

*Laingsburg*

*Munisipaliteit*

Munisipale-geboue  
Privaatsak X4  
LAINGSBURG, 6900  
Tel. (023) 551 1019  
Faks No. (023) 5511 019



*Municipality*

Municipal Buildings  
Private Bag X4  
LAINGSBURG, 6900  
Tel. (023) 551 1019  
Fax No. (023) 5511 019

E-pos / E-mail : [scm@laingsburg.gov.za](mailto:scm@laingsburg.gov.za)

**NOTICE: 73/2018**

**FORMAL WRITTEN PRICE QUOTATION: 01/11/2018**

#### **HIRING OF EXCAVATOR**

Laingsburg Municipality awaits formal written price quotation from suitably experienced suppliers for the hiring of an excavator.

Bids may only be submitted on the bid documentation issued by the Municipality. Bid documents are available from Laingsburg Municipality, Municipal Buildings, 02 Van Riebeeck Street, Laingsburg, from **07 November 2018** during working hours (08:00 – 16:15).

Bids must reach the SCM Offices by no later than **14 November 2018** at **12:00** via the following means of communication:

1. Email: [scm@laingsburg.gov.za](mailto:scm@laingsburg.gov.za); **or**
2. Posted to LAINGSBURG MUNICIPALITY, PRIVATE BAG X4, LAINGSBURG, 6900 or delivered by hand at the 02 Van Riebeeck Street, Municipal Buildings, Laingsburg; **or**
3. Faxed to number indicated above;

The lowest, or any bid shall not necessarily be accepted and the Council reserves the right to accept any part of the bid.

The bid will be subject to Council's Supply Chain Management Policy, the Preferential Procurement Policy Framework Act and Preferential Procurement Regulations of 2017.

Any enquiries with regards to this bid can be directed to Mr. Johan Mouton on tel. 023 55 11 019 or e-mail: [jmouton@laingsburg.gov.za](mailto:jmouton@laingsburg.gov.za).

Suppliers must be registered on the Centralised Supplier Database (CSD).

*J. Williams*  
PA WILLIAMS

**ACTING MUNICIPAL MANAGER**

**06 NOVEMBER 2018**



MUNISIPALITEIT MUNICIPALITY uMASIPALA

## FORMAL WRITTEN PRICE QUOTATION

<b>NOTICE NUMBER:</b>		<b>73/2018</b>	
<b>RFQ NUMBER:</b>		<b>01-11-2018</b>	
<b>RFQ DESCRIPTION:</b>		<b>Hiring of an Excavator</b>	
<b>CLOSING DATE:</b>	<b>14 NOVEMBER 2018</b>	<b>CLOSING TIME:</b>	<b>12H00</b>
Email: <a href="mailto:scm@laingsburg.gov.za">scm@laingsburg.gov.za</a> ; or <u>Post</u> to: MUNICIPAL BUILDINGS 02 VAN RIEBEECK STREET LAINGSBURG 6900		<b>NB:</b> 1. All bids must be submitted on the official forms – (not to be retyped) 2. Bids must be completed in black and white 3. <b>No bids will be considered from persons in the service of the state</b>	
<b>Name of Bidder:</b>			
<b>Total Bid Price:</b>			
<b>Estimated Delivery / Completion Period:</b>		<b>2 Weeks</b>	
<b>B-BBEE Status Level of Contributor:</b>			
<b>Preference Points Claimed:</b>			
<b>B-BBEE certificates or Sworn Affidavits submitted with the bid document MUST be VALID ORIGINAL BBEE CERTIFICATES or VALID CERTIFIED COPIES OF THE B-BBEE CERTIFICATES OR SWORN AFFIDAVITS</b>			

## INDEX PAGE

<b>PART 1</b>		
<b>NO.</b>	<b>ITEM</b>	<b>PAGE</b>
1.	Formal Written Price Quotation Notice and Invitation to Bid	<b>3</b>
2.	Municipal Bidding Document 1	<b>4</b>
3.	Municipal Bidding Document 4 – Declaration of Interest	<b>6</b>
4.	Municipal Bidding Document 6.1 - Preference Points Claim Form in Terms of the Preferential Procurement Regulations 2017	<b>9</b>
5.	Municipal Bidding Document 6.2 – Declaration Certificate for Local Production and Content for Designated Sectors	<b>15</b>
6.	Municipal Bidding Document 8 – Declaration of Bidder's Past Supply Chain Management Practices	<b>20</b>
7.	Municipal Bidding Document 9 – Certificate of Independent Bid Determination	<b>22</b>
8.	Certificate for Payment of Municipal Services	<b>26</b>
<b>PART 2</b>		
<b>NO.</b>	<b>ITEM</b>	<b>PAGE</b>
9.	Terms of Reference / Specifications	<b>28</b>
10.	Pricing Schedule	<b>31</b>
11.	Form of Offer and Acceptance	<b>33</b>
12.	Declaration by Tenderer	<b>35</b>
13.	Supporting Documents from Bidder	<b>36</b>



**LAINGSBURG MUNICIPALITY**  
**FORMAL WRITTEN PRICE QUOTATION NOTICE AND INVITATION TO BID**

<b>ADVERTISED IN:</b>	<b>MUNICIPAL NOTICE BOARD, MUNICIPAL WEBSITE</b>		
<b>RFQ NO:</b>	<b>01-11-2018</b>	<b>NOTICE NO :</b>	<b>73/2018</b>
<b>PUBLISHED DATE:</b>	<b>06 NOVEMBER 2018</b>	<b>DEPARTMENT:</b>	<b>INFRASTRUCTURE SERVICES</b>
<b>Formal Written Price Quotation:</b>	<b>Hiring of an Excavator</b>		
<b>CLOSING TIME AND DATE:</b>	<b>NO LATER THAN 12H00</b>	<b>ON THE DATE:</b>	<b>14 NOVEMBER 2018</b>
	Bids must be submitted on the official forms and must be returned via: Email: <a href="mailto:scm@laingsburg.gov.za">scm@laingsburg.gov.za</a> ; or Posted to: <b>MUNICIPAL BUILDINGS</b> <b>02 VAN RIEBEECK STREET</b> <b>LAINGSBURG</b> <b>6900</b>		

**BID RULES:**

1. Bids are to be completed in accordance with the conditions and bids rules contained in the bid document.
2. Bids may only be submitted on the bid documentation issued by the Municipality.
3. The Laingsburg Municipality does not bind itself to accept the lowest or any tender and reserves the right to accept any tender, as it may deem expedient.
4. Bids are subject to the Laingsburg Municipality Supply Chain Management Policy.
5. Price (s) quoted must be valid for at least thirty (30) days from date of your offer.
6. Price (s) quoted must be firm and must be indicated;
7. Only those suppliers who complies with specifications will be eligible for points.
8. The successful provider will be the one scoring the highest points.
9. Payments to the successful bidder in terms of this contract will be processed within 30 days after receipt of a valid tax invoice for goods and/or services rendered to the satisfaction of the municipality.
10. The lowest or any bid shall not necessarily be accepted and the Municipality reserves the right to accept any part of the bid.
11. Do not dismember this Bid Document (do not take it apart or put documents between its pages).
12. All other documents of the submission must be attached behind this bid document.
13. Please note that any suspicious collusive bidding behaviour and restrictive practices by bidders will be reported to the Competition Commission for investigation and possible imposition of administrative penalties.
14. Bidders who are not yet registered are required to register on the Central Suppliers Database (CSD). Bidders can register on the official website – [www.csd.gov.za](http://www.csd.gov.za).

<b>Tenders shall be evaluated in terms of the Preferential Procurement Regulations, 2017</b>		Bidders may claim preference points in terms of their B-BBEE status level of contribution.	
<b>Preferential Procurement Point System Applicable</b>	80/20	<b>Local Content Requirement</b>	None
<b>CIDB Registration Required</b>	None	<b>Validity Period</b>	90 Days
<b>Site Meeting/Information Session</b>	None		
<b>ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>		<b>ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:</b>	
<b>Section:</b>	Infrastructure Services	<b>Section:</b>	Supply Chain Management
<b>Contact Person:</b>	Mr. J. Mouton	<b>Contact Person:</b>	Mr. Keith Gertse
<b>Tel:</b>	023 55 11 019	<b>Tel:</b>	023 55 11 019
<b>Email:</b>	<a href="mailto:jmouton@laingsburg.gov.za">jmouton@laingsburg.gov.za</a>	<b>Email:</b>	<a href="mailto:scm@laingsburg.gov.za">scm@laingsburg.gov.za</a>
<b>Authorised by:</b>	Mr. Pietie Williams	<b>Acting Municipal Manager</b>	

## PART A INVITATION TO BID

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)</b>					
BID NUMBER:	01-11-2018	CLOSING DATE:	14 NOVEMBER 2018	CLOSING TIME:	12:00
DESCRIPTION	HIRING OF AN EXCAVATOR				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).</b>					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS					
MUNICIPAL BUILDINGS					
02 VAN RIEBEECK STREET					
LAINGSBURG					
6900					
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes  <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT  <input type="checkbox"/> Yes  <input type="checkbox"/> No		
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<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 ]
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE		R
SIGNATURE OF BIDDER	.....		DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>			<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>		
DEPARTMENT	INFRASTRUCTURE		CONTACT PERSON	JOHAN MOUTON	
CONTACT PERSON	KEITH GERTSE		TELEPHONE NUMBER	023-5511019	
TELEPHONE NUMBER	023-5511019		FACSIMILE NUMBER	023-5511019	
FACSIMILE NUMBER	023-5511019		E-MAIL ADDRESS	<a href="mailto:jmouton@laingsburg.gov.za">jmouton@laingsburg.gov.za</a>	
E-MAIL ADDRESS	<a href="mailto:scm@laingsburg.gov.za">scm@laingsburg.gov.za</a>				

## PART B

### TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>										
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</b></p> <p>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.</p>										
<b>2. TAX COMPLIANCE REQUIREMENTS</b>										
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>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 <a href="http://WWW.SARS.GOV.ZA">WWW.SARS.GOV.ZA</a>.</p> <p>2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.</p> <p>2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>										
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>										
<table style="width: 100%; border: none;"> <tr> <td style="width: 70%;">3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?</td> <td style="width: 30%; text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> </table> <p><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></p>	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
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									

**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: .....

#### 4. DECLARATION OF INTEREST

- 4.1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
- 4.2. 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.
- 4.3. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**
- 4.3.1. Full Name of bidder or his or her representative:  
.....
- 4.3.2. Identity Number:  
.....
- 4.3.3. Position occupied in the Company (director, trustee, shareholder<sup>2</sup>):  
.....
- 4.3.4. Company Registration Number:  
.....
- 4.3.5. Tax Reference Number:  
.....
- 4.3.6. VAT Registration Number:  
.....
- 4.3.7. The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.
- 4.3.8. Are you presently in the service of the state? **YES / NO**
- a) If yes, furnish particulars: .....  
.....

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

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

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

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

**YES / NO**

a) If yes, furnish particulars: .....

.....

4.3.10. Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?

**YES / NO**

a) If yes, furnish particulars: .....

.....

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

**YES / NO**

a) If yes, furnish particulars: .....

.....

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

**YES / NO**

a) If yes, furnish particulars: .....

.....

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

**YES / NO**

a) If yes, furnish particulars: .....

.....



4.3.14. Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract?  
**YES / NO**

a) If yes, furnish particulars: .....  
.....

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

Full Name	Identity Number	State Employee Number

.....  
**Signature**

.....  
**Date**

.....  
**Capacity**

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

## 5. 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.**

### 5.1. GENERAL CONDITIONS

5.1.1. 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).

5.1.2. 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;

5.1.3. Point for this shall be awarded for:

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

5.1.4. The maximum points for this bid are allocated as follows:

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

5.1.5. 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.

5.1.6. 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.

## 5.2. DEFINITIONS

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

## 5.3. POINTS AWARDED FOR PRICE

### 5.3.1. THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

80/20	or	90/10
$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	or	$P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$

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

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

5.4.1. 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

#### 5.5. BID DECLARATION

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

#### 5.6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 5.1.4 AND 5.4.1

5.6.1. B-BBEE Status Level of Contributor:      .      =      .....(maximum of 10 or 20 points)  
(Points claimed in respect of paragraph 5.7.1 must be in accordance with the table reflected in paragraph 5.4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

#### 5.7. SUB-CONTRACTING

5.7.1. Will any portion of the contract be sub-contracted?  
(***Tick applicable box***)

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

5.7.2. If yes, indicate:

a) What percentage of the contract will be subcontracted.....%

- b) The name of the sub-contractor.....
- c) The B-BBEE status level of the sub-contractor.....
- d) Whether the sub-contractor is an EME or QSE

**(Tick applicable box)**

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

- e) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

## 5.8. DECLARATION WITH REGARD TO COMPANY/FIRM

5.8.1. Name of company/firm: .....

5.8.2. VAT Registration number: .....

5.8.3. Company registration number: .....

### 5.8.4. TYPE OF COMPANY / FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[Tick applicable box]

### 5.8.5. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

## 5.8.6. COMPANY CLASSIFICATION

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

[Tick applicable box]

## 5.8.7. MUNICIPAL INFORMATION

**Municipality where business is situated:** .....

**Registered Account Number:** .....

**Stand Number:** .....

5.8.8. Total number of years the company/firm has been in business: .....

5.8.9. 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 contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- a) The information furnished is true and correct;
- b) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- c) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- d) If the B-BBEE status level of contributor 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 –
  - i. disqualify the person from the bidding process;
  - ii. recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - iii. 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;
  - iv. recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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
  - v. Forward the matter for criminal prosecution.

**WITNESSES**

1. ....
2. ....

.....

**SIGNATURE(S) OF BIDDERS(S)**

**DATE:** .....

**ADDRESS** .....

.....

.....

## 6. 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)].

### 6.1. General Conditions

- 6.1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 6.1.2. 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.
- 6.1.3. 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.
- 6.1.4. 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.
- 6.1.5. 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) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

**The SABS approved technical specification number SATS 1286:2011 is accessible on <http://www.thedti.gov.za/industrialdevelopment/ip.jsp> at no cost.**

- 6.1.6. 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;

- 6.2. **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>
_____	_____ %
_____	_____ %
_____	_____ %

- 6.3. Does any portion of the goods or services offered have any imported content? (***Tick applicable box***)

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

- 6.3.1. 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 at 12:00 on the date of advertisement of the bid.

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

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

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
  - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (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 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

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

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

**The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.**

- (d) I accept that the Procurement Authority / 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:** \_\_\_\_\_

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

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

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

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

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

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

- 7.1. This Municipal Bidding Document must form part of all bids invited.
- 7.2. 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.
- 7.3. The bid of any bidder may be rejected if that bidder, or any of its directors have:
- 7.3.1. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
  - 7.3.2. been convicted for fraud or corruption during the past five years;
  - 7.3.3. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  - 7.3.4. 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).
- 7.4. **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 <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? <b>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 <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:		
<b>Item</b>	<b>Question</b>	<b>Yes</b>	<b>No</b>
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

### CERTIFICATION

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

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

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

## 8. CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 8.1. This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> invited.
- 8.2. 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.
- 8.3. 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:
  - 8.3.1. take all reasonable steps to prevent such abuse;
  - 8.3.2. 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
  - 8.3.3. 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.
- 8.4. 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.
- 8.5. 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.

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



- 8.6. 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.
- 8.7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - 8.7.1. prices;
  - 8.7.2. geographical area where product or service will be rendered (market allocation)
  - 8.7.3. methods, factors or formulas used to calculate prices;
  - 8.7.4. the intention or decision to submit or not to submit, a bid;
  - 8.7.5. the submission of a bid which does not meet the specifications and conditions of the bid; or
  - 8.7.6. Bidding with the intention not to win the bid.
- 8.8. 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.
- 8.9. 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.

- 8.10. 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

**LAINGSBURG MUNICIPALITY**  
**CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES**

(To be signed in the presence of a Commissioner of Oaths)

I, the undersigned, in submitting the accompanying bid, declare that I am duly authorised to act on behalf of:

(name of the enterprise)

Hereby acknowledges that according to SCM Regulation 38(1) (d) (i), the Municipality may reject the tender of the tenderer if any municipal rates and taxes or municipal service charges owed by the Tenderer or any of its directors/members/partners to the Laingsburg Municipality, or to any other municipality or municipal entity, are in arrears for more than 3 (three) months.

That to the best of my personal knowledge, neither the firm nor any director/member/partner of said firm is in arrears on any of its municipal accounts with any municipality in the Republic of South Africa, for a period longer than 3 (three) months.

If the value of the transaction is expected to exceed R10 million (VAT included) I certify that the bidder has no undisputed commitments for municipal services towards a **Municipality** in respect of which payment is overdue for more than 30 days;

**PHYSICAL BUSINESS ADDRESS(ES) OF THE TENDERER**

**MUNICIPAL ACCOUNT NUMBER**

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

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

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

Number of sheets appended by the tenderer to this schedule (If nil, enter NIL)

Therefore hereby agrees and authorises the Laingsburg Municipality to deduct the full amount outstanding by the Tenderer or any of its directors/members/partners from any payment due to the tenderer; and			
I further hereby certify that the information set out in this schedule and/or attachment(s) hereto is true and correct. The Tenderer acknowledges that failure to properly and truthfully complete this schedule may result in the tender being disqualified, and/or in the event that the tenderer is successful, the cancellation of the contract.			
<b>NAME (PRINT)</b>		<b>SIGNATURE</b>	
<b>CAPACITY</b>		<b>DATE</b>	
<b>NAME OF ENTERPRISE</b>			

<p align="center"><b>COMMISSIONER OF OATHS</b></p> <p>Signed and sworn to before me at _____, on this _____ day of _____ 20__</p> <p>by the Deponent, who has acknowledged that he/she knows and understands the contents of this Affidavit, it is true and correct to the best of his/her knowledge and that he/she has no objection to taking the prescribed oath, and that the prescribed oath will be binding on his/her conscience.</p> <p><b>COMMISSIONER OF OATHS:-</b></p> <p>Position: _____</p> <p>Address: _____</p> <p>Tel: _____</p>	<p><b>Apply official stamp of authority on this page:</b></p>
---	---

LAINGSBURG MUNICIPALITY	
SPECIFICATIONS / TERMS OF REFERENCE	
<b>RFQ Number:</b>	<b>01-11-2018</b>
<b>RFQ Description:</b>	<b>Hiring of an Excavator</b>
<b>1. Background</b>	
1.1. The Municipality invites suitably experienced and qualified service providers to bid for the Hiring of an Excavator.	
<b>2. Current State</b>	
2.1. The Municipality needs the services of an excavator to clean the Soutkloof Fountain of sludge and mud that clogs the free flowing of the water from the fountain to the main reservoir.	
<b>3. Scope of Work</b>	
3.1. These are specifications for the Hiring of an Excavator.	
3.2. It is estimated that the excavator will be required for a period of two weeks.	
3.3. Excavator will be used to clean Soutkloof Fountain.	
3.4. In addition to transportation from premises of bidder, the excavator will have to be transported 16 km outside of Laingsburg to Soutkloof Fountain.	
<b>4. Invalid Bids</b>	
4.1. The following will render the bid invalid:	
4.1.1. The bid is not submitted on the official Form of Offer;	
4.1.2. The bid document is not completed in non-erasable handwritten, or printed, ink, or toner;	
4.1.3. The Form of Offer has not been signed with an original signature;	
4.1.4. The Form of Offer is signed, but the name of the bidder is not stated, or is indecipherable.	
<b>5. Non-Responsive Bids</b>	
5.1. Valid bids will be declared non-responsive and eliminated from further evaluation if:	
5.1.1. The bidder has been listed on the National Treasury's Register for Tender Defaulters in terms of the Prevention and combating of Corrupt Activities Act, Act 12 of 2004, or has been listed of the National Treasury's List of Restricted Suppliers and who is therefore prohibited from doing business with the public sector.	
5.1.2. The bidder is prohibited from doing business with the Laingsburg Municipality.	
5.1.3. The bidder does not comply with the Specification(s).	
5.1.4. The bidder does not comply with the instructions as contained in the Price Schedule and/or Contract Price Adjustments and Rate of Exchange Variation (where applicable).	
5.1.5. The bidder does not comply with the production of local content (if applicable)	
5.2. Bidders will be declared non-responsive if the tenderer fails to adhere to a written request (within the specified period set out in such request) to:	
5.2.1. Comply with the general conditions applicable to tenders as set out in the Laingsburg Municipality's SCM Policy;	
5.2.2. Comply with one or more of the provisions contained in the Conditions of Tender.	

- 5.2.3. Comply with any other terms and conditions of the bid as contained in the bid documents;
- 5.2.4. Register on the Central Supplier Database;
- 5.2.5. Complete and/or sign any declarations and or/authorisations;
- 5.2.6. Submit an original valid tax clearance certificate or tax compliance pin from the South African Revenue Services (SARS) certifying that the taxes of the bidder are in order;
- 5.2.7. Comply with any applicable Bargaining Council agreements where applicable;

5.3.5.3. Paragraph 5.1 & 5.2 above are not closed lists.

## **6. General Specifications**

- 6.1. The Municipality reserves the right to accept alternative bids. The Municipality is not bound to accept the lowest or any tender and reserve the right to accept any tender either wholly or a part thereof.
- 6.2. The submission of a bid signifies complete acceptance of the conditions contained in these instructions, the form of bid and the annexures.
- 6.3. Bids may only be submitted on the official bidding document. The bidding documents must be fully completed and signed.
- 6.4. Council will reserve the right to appoint more than one successful bidder or any combination.

## **7. SPECIFICATION REQUIREMENTS**

7.1. The following are specifications for the Excavator:

- 7.1.1. Caterpillar 320D or equivalent;
- 7.1.2. Tracked Excavator 20 ton;
- 7.1.3. Should have minimum flywheel power 0,10kw per millimeter of tined bucket width;
- 7.1.4. Breakout force of 130 kn;
- 7.1.5. Digging depth of 6m;
- 7.1.6. Digging reach of 7m;
- 7.1.7. Bucket size min 1,14m<sup>3</sup>
- 7.2. All machines must be fitted with hour meters or as specified.
- 7.3. Hour meters should be fitted in such a way that it only register when the plant is operational.
- 7.4. All rates must be per hour, per day or per kilometer as specified in the schedule.
- 7.5. Accommodation and travel cost of operators where applicable, will be for the account of the bidder.
- 7.6. Rates must include the operator, oil, fuel, plus VAT
- 7.7. Minimum hours must be shown where applicable.
- 7.8. Conditions with respect to the parking of machines during rainy conditions must be specified.

## **8. QUALIFIED BIDS**

8.1. Qualified bids may be disregarded at the discretion of the Municipality.

## **9. DOCUMENTATION REQUIRED**

**9.1. THE FOLLOWING DOCUMENTATION MUST BE SUBMITTED AS PART OF THE TENDER:**

- 9.1.1. Tax Compliance Pin and/or Tax Clearance Certificate
- 9.1.2. Valid BBBEE Certificate or Sworn Affidavit
- 9.1.3. Central Supplier Database (CSD) Number
- 9.1.4. Latest Municipal Account / Lease Agreement

## **10. OCCUPATIONAL HEALTH AND SAFETY REQUIREMENTS**

10.1.1. The service provider must adhere to all statutory requirements.

## **11. PRICING REQUIREMENTS**

11.1. Tender prices must be in ZAR Currency (Rand).

- |  |
|--|
| 11.2. The rates must remain firm for the period of 12 months (If applicable) |
| 11.3. Rates must be inclusive of Value-added-Tax of 15%                      |

## 12. EVALUATION

- |   |
|---|
| <p>12.1. Bids will be evaluated on a comparative basis, which is the reason for the design of the bid specification.</p> <p>12.2. All bids received shall be evaluated in accordance with the Municipal Finance Management Act, Act 56 of 2003 (read with its accompanying supply chain management regulations), Laingsburg SCM Policy, and the Preferential Procurement Policy Framework Act, Act 5 of 2000 (read with its accompanying regulations).</p> <p>12.3. Points will be awarded to bidders who are eligible for preferences in terms of <b>LBM 6.1</b>: Preference Point Claim Schedule (where preferences are granted in respect of B-BBEE contribution).</p> |
|---|

LAINGSBURG MUNICIPALITY	
PRICING SCHEDULE for SERVICES	
RFQ Number:	01-11-2018
RFQ Description:	HIRING OF AN EXCAVATOR
PLEASE NOTE:	1. All costs MUST be included in the bid price, for rendering of the service. 2. Document MUST be completed in non-erasable black ink.

NO	TYPE	Quantity	Description	Minimum hours per day	Rate (VAT Included) SPARES COST + %	
					R	C
Excavator - Pneumatic						



NO	TYPE	Quantity	Description	Minimum hours per day	Rate (VAT Included) SPARES COST + %	
					R	C
Excavator - Pneumatic						

LAINGSBURG MUNICIPALITY	
Form of Offer and Acceptance	
RFQ NUMBER:	01-11-2018
RFQ DESCRIPTION:	HIRING OF AN EXCAVATOR
<b>1. Part A: OFFER</b>	
<p>1.1. The Laingsburg Municipality has solicited offers to enter into a contract in respect of the abovementioned works.</p> <p>1.2. The bidder, identified in the Offer signature block, has examined the draft contract as listed in the Acceptance section and agreed to provide this Offer.</p> <p>1.3. By the representative of the Bidder, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance, the Bidder offers to perform all of the obligations and liabilities of the Laingsburg Municipality 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.</p>	
<b>2. THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VAT IS:</b>	
<p>3. This Offer may be accepted by the Laingsburg Municipality by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the Tenderer, whereupon the Tenderer becomes the party named as the <b>Contractor</b> in the conditions of contract</p>	

Signature(s)		
Name(s)		
Capacity		
For the tenderer:	(Insert name and address of organisation)	
Name of witness:		Date
Signature of witness:		

LAINGSBURG MUNICIPALITY	
Form of Offer and Acceptance	
<b>TENDER NUMBER:</b>	01-11-2018
<b>TENDER DESCRIPTION:</b>	HIRING OF AN EXCAVATOR
<b>4. Part B: ACCEPTANCE</b>	
<p>4.1. By signing this part of this Form of Offer and Acceptance, the Employer identified below accepts the tenderer's Offer. In consideration thereof, the Employer shall pay the Contractor the amount due in accordance with the conditions of contract identified in the Contract Data. Acceptance of the tenderer's Offer shall form an agreement between the Employer and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.</p>	
<p>4.2. Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto listed in the Returnable Schedules as well as any changes to the terms of the Offer agreed by the tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Form of Offer and Acceptance. No amendments to or deviations from said documents are valid unless contained in this Schedule.</p>	
<p>4.3. It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this agreement.</p>	

<b>Signature(s):</b>			
<b>Name(s):</b>			
<b>Capacity:</b>			
<b>For the Employer:</b>	<b>Laingsburg Municipality</b> <b>02 Van Riebeeck Street</b> <b>LAINGSBURG, 6900</b>		
<b>Name of witness:</b>		<b>Date:</b>	
<b>Signature of witness:</b>			

DECLARATION BY BIDDER			
I / We acknowledge that I / we am / are fully acquainted with the contents of the conditions of tender of this tender form and that I / we accept the conditions in all respects.			
I / We agree that the laws of the Republic of South Africa shall be applicable to the contract resulting from the acceptance of *my / our tender and that I / we elect domicillium citandi et executandi in the Republic at:			
I / We furthermore confirm I / we satisfied myself / ourselves as to the corrections and validity of my / our tender: that the price quoted cover all the work items specification in the tender documents and that the price cover all my / our obligations under a resulting contract and that I / we accept that any mistake(s) regarding price and calculations will be at my / our risk.			
NAME (PRINT)			SIGNATURE
CAPACITY			DATE
NAME OF ENTERPRISE			
WITNESS 1		WITNESS 2	