm glow white 2 sides (Process black, process cyan, process magenta, process yellow) Thread sown, perfect binding thread sown. Perfect binding 400 pages excluding cover	R	R	R
Proof reading and language editing	R	R	R
<b>5. STRATEGIC PLAN</b>			
Creative design and layout	R	R	R
Print: A4 (210mm x 297 mm) Cover 350gsm glow white 2 sides (Process black, process cyan, process magenta, process yellow) Thread sown, perfect binding thread sown. Perfect binding 400 pages excluding cover	R	R	R
Proof reading and language editing	R	R	R
<b>6. TOURISM GUIDE</b>			
Creative design and layout	R	R	R
Print: A4 size Full colour Over 300grams and inner 135grams all throughout 6 pages Glossy paper, logo and some images must be vanished	R	R	R
Proof reading and language editing	R	R	R
<b>7. BUDGET MADE EASY / VARIATION</b>			
Creative design and layout	R	R	R
Print: A6 or z- fold or other size (proposal) Cover 250gsm gloss white 2 sided (Process black, process cyan, process magenta process yellow)	R	R	R

<b>8. ANNUAL REPORT</b>			
Creative design and layout	R	R	R
Print: A4 210mm x 297mm (Full colour). Cover 350gsm matt with gold foiling UV 400 pages double sided. Spot vanish	R	R	R
Proof reading and language editing	R	R	R
<b>9. NEWSLETTER</b>			
Creative design and layout	R	R	R
Print: A4 size Full colour Over 300grams and inner 135grams all throughout 12 pages Glossy paper, logo and some images must be vanished and Translation from English to Sepedi or isiNdebele	R	R	R
Proof reading and language editing	R	R	R
<b>10. SPECIAL NEWSLETTER</b>			
Creative design and layout	R	R	R
Print: A3 size Full colour Over 300grams and inner 135grams all throughout 6 pages Glossy paper, logo and some images must be vanished and Translation from English to Sepedi or isiNdebele	R	R	R
Proof reading and language editing	R	R	R
<b>11. BUGDET AND POLICY STATEMENTS</b>			
Creative design and layout	R	R	R
Print: A5 160gsm full colour	R	R	R
Proof reading and language editing	R	R	R
<b>12. IDP</b>			
Creative design and layout	R	R	R
Print: Cover embossed and foiled and spot vanished logo and pictures. Cover 300 grams. Paper conduct gloss. Perfect bound and sawn. Size A4. 130 Pages Cover embossed and foiled and spot vanished logo and pictures	R	R	R
Proof reading and language editing	R	R	R
<b>13. ANNUAL CALENDARS /YEAR PLANNER</b>			
Creative design and layout	R	R	R
Print: A2 desk calendars, 5 pages, plus cover printed in four process colours. Desk tent calendars, 4 pages plus cover printed in four process colours. UV vanishing on sides, collated, folded to size and wire bound (desk calendars)	R	R	R
Print: Wall calendars printed in full colour, size 900mm x 150mm- desk tent calendars	R	R	R
<b>14. FILE FAXES WITH ORGANISER</b>			
Print: Design, layout and printing of real leather personalized with logo of Elias Motsoaledi Local Municipality Logo and name and surname of the official. Ring mechanism size 6 ring of 19mm Left four cut edge credit card pockets with a full-length pocket behind. Right one full length zipped pocket behind. Pen loop.	R	R	R
<b>15. SPECIAL OCCASIONS CARDS</b>			
Special occasions cards with 300 finishing gold foil or gloss selected part of the card printed in full colour. Smart effects Double sided print	R	R	R

High quality 350gsm silk art A4 folded White envelopes included			
<b>16. CORPORATE FOLDERS</b>			
Creative design and layout	R	R	R
Print: The holder must be able to hold 130 pages. 350gsm matt with gold foiling and UV vanish 5mm spine allocation.	R	R	R
<b>17. MUNICIPAL LETTERHEADS</b>			
Creative design and layout of two pager letterhead	R	R	R
Print:160gsm china embossed with security feature Gold foiling	R	R	R
<b>18. COMPUTER LABELS 95363</b>			
Creative design and layout	R	R	R
Print: 95 x 36 to view labels 1000 sheets per box	R	R	R
<b>19. FLYERS/ PAMPHLETS</b>			
Creative design and layout	R	R	R
Print: Credit card size with silver key rings attached to it, printed in full colour	R	R	R
<b>20. WALL CALENDER</b>			
Creative design and layout	R	R	R
Print: 1000 sheets per box Design, layout and printing Gold rimming on top Full colour (CMYK) Text pages 250grams. Glossy paper with spot vanish Size A2 portrait	R	R	R
<b>21. TENT CALENDER</b>			
Creative design and layout	R	R	R
Print: Full colour 8 pages printed back to back 400 micron board (white). Wire binding Width: 196mm Height: 122mm	R	R	R
<b>22. BUSINESS CARDS</b>			
Creative design and layout	R	R	R
Print: 95 x 36 to view labels Size: 50mm x90mm 300grams thickness Printed in full colour with gold foiling	R	R	R
<b>23. COMPLEMENTARY CARDS</b>			
Creative design and layout	R	R	R
Print: A6 Full colour	R	R	R
<b>24. CHRISTMAS CARDS</b>			
Creative design and layout	R	R	R
Print: A5 size, full colour, 300grams, gold foiling, die cutting Embossing	R	R	R
<b>25. A2 POSTERS</b>			
Creative design and layout	R	R	R
Print: Design, layout and printing. Size A2, 300grams Full colour	R	R	R
<b>26. A5 FOLDER FLYER</b>			
Creative design and layout	R	R	R
Print: A5 size, full colour. 135gsm	R	R	R
<b>27. A4 DIARY</b>			
Creative design and layout	R	R	R



Print: Gold trimming at the corners. Left soft cover white interior. Perforated pages corners. Padded covers gift metal corners. Ribbon logo in full colour (inside) List of councillors and contact details. Officials numbers 1 <sup>st</sup> five pages to contain municipal information or A4 Diaries front cover, back cover and first five pages must be designed according to Municipal branding/communication plan.	R	R	R
<b>28. A5 DIARY</b>			
Creative design and layout	R	R	R
Print: Gold trimming at the corners. Left soft cover white interior. Perforated pages corners. Padded covers gift metal corners. Ribbon logo in full colour (inside) List of councillors and contact details. Officials numbers 1 <sup>st</sup> five pages to contain municipal information or A5 Diaries front cover, back cover and first five pages must be designed according to Municipal branding/communication plan.	R	R	R
<b>29. EMPLOYEE NAME TAGS</b>			
Creative design and layout	R	R	R
Print: magnetic name tags printed with employee name	R	R	R
<b>30. WALL CALENDER</b>			
Creative design and layout	R	R	R
Print: A2 size	R	R	R
<b>GRAND TOTAL (VAT Inclusive)</b>	<b>R</b>	<b>R</b>	<b>R</b>

**b) DESIGN, LAYOUT, PRODUCTION AND INSTALLATION OF BRANDING MATERIAL, SIGNAGE AND RELATED APPLICATIONS**

ITEM DESCRIPTION	YEAR 1 (Including VAT)	YEAR 2 (Including VAT)	YEAR 3 (Including VAT)
<b>31. NOTICE BOARDS MAIN OFFICE AND SATELLITE OFFICES</b>			
A1 Gloss lockable frame	R	R	R
A2 Gloss lockable frame	R	R	R
A4 Gloss lockable frame	R	R	R
<b>32. EXTERNAL SIGNAGE BOARD</b>			
Creative design and layout	R	R	R
Full colour production and installation with corporate identity features	R	R	R
<b>33. DOOR NAME PLATES</b>			
Creative design and layout	R	R	R
Full colour with corporate identity, titles and removable names	R	R	R
<b>34. OUTDOOR AND INDOOR BANNERS FOR HEAD OFFICE AND SATELLITE OFFICES</b>			
Creative design and layout	R	R	R
Media wall banner (4mx2250mm)	R	R	R
<b>35. TELESCOPIC BANNER</b>			
Creative design and layout	R	R	R
Production: 100% polyester Bunting Size: 2.5m x 3.7m	R	R	R
<b>36. TEARDROP BANNER</b>			

Creative design and layout	R	R	R
Production: 100% polyester Size: 2.5m x 3.7m	R	R	R
<b>37. PULLUP BANNER</b>			
Creative design and layout	R	R	R
Production: Double sided size 2m x 850mm wide Material: crystal – laminated finished with protective matt	R	R	R
<b>38. EXPANDABLE BANNER WALL</b>			
Creative design and layout	R	R	R
Production: Size: 3500 x 350mm x 1000mm	R	R	R
<b>39. FRAME BANNER</b>			
Creative design and layout	R	R	R
Production: Double –sided. Size: 5m height x 350 Length: 1m x 2m, 1m x 3m heavy duty PVC 530mm aluminium tubes	R	R	R
<b>40. EXHIBITION STAND</b>			
Creative design and layout	R	R	R
Production: Double –sided. Size: 5m height x 350 Length: 1m x 2m, 1m x 3m heavy duty PVC 530mm aluminium tubes	R	R	R
<b>41. PENS</b>			
Executive pens engraved municipality logo	R	R	R
Corpo pens engraved municipality logo	R	R	R
<b>42. KEYRINGS</b>			
Production printed with municipal logo	R	R	R
<b>GRAND TOTAL (VAT Inclusive)</b>	<b>R</b>	<b>R</b>	<b>R</b>

**TOTAL BID PRICE FOR 3 YEARS (A+B) = \_\_\_\_\_**

**RETURNABLE TENDER DOCUMENTS MUST BE COMPILED WITH CLEAR FILES DIVIDERS IN NUMERICAL ORDER AS PER THE BELOW MINIMUM REQUIREMENTS**

**Minimum Qualifying Requirements /Compulsory Returnable Documents:**

1. Fully Completed and Signed MBD Forms with a black ink (1; 4; 6.1; 6.2 8 & 9).
2. Attach CSD registration report (summary or detailed).
3. Valid copy Entity / Company registration certificate.
4. Sign any alteration on the tender document. **(NB: Not Initialed).**
5. Sign every page on the tender document. **(NB: Not Initialed).**
6. Forms must be completed and signed in Black ink.
7. CIPC Abridged Certificate Annual returns **(NB applicable to entities that are/were in business for more than 12 months) - (to be verified)**
8. Company Profile (Detailing Experience and Reference contacts).
9. Proof of Municipal rates and taxes or services charges:
  - Of the company and all of its directors not in arrears for more than 90 days or
  - Confirmation from the municipality if municipal rates and taxes are not levied (for the company and all its director(s)) as per CK/Company form of address on the registration certificate or
  - if leasing, a signed lease agreement by the lessor and the lessee and a declaration/letter indicating that the bidder and/or the director does not have municipal account and that the municipal services; rates and taxes are paid by the property owner, should be signed by the lessor and such declaration/letter must be attached / Municipal rates in the name of the lessor for both company and director(s).
10. Original certified copy of B-BBEE Certificate issued by a SANAS verification agency; original Sworn Affidavit from commissioner of oaths or Original / Certified copy of CIPC Sworn Affidavit.
11. Original Certified copies of ID's of the Director(s) **(Certification not older than 6 months before the closing date).**
12. **In case of a Joint Venture**, Association or Consortium a formal contract agreement must be signed by both parties and be attached and the following must be adhered to:

- All of the above requirements must be for the both entities.
- Consolidated Valid B-BBEE Certificate issued by a SANAS

Verification agency; **NB: No sworn affidavits will be considered.**

**NB: FAILURE TO MEET ANY OF THE ABOVE REQUIREMENTS WILL LEAD TO IMMEDIATE DISQUALIFICATION,**

**NB: Bidding Condition: Only locally produced or locally manufactured textile, clothing, leather & footwear with a 100% minimum threshold for local production and content will be considered.**

**NOTE: PREFERENCE WILL BE GIVEN TO SERVICE PROVIDERS RESIDING WITHIN ELIAS MOTSOALEDI LOCAL MUNICIPALITY**

**6. FUNCTIONALITY EVALUATION CRITERIA**

**6.1. PRICE**

Targeted procurement using **80/20 points** system will apply, procurement goals are as follows:

B-BBEE status level of contribution	Number of Points
1	20
2	18
3	16
4	12
5	8
6	6
7	5
8	2
Non- Compliant Contributor	0

## 6.2 FUNCTIONALITY

With regard to functionality the following criteria will be applicable and the maximum weights of each criterion are indicated in brackets.

EVALUATION CRITERIA	EVALUATION DESCRIPTION	WEIGHT (%)	SCORE
<b>METHODOLOGY AND APPROACH</b>	Supplier has provided methodology, approach and the printing process for corporate publications	<b>10</b>	<b>4</b>
	Supplier has provided methodology, approach and the production process for branded material		<b>3</b>
	Outline production timelines for the various items outlined in the scope of works		<b>3</b>
<b>COMPANY EXPERIENCE</b>	Company's years of experience: 1 – 5 years = 3 6 – 9 years = 5 Above 10 years = 10	<b>10</b>	<b>10</b>
<b>APPOINTMENT LETTERS / PURCHASE ORDER &amp; STAMPED REFERRAL LETTER FOR:</b>  (DESIGN, PRINT AND PRODUCTION OF CORPORATE PUBLICATIONS, PRINT COLLATERAL AND BRANDING MATERIAL)	<ul style="list-style-type: none"> <li>Existing or previous experience of project (1 letter) = 5 points</li> <li>Existing or previous experience of project (2 Letters) = 10 points</li> <li>Existing or previous experience of project (3 and above letters) = 20 points</li> </ul>	<b>20</b>	<b>20</b>
<b>BANK RATING LETTER</b>	<ul style="list-style-type: none"> <li>A – C = 20</li> <li>D = 10</li> </ul>	<b>20</b>	<b>20</b>
<b>TOTALS (MINIMUM QUALIFYING SCORE 42 POINTS 70%)</b>		<b>60</b>	<b>60</b>

**7. COMPULSORY MUNICIPAL BID DOCUMENTATION**

- a) MBD 1 : Invitation to tender
- b) MBD 4 : Declaration of interest
- c) MBD 6.1 : Preference certificate
- d) MBD 6.2 : Local content
- e) MBD 8 : Declaration of bidder's past supply chain management practices
- f) MBD 9 : Certificate of Independent Bid Determine

**8. CONCLUSION:**

Any false information given by the Prospective Service Provider and not meeting the minimum qualifying requirement, will lead to automatic disqualification of the PSP. The council reserves the right to accept either the whole or part of any Bid, or not to appoint at all. Faxes or e-mail is not acceptable. Bidders will be required to show compliance with the New Preferential Procurement Regulation of 2017

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**PART A  
INVITATION TO BID**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (ELIAS MOTSOLEDI LOCAL MUNICIPALITY)**

BID NUMBER:	CLOSING DATE:	CLOSING TIME:
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DESCRIPTION
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**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

**02 GROBLER AVENUE**

**GROBLERSDAL**

**0470**

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

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

DEPARTMENT	<b>BUDGET AND TREASURY</b>	DEPARTMENT	<b>EXECUTIVE SUPPORT</b>
CONTACT PERSON	<b>M. MTHIMUNYE</b>	CONTACT PERSON	<b>S MAKUA</b>
TELEPHONE NUMBER	<b>013 262 3056</b>	TELEPHONE NUMBER	<b>013 262 3056</b>
FACSIMILE NUMBER	<b>013 262 2547</b>	FACSIMILE NUMBER	<b>013 262 2547</b>
E-MAIL ADDRESS	<b>mmthimunye@emlm.gov.za</b>	E-MAIL ADDRESS	<b>smakua@emlm.gov.za</b>

**TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	<b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</b>
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.
<b>2. TAX COMPLIANCE REQUIREMENTS</b>	
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.
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>	
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO
<b>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.</b>	
3.6.	

**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: .....

**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.

No.	Information	Please provide detail	
3.1	Full name of bidder or his or her representative		
3.2	Identity number		
3.3	Position occupied in the company (director, trustee, shareholder <sup>2</sup> )		
3.4	Company registration number		
3.5	Tax reference number		
3.6	VAT registration number		
Note	<i>(The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.)</i>		
3.7	Are you presently in the service of the state?  If yes, please furnish particulars :	Yes	No
3.7.1	Name of director		
3.7.2	Service of state organization		

3.8	Have you been in the service of the state for the past twelve months?	Yes	No
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	If yes, please furnish particulars :		
3.8.1	Name of director		
3.8.2	Service of state organization		
3.9	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 yes, please furnish particulars :		
3.9.1	Name of person in the service of state		
3.9.2	Relationship		
3.10	Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?	Yes	No
	If yes, please furnish particulars :		
3.10.1	Name of person in the service of state		
3.10.2	Relationship		
3.11	<i>Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?</i>	Yes	No
	If yes, please furnish particulars :		
3.11.1	Name of director		
3.11.2	Service of state organization		
3.12	Is any spouse, child or parent of the company's director trustees, managers, principle shareholders or stakeholders in service of the state?	Yes	No
	If yes, please furnish particulars:		
3.12.1	Name of director		
3.12.2	Name of relative		
3.12.3	Relationship		





3.13	Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract?  If yes, please furnish particulars:	Yes	No
3.13.1	Name of director		
3.13.2	Related company		
Note:	<p>SCM Regulations:</p> <p>“In the service of the state” means to be –</p> <ul style="list-style-type: none"> <li>(a) a member of – <ul style="list-style-type: none"> <li>(i) any municipal council;</li> <li>(ii) any provincial legislature; or</li> <li>(iii) the national Assembly or the national Council of provinces;</li> </ul> </li> <li>(b) a member of the board of directors of any municipal entity;</li> <li>(c) an official of any municipality or municipal entity;</li> <li>(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);</li> <li>(e) a member of the accounting authority of any national or provincial public entity; or</li> <li>(f) an employee of Parliament or a provincial legislature.</li> </ul> <p>“2 Shareholder” means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.</p>		

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

Full Name	Identity Number	State Employee Number

5. I, the undersigned 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.

<b>NAME OF REPRESENTATIVE</b> 	<b>AUTHORIZED SIGNATURE (UNDERSIGNED)</b> 
<b>DATE</b> 	<b>CAPACITY</b> 

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

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, 2017.**

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

1.2 a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or

b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

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

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

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

**2. DEFINITIONS**

(a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

**“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on Black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(b) **“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 or services, through price quotations, advertised competitive bidding processes or proposals;

- (c) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
  - (d) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
  - (e) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
  - (f) **“prices”** includes all applicable taxes less all unconditional discounts;
  - (g) **“proof of B-BBEE status level of contributor”** means:
    - 1) B-BBEE Status level certificate issued by an authorized body or person;
    - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
    - 3) Any other requirement prescribed in terms of the B-BBEE Act;
  - (h) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- 1.
- (i) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

### 3. POINTS AWARDED FOR PRICE

#### 3.1 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 price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

#### 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (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-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

5. **BID DECLARATION**

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

6. **B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

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

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. **SUB-CONTRACTING**

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

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

WITNESSES

1. ....

2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....

.....

## DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

### 1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

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

Where

- x is the imported content in Rand
- y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 below.

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

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;
2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

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

3. Does any portion of the goods or services offered have any imported content?

**(Tick applicable box)**

YES		NO	
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- 3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on [www.resbank.co.za](http://www.resbank.co.za)

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

**LOCAL CONTENT DECLARATION**

**(REFER TO ANNEX B OF SATS 1286:2011)**

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

**IN RESPECT OF BID NO.** .....

**ISSUED BY:** (Procurement Authority / Name of Institution):  
.....

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on [http://www.thedti.gov.za/industrial\\_development/ip.jsp](http://www.thedti.gov.za/industrial_development/ip.jsp). Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

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

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

- (b) I have satisfied myself that:
- (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

**If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.**

**The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.**

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

**SIGNATURE:** \_\_\_\_\_

**WITNESS No. 1** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 2** \_\_\_\_\_

**DATE:** \_\_\_\_\_





**DECLARATION OF BIDDERS 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:
  - 3.1 abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
  - 3.2 been convicted for fraud or corruption during the past five years;
  - 3.3 willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  - 3.4 been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No. 12 of 2004).
4. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**





Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons 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 accounting officer / authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).  <b>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</b>	Yes	No
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No. 12 of 2004)?  <b>The Register for Tender Defaulters can be accessed on the National Treasury's website <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> by clicking on its link at the bottom of the home page.</b>	Yes	No
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes	No
4.3.1	If so, furnish particulars:		

Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes	No
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / 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	No
4.5.1	If so, furnish particulars:		

**CERTIFICATION**

I, the undersigned 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.

NAME OF REPRESENTATIVE 	AUTHORIZED SIGNATURE (UNDERSIGNED) 
DATE 	CAPACITY 

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This municipal bidding document (MBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4(1)(b)(iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging). <sup>2</sup>Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38(1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - 3.1. take all reasonable steps to prevent such abuse;
  - 3.2. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - 3.3. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (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**

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**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid: **(Tender number and description)**

in response to the invitation for the bid made by:

<b>NAME OF MUNICIPALITY / MUNICIPAL ENTITY</b> <span style="border-bottom: 1px solid black; display: inline-block; width: 50px;"></span>





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

I certify, on behalf of (name of bidder): <span style="border-bottom: 1px solid black; display: inline-block; width: 50px;"></span>
<b>NAME OF REPRESENTATIVE:</b> <span style="border-bottom: 1px solid black; display: inline-block; width: 50px;"></span>

that:

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:
- 7.1 Prices;
  - 7.2 Geographical area where product or service will be rendered (market allocation);
  - 7.3 Methods, factors or formulas used to calculate prices;
  - 7.4 The intention or decision to submit or not to submit a bid;
  - 7.5 The submission of a bid which does not meet the specifications and conditions of the bid; or
  - 7.6 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.

NAME OF REPRESENTATIVE 	AUTHORIZED SIGNATURE (UNDERSIGNED) 
DATE 	CAPACITY 

## GENERAL CONDITIONS OF CONTRACT

The General Conditions of Contract are not included in this document and may be downloaded from the following website – [www.treasury.gov.za/legislation](http://www.treasury.gov.za/legislation)