



Hessequa Municipality

CLOSED QUOTATION

RFQ 71871:

**THE PROVISION OF HANDYMAN RELATED SERVICES IN HESSEQUA MUNICIPAL
AREA**

CLOSING DATE: 15 MARCH 2021	CLOSING TIME: 12:00
------------------------------------	----------------------------

NAME OF BIDDER* :

ADDRESS* :

:

:

:

TEL NUMBER* :

FAX NUMBER* :

E MAIL* :

CENTRAL SUPPLIER DATABASE REG NO* :

B-BBEE LEVEL OF CONTRIBUTION* :

QUOTATION AMOUNT (VAT INCLUDED)* :

Prepared by:
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Riversdale
6670

INDEX

SECTION 1		PAGE
1.1	INVITATION TO QUOTE	2
1.2	CONDITIONS AND INFORMATION	4
SECTION 2		
2.1	SPECIFICATIONS	9
2.2	PRICING SCHEDULE	12
SECTION 3		
3.1	MBD1: BID FOR THE REQUIREMENTS OF THE MUNICIPALITY OF HESSEQUA MUNICIPALITY	15
SECTION 4		
4.1	MBD4: DECLARATION OF INTEREST	18
4.2	MBD6.1: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017	21
4.3	MBD8: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES	29
4.4	MBD9: CERTIFICATE OF INDEPENDENT BID DETERMINATION	31
SECTION 5	DECLARATION	34
SECTION 6	CONTRACT FORM	35

CLOSING DATE: 15 MARCH 2021

CLOSING TIME: 12:00

RFQ 71871- THE PROVISION OF HANDYMAN RELATED SERVICES IN HESSEQUA MUNICIPAL AREA.

Formal written quotations are hereby invited from professional service providers for the appointment of **the provision of handyman related services in Hessequa Municipal Area.**

Formal written quotations must be submitted on original documents and remain valid for 60 days after the closing date of the quotation. Enquiries about the specifications of the tender may be addressed to Mr Rhuschan Manho at telephone (028) 713 7964 or by e-mail to rhuschan@hessequa.gov.za. Enquiries about the completion of the document can be addressed to Mrs Candis Jacobs at telephone (028) 713 8083 or by e-mail to candis@hessequa.gov.za.

Fully completed written quotations must be placed in a sealed envelope and deposited in the **closed quotation box on the ground floor at the Hessequa Municipality – Post Office Building, 19 Main Road**, by not later than **12:00 (GMT+2) on Monday, 15 March 2021** or be e-mailed to reach candis@hessequa.co.za, before the specified closing date and time. The envelope must be endorsed clearly with the name, number and closing date of the quotation as shown above.

The formal written quotations will be evaluated on the 80/20 Preference Points system as prescribed by the Preferential Procurement Regulations, 2017.

The closed quotation box will be emptied just after 12:00 on the closing date. Late quotations will under no circumstances be accepted.

The Municipality reserves the right to withdraw any invitation to quote and/or to re-advertise or to reject any quotation or to accept a part of it. The Municipality does not bind itself to accepting the lowest quotation.

It is expected of all prospective service providers who are not yet registered on the Central Supplier Database to register without delay on the prescribed form. The Municipality may only accept quotations from prospective suppliers who are registered on the Central Supplier Database.

Prices quoted must be firm, inclusive of VAT and where applicable for delivery to the address indicated below. The total amount of the quotation must also be clearly indicated;

Please refrain from quoting on goods that are out of stock or not usually stocked by your company, or indicate on your quotation that this is the case and what the delivery period on those items will be

The closed quotation is subjected to the General Conditions of Contract as contained in MFMA Circular 25 of 2005 and the conditions contained in Hessequa Municipal SCM POS section 3.2.4.

If a quotation is submitted for the goods; services or works requested, you the supplier accepts the conditions of this quotation and that the goods; services and works will be supplied or constructed as per this quotation.

A formal order will be issued to the successful supplier that will be a written instruction to the supplier to supply; deliver or construct as per specifications contained in this quotation.

It is estimated that prospective contractors should have a CIDB contractor grading of 1GB OR higher.

If a quotation is called for a specific number of items, Council reserves the right to change the number of such items to be higher or lower. The successful quotationer will then be given an opportunity to evaluate the new scenario and inform the Municipality if it is acceptable. If the successful quotationer does not accept the new scenario, it will be offered to the second-placed quotationer. The process will be continued to the Municipality's satisfaction.

If you have not received a response from the Municipality within thirty (30) days after the closing date of the quotation, please regard your quotation as unsuccessful.

Should you be interested in wanting to know to who the successful quotationer was, you may consult our website at www.hessequa.gov.za where monthly reports on awards will be published.

J JACOBS
MUNICIPAL MANAGER

SECTION 1.2: CONDITIONS AND INFORMATION

1.2.1 General and Special Conditions of Contract

The General Conditions of Contract (GCC) available on the National Treasury website <http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/> will be applicable to this formal written quotation as well as Special Conditions of Contract (SCC) (if applicable) forming part of this set of quotation documents in addition to the conditions and information. Where the GCC and SCC are in conflict with one another, the stipulations of the SCC will prevail.

1.2.2 Completion of Documents

- (a) The original document must be completed fully in black ink and signed by the authorised signatory to validate the quotation. Section 5: DECLARATION must be completed and signed by the authorised signatory and returned. Failure to do so will result in the disqualification of the quotation.
- (b) Documents may not be retyped. Retyped documents will result in the disqualification of the quotation.
- (c) The complete original document must be returned. Missing pages will result in the disqualification of the quotation.
- (d) No unauthorised alteration of this set of documents will be allowed. Any unauthorised alteration will disqualify the quotation automatically. Any ambiguity has to be cleared with contact person for the quotation before the closure date and time.
- (e) The quotation document as provided by the Municipality's Supply Chain Management Section will be the prevailing document in the event of an inconsistency between the completed submitted quotation document by a bidder and the quotation document provided by the Municipality.

1.2.3 Compulsory Documentation

1.2.3.1 Tax Clearance Certificate

- (a) A copy of a Tax Compliance Status Pin and a Tax Compliance Certificate, printed from the SARS website, must accompany the bid documents. The onus is on the bidder to ensure that their tax matters with SARS are in order.
- (b) In the case of a Consortium/Joint Venture every member must submit a separate Tax Compliance Status Pin and a Tax Compliance Certificate, printed from the SARS website, with the bid documents.
- (c) If a bid is not supported by a Tax Compliance Status Pin and a Tax Compliance Certificate as an attachment to the bid documents, the Municipality reserves the right to obtain such documents after the closing date to verify that the bidder's tax matters are in order. If no such document can be obtained within a period as specified by the Municipality, the bid will be disqualified.
- (d) The Tax Compliance Status Pin will be verified by the Municipality on the SARS website.

1.2.4 Other Documentation

1.2.4.1 Municipal Rates, Taxes and Charges

- (a) A copy of the bidder's **AND** the Director/s municipal account (for the Municipality where the bidder pays his account) **for the month preceding the quotation closure date** must accompany the closed quotation documents. If such a copy does not accompany the bid document of the successful bidder, the Municipality reserves the right to obtain such documents after the closing date to verify that their municipal accounts are in order.
- (b) Any bidder which is or whose directors are in arrears with their municipal rates and taxes or municipal charges due to any Municipality or any of its entities for more than three months and have not made an arrangement for settlement of same before the bid closure date will be unsuccessful.
- (c) If a bidder rents their premises, proof must be submitted that the rental includes their municipal rates and taxes or municipal charges and that their rent is not in arrears.

1.2.5 Authorised Signatory

- (a) A copy of the recorded Resolution taken by the Board of Directors, members, partners or trustees authorising the representative to submit this bid on the bidder's behalf must be attached to the Bid Document on submission of same.
- (b) A bid shall be eligible for consideration only if it bears the signature of the bidder or of some person duly and lawfully authorised to sign it for and on behalf of the bidder.
- (c) If such a copy of the Resolution does not accompany the bid document of the successful bidder, the Municipality reserves the right to obtain such document after the closing date to verify that the signatory is in order.

1.2.6 Quantities of Specific Items

If quotations are called for a specific number of items, Council reserves the right to change the number of such items to be higher or lower. The successful bidder will then be given an opportunity to evaluate the new scenario and inform the Municipality if it is acceptable. If the successful bidder does not accept the new scenario, it will be offered to the second-placed bidder. The process will be continued to the Municipality's satisfaction.

1.2.7 Site / Information Meetings

- (a) No site or information meetings required.

1.2.8 Submission of Quotation

- (a) The quotation must be placed in a sealed envelope, or envelopes when the two-envelope system is specified, clearly marked with the quotation title as well as closing date and time and
 - placed in the **closed quotation box on the Ground floor at the Municipality, Post Office Building by not later than 12:00 on Monday, 15 March 2021**
- OR
- be e-mailed to candis@hessequa.gov.za before the specified closing date and time.

1.2.9 Expenses Incurred in Preparation of Quotation

The Municipality shall not be liable for any expenses incurred in the preparation and submission of the quotation.

1.2.10 Contact with Municipality after Closure Date

Bidders shall not contact the Hessequa Municipality Municipality on any matter relating to their bid from the time of the opening of the bid to the time the contract is awarded. If a bidder wishes to bring additional information to the notice of the Hessequa Municipality, it should do so in writing to the Hessequa Municipality. Any effort by the firm to influence the Hessequa Municipality in the bid evaluation, bid comparison or contract award decisions may result in the rejection of the bid.

1.2.11 Opening, Recording and Publication of Quotations Received

- (a) Quotations will be opened on the closing date immediately after the closing time specified in the documents. If requested by any bidder present, the names of the bidders, and if practical, the total amount of each bid and of any alternative bids will be read out aloud.
- (b) Details of quotations received in time will be recorded in a register which is open to public inspection.

1.2.12 Evaluation of Quotations

Quotations will be evaluated in terms of their responsiveness to the quotation specifications and requirements as well as such additional criteria as set out in this set of documents.

1.2.13 Procurement Policy

Bids will be awarded in accordance with the Preferential Procurement Regulations, 2017 pertaining to the Preferential Procurement Policy Framework Act, No 5 of 2000 as well as the Municipality's Supply Chain Management Policy.

1.2.14 Contract

The successful bidder will be expected to sign an agreement/contract within 7 days of the date of notification by the Hessequa Municipality that his/her bid has been accepted. The Municipality, at its discretion, may also request the signing of an additional Service Level Agreement, which, together with the signed quotation document, will constitute the full agreement between the Municipality and the successful bidder.

1.2.15 Stamp and Other Duties

The successful bidder will be liable for all duties and costs on legal documents resulting in the establishment of a contract and for the surety and retentions.

1.2.16 Subcontracting

- (a) The Contractor shall not subcontract the whole of the Contract.
- (b) Except where otherwise provided by the Contract, the Contractor shall not subcontract any part of the Contract without the prior written consent of the Municipality, which consent shall not be unreasonably withheld.
- (c) The contractual relationship between the Contractor and any subcontractors selected by the Contractor in consultation with the Municipality in accordance with the requirements of and a procedure contained within the Scope of Work, shall be the same as if the Contractor had appointed the subcontractor in terms of paragraph (b) above.
- (d) Any consent granted in accordance with paragraph (b) or appointment of a subcontractor in accordance with paragraph (c) shall not imply a contract between the Municipality and the subcontractor, or a responsibility or liability on the part of the Municipality to the subcontractor and shall not relieve the Contractor from any liability or obligation under the Contract and he shall be liable for the acts, defaults and neglects of any subcontractor, his agents or employees as fully as if they were the acts, defaults or neglects of the Contractor, his agents or employees.
- (e) The Contractor shall not be required to obtain such consent for –
 - (i) the provision of labour, or
 - (ii) the purchase of materials which is in accordance with the Contract, or
 - (iii) the purchase or hire of Construction Equipment.

1.2.17 Wrong Information Furnished

Where a contract has been awarded on the strength of the information furnished by the bidder which, after the conclusion of the relevant agreement, is proved to have been incorrect, the Municipality may, in addition to any other legal remedy it may have, recover from the contractor all costs, losses or damages incurred or sustained by the Municipality as a result of the award of the contract.

1.2.18 Past Practices

- (a) The bid of any bidder may be rejected if that bidder or any of its directors have abused the municipality's supply chain management system or committed any improper conduct in relation to such system.
- (b) The bid of any bidder may be rejected if it is or has been found that that bidder or any of its directors influenced or tried to influence any official or councillor with this or any past closed quotation.
- (c) The bid of any bidder may be rejected if it is or has been found that that bidder or any of its directors offered, promised or granted any official or any of his/her close family members, partners or associates any reward, gift, favour, hospitality or any other benefit in any improper way, with this or any past closed quotation.

1.2.19 Validity of BEE certificates:

- (a) **If the certificate was issued by a verification agency the following must be on the face of the certificate:**

SANAS logo, unique BVA number, must be an original certificate or certified copy of the original, the name and physical location of the bidder, the registration number and, where applicable, the VAT number of the bidder, the date of issue and date of expiry of the certificate, the certificate number for identification and reference, the scorecard that was used (for example EME, QSE or Generic), the name and / or logo of the Verification Agency, the certificate must be signed by the authorized person from the Verification Agency and the B-BBEE Status Level of Contribution obtained by the bidder.

(b) If certificate was issued by an Auditor/ Accounting Officers:

The Accounting Officer's or Registered Auditor's letter head with full contact details, the Accounting Officer's or Registered Auditor's practice numbers, the name and the physical location of the bidder, the registration number and, where applicable, the VAT number of the bidder, the date of issue and date of expiry, the B-BBEE Status Level of Contribution obtained by the measured entity, the total black shareholding and total black female shareholding, the B-BBEE Status Level of Contribution obtained by the bidder and must be an original certificate or copy of the original.

(c) If the certificate was issued by registered auditors approved by IRBA

Clearly identify the B-BBEE approved registered auditor by the auditor's individual registration number with IRBA and the auditor's logo, clearly record an approved B-BBEE Verification Certificate identification reference in the format required by the SASAE, reflect relevant information regarding the identity and location of the measured entity, identify the Codes of Good Practice or relevant Sector Codes applied in the determination of the scores, record the weighting points (scores) attained by the measured entity for each scorecard element, where applicable, and the measured entity's overall B-BBEE Status Level of Contribution, reflect that the B-BBEE Verification Certificate and accompanying assurance report issued to the measured entity is valid for 12 months from the date of issuance and reflect both the issuance and expiry date, and the B-BBEE Status Level of Contribution obtained by the bidder and must be an original certificate or copy of the original.

(d) A sworn affidavit prescribed by the B-BBEE Codes of Good Practice.

FAILURE TO COMPLY WITH THE ABOVEMENTIONED WILL RESULT IN NO PREFERENCE POINTS BEING AWARDED

2.1 SPECIFICATIONS:

PROVISION OF HANDYMAN RELATED SERVICES:

Hessequa Municipality intends to appoint a Service Provider for a period of 3 months from 01 April 2021 to render handyman related services at the various Municipal premises situated in Gouritsmond, Albertinia, Riversdale, Heidelberg, Witsand, Slangrivier, Stilbaai, Melkhoutfontein and Jongensfontein (Excluding Caravan parks).

2.1.1 The successful bidder will be remunerated after the completion of every project as follows:

1. Per Hour (The rate per hour as quoted in this quotation multiplied by the total hours spend on the completion of a project) and should the services of another service provider be required to deliver an certain service the actual cost of the services delivered by the service provider can be claimed. This includes the cost to rent certain equipment.
2. Actual cost price of material used to complete the project plus 10%.
3. The kilometre tariff of R2.00 per kilometre travelled.

2.1.2 With reference to point one above:

- a) The actual hours spend on this project must reflect on the invoice of the successful bidder.
- b) The rate per hour may be apportioned proportionately if the time spend are not a full hour.
- c) Travelling time may not be charged.

2.1.3 With reference to point two above:

The actual invoice as proof of materials used on this project must be submitted together with the invoice of the successful bidder after the completion of the project. The actual cost price plus 10% must reflect on the invoice of the successful bidder.

2.1.4 With reference to point three above:

- a) No kilometre tariff may be charged for travelling if work is done in the town of primary residence of the successful bidder.
- b) **The following distances shall be used to determine the amount payable for travel purposes:**
 - Riversdale – Heidelberg: 33km's
 - Heidelberg – Witsand: 42 km's
 - Heidelberg – Slangrivier: 9 km's
 - Riversdale – Stilbaai: 43km's
 - Stilbaai – Jongensfontein: 9km's
 - Riversdale- Albertinia: 37km's
 - Albertinia – Gouritsmond: 38km's

Should the bidder be from an area outside one of the above-mentioned areas, the application "distance calculator" will be used to determine the distance travelled from the town of residence to the town where the work must be performed.

2.1.5 Specifications	Comply Yes/No	Page to reference
2.1.5.1 A Municipal Official must in writing give instruction to the successful bidder to perform the work with a description of the specific works in writing.		
2.1.5.2 The successful bidder must, before the commencement of the work confirm to the Municipal official in writing on the template provided what the estimated hours will be to complete this project and after an agreement has been reached, the work may commence.		
2.1.5.3 The successful bidder must, before purchasing the material necessary to complete the project, inform the Municipal official in writing on the template provided what the estimated cost will be and after an agreement has been reached regarding the cost of the material, the material may be ordered/purchased.		
2.1.5.4 If at any stage during the project, the successful bidder realises that the estimated cost of the material or the estimated hours will exceed 10% of the previously agreed cost of material or hours, the Municipal official must be informed in writing and the new terms (hours and cost of material if applicable) must be agreed upon in writing.		
2.1.5.5 After the completion of the project the successful bidder must submit an invoice containing the following relevant information regarding the work performed: a description of the work and place of work, the hours spend on this project and rate per hour, the invoice indicating the actual cost of materials plus 10% and the km's travelled multiplied with R2.00 per km.		
2.1.5.6 No payment in advance will be made for work performed and for materials purchased.		
2.1.5.7 The successful bidder is responsible to ensure that the necessary safety clothing and safety precautions are taken for himself and/or for his/her personnel while performing the works.		
2.1.5.8 All tools and equipment necessary to perform the works must be provided by the successful bidder.		
2.1.5.9 The successful bidder must before the commencement of the project indicate in writing how many labourers is required to assist him with the project by completing it on the template provided. Please note that the tariff per labourer, if required must be quoted separately and are not included in the per hour tariff of the service provider.		
2.1.5.10 The successful bidder must start with the work as described by the Municipal official within 7 working days after receiving the written instruction, including the day on which the instruction was issued, but in cases of emergency the successful bidder must attend to the problem within 48 hours after receiving such instruction in writing from the Municipal official.		

2.1.5.11 Should the successful bidder be unable to deliver such services within the above timeframes the Municipality may use another service provider to complete the specific project.	Comply Yes/No	Page to reference
2.1.5.12 The service provider must provide at least 4 relevant written references including the following: An description of the work that was performed, an description of premises where the work was performed, was the client satisfied with the quality of the work and the contact details of the client. The service provider must have at least 4 years relevant experience in the rendering of handyman services.		
2.1.5.13 The handyman services will include the following work, but is not limited to the work as described below: <ul style="list-style-type: none"> ➤ Painting of buildings. ➤ Installation of built in cupboards and the repair of built in cupboards. ➤ Tiling of floors. ➤ Installation of doors, windows, locks, glass and door handles. ➤ Installation/replacing of roof sheets, gutters and waterproofing of roofs. ➤ General building works. ➤ Replacing electric switches and plugs ➤ Laying of paving and concrete walkways. ➤ The repair works on fencing that includes vibracrete walls. ➤ Repair leaking pipes 		
2.1.5.14 The handyman must ensure that he owns the necessary equipment in order to render the above mentioned services (for example but not limited to hand tools such as an hammer, pliers, screw drivers, files, squares, wrenches, vise grips, paint scraper and an toolbox including a cordless drill, sander, glue gun and staple gun, angle grinder and shovels, ladders, paint brushes, paint rollers and an wet and dry vacuum cleaner) Should the handyman wish to rent specific equipment to perform a specific task, he must get the approval from the Municipal official and must provide an quotation indicating how much the cost will be to rent such equipment, before renting such equipment. The equipment referred to includes for example scaffolding and a high pressure sprayer etc.		
2.1.5.15 The handyman must own his own single or double cab vehicle which must be used to render the handyman services.		
2.1.5.16 Should the handyman require the services of another contractor during the rendering of the handyman services the handyman must provide a quotation stating the cost to obtain such service from the other contractor and present the quotation to the Municipal official for his approval. Please note that no payments will be made to the other contractor, all payments will be made to the appointed handyman who is responsible for all arrangements between himself and the other contractor. The amount for which the service is rendered by the contractor must reflect on the invoice of the handyman after completion of the works. Please note that the actual amount will be paid and that 10% will not be paid on top of the actual amount that the contractor charged.		

DECLARATION,
 I, THE UNDERSIGNED (NAME).....
 CERTIFY THAT THE INFORMATION FURNISHED ABOVE IS CORRECT. I ACCEPT THAT THE MUNICIPALITY
 MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

AUTHORISED SIGNATURE:
 NAME:
 CAPACITY:
 DATE:

The Bidder must complete the following pricing schedule:

Tariff per hour (The tariff quoted will be fixed for the 3-month period): per handyman:

	3 Months
WEEKDAY (MONDAY TO FRIDAY 06:00 – 18:00)	R
WEEKEND (FRIDAY 18:01 – MONDAY 05:59)	R
PUBLIC HOLIDAYS	R

Tariff per hour (The tariff quoted will be fixed for the 3-month period): per labourer assisting the Handyman if necessary:

	3 Months
WEEKDAY (MONDAY TO FRIDAY 06:00 – 18:00)	R
WEEKEND (FRIDAY 18:01 – MONDAY 05:59)	R
PUBLIC HOLIDAYS	R

The bidder must provide at least 4 written references with the submitting his/her bid which includes at least the following information:

1. The name and contact details and e-mail address of the reference.
2. A description of the work done and the month and year in which the work was completed.
3. Was the reference satisfied with the quality of the work.

The tender will be evaluated based on the average rate per hour for the three (3) months period:

The average rate per hour (per handyman and per labourer) will be multiplied with the number of hours in the table below

Total working hours during the weekday handyman (1)	400 hours
Total labourer (1) hours during the weekday	200 hours
Total working hours during the weekend for handyman (1)	50 hours
Total labourer (1) hours during the weekend	30 hours
Total working hours during the public holidays for handyman (1)	40
Total working hours during the public holidays for labourer (1)	30

The actual hours may however differ from the above scenario.

FAILURE TO PROVIDE THE INFORMATION AS STATED ABOVE, MAY RESULT IN YOUR QUOTATION BEING FOUND NON-RESPONSIVE.

REQUEST FOR HANDYMAN SERVICES:

Date:	
Municipal Official (name):	
Area / Town:	

Description of works:

Initially agreed upon hours to complete the project: _____ Hours

Is a labourer required to assist? YES / NO

If yes, what is the number of labourers? _____

Actual date and time of commencement of work:			
Date	Start time	End time	Total hours

Total actual hours for the works: _____ Hours

Total actual hours for the labourer/s: _____ Hours

Total actual cost of material: R _____

Rental of equipment: Yes of No. If yes an description of the equipment and the rental price of the equipment: _____

Rendering of services by another service provider: Yes of No. If yes an description of the work that will be performed by the service provider and the cost of the service: _____

Does the actual cost of material or actual hours exceed the planned cost of material or planned hours by more than 10%? YES / NO

If YES, was the variance communicated to the Municipal official in advance? YES/NO

Total km's travelled by the Service provider (tick the correct box)

Riversdale – Heidelberg (33km)		Stilbaai – Jongensfontein (9km)	
Heidelberg – Witsand (42km)		Riversdale – Albertinia (37km)	
Riversdale – Stilbaai (43km)		Albertinia – Gouritsmond (38km)	
Heidelberg - Slangrivier (9km)		Albertina - Stilbaai (40km)	
Other		Other	

Number of days the route was travelled: _____

Total Km's travelled for the project: _____

MUNICIPAL OFFICIAL

SERVICE PROVIDER

DATE: _____

DATE: _____

FINAL CALCULATION OF INVOICE AMOUNT:

	RATE PER HOUR/KM (Exclusive of VAT)	TOTAL HOURS/KM'S/MATERIAL COSTS – ACTUAL + 5% (Exclusive of VAT)	TOTAL AMOUNT (Exclusive of VAT)
HANDYMAN	R		R
LABOURER	R		R
TRAVEL	R2.00		R
MATERIAL (ACTUAL)		R	R
OTHER SERVICE PROVIDER IF APPLICABLE (ONLY THE ACTUAL COST OF IS PAYABLE)			R
RENTAL OF EQUIPMENT IF APPLICABLE (ONLY THE ACTUAL COST OF IS PAYABLE)			R
SUB-TOTAL	R	R	R
VAT INCL. (15%)	R	R	R
TOTAL	R	R	R

This document must be submitted together with the invoice to the creditors department. Supporting documents must include the invoice of other service providers, material purchased and equipment leased however the total amount reflecting on each of these invoices must be totalled and included on the invoice of the Handyman as the Municipality will only make payments to the handyman.

SECTION 3.1: MBD1: BID FOR THE REQUIREMENTS OF THE MUNICIPALITY OF HESSEQUA

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE HESSEQUA MUNICIPALITY M					
BID NUMBER:	RFQ 71871	CLOSING DATE:	15 MARCH 2021	CLOSING TIME:	12:00
DESCRIPTION	THE PROVISION OF HANDYMAN RELATED SERVICES IN HESSEQUA MUNICIPAL AREA				
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:

<p>The Closed Quotation Box HESSEQUA MUNICIPALITY POST OFFICE BUILDING 19 Main Road Riversdale 6670</p>					
Or					
Emailed to candis@hessequa.gov.za					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	

B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]			
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			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	Supply Chain Management	CONTACT PERSON	Mr Rhuschan Manho
CONTACT PERSON	Mrs Candis Jacobs	TELEPHONE NUMBER	(028) 713 - 7964
TELEPHONE NUMBER	(028) 713 – 8083	FACSIMILE NUMBER	N/A
FACSIMILE NUMBER	N/A	E-MAIL ADDRESS	rhuschan@hessequa.gov.za
E-MAIL ADDRESS	candis@hessequa.gov.za		

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED – (NOT TO BE RE-TYPED) OR ONLINE
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
2. TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA .
2.4	FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
2.5	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.6	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.7	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <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
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.	

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

SECTION 4.1 MBD4: DECLARATION OF INTEREST

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

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

3.1 Full Name of bidder or his or her representative:

3.2 Identity Number:

3.3 Position occupied in the Company (director, trustee, shareholder²):

3.4 Company registration number:

3.5 Tax Reference Number:

3.6 VAT Registration Number:

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

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

3.8.1 If so, furnish particulars:
.....

* 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.

3.9 Have you been in the service of the state for the past twelve months? **YES / NO**

3.9.1 If so, furnish particulars:

.....

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**

3.10.1 If so, furnish the following particulars:

.....

3.11 Are you, aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.11.1 If so, furnish particulars:

.....

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

3.12.1 If so, furnish particulars:

.....

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

3.13.1 If so, furnish particulars:

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**

3.14.1 If yes, furnish particulars:

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

Full Name	Identity Number	State Employee Number	Income Tax Number

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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 **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or

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
Total points for Price and B-BBEE must not exceed	100

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.

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

- 1.8 If the contributor status level of a bidder changes after the closing date of the tender, the bidder must notify the municipality, as such a tender will not be eligible for any change in preference points, based on the changes status.

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:
 - 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;
- (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;

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:

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

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

4.2 A bidder who qualifies as an EME in terms of the B-BBEE Act must submit a sworn affidavit confirming Annual Total Revenue and Level of Black Ownership.

4.3 A Bidder other than EME or QSE must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.

4.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.

4.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

4.6 Tertiary Institutions and Public Entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

4.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

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

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"/>
-----	--------------------------	----	--------------------------

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"/>
-----	--------------------------	----	--------------------------

v) 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 last 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		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
 - One person business/sole propriety
 - Close corporation
 - Company
 - (Pty) Limited
- [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

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

8.7 MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account Number:

Stand Number:.....

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

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:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in 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;
- iv) 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 –

- (a) disqualify the person from the bidding process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) 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
- (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

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

DATE:

ADDRESS

.....

.....

MUNICIPAL RATES AND SERVICES

Names of Directors/Partners/Senior Managers	Physical residential address of the Director/Partner/Senior Manager	Residential Municipal Account number(s)	Name of Municipality

NB: Please attach copy/copies of Municipal Account(s)

DECLARATION

I, THE UNDERSIGNED (NAME):

CERTIFY THAT THE INFORMATION FURNISHED ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

AUTHORITY FOR SIGNATORY

We, the undersigned, hereby authorize Mr / Mrs acting in his/her capacity

as of the business trading as to sign all

documentation in connection with Closed Quotation: **THE PROVISION OF HANDYMAN RELATED SERVICES IN HESSEQUA MUNICIPAL AREA**

NAME OF MEMBERS / DIRECTORS	SIGNATURE	DATE

Note: If bidders attached a copy of their Authorised Signatory is it not necessary to complete this form.

SECTION 4.3: MBD8: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the audi alteram partem rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p>The Register Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>

4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	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

SECTION 4.4 MBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Municipal Bidding Document (MBD) must form part of all bids¹ 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).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
3. Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
4. This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
5. In order to give effect to the above, the attached Certificate of Bid Determination (MBD9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

RFQ 71871: THE PROVISION OF HANDYMAN RELATED SERVICES IN HESSEQUA MUNICIPAL AREA

(Bid Number and Description)

in response to the invitation for the bid made by:

HESSEQUA MUNICIPALITY

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

³ 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.

SECTION 5: DECLARATION

1. I hereby declare that I have read, understood, agree and comply with all of the sections below, if included, that it shall be deemed to form and be construed as part of this agreement:

- (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Technical Specification(s);
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations, 2017;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination
 - Special Conditions of Contract;
- (ii) General Conditions of Contract; and
- (iii) Other (specify)

2. I confirm that I am duly authorised to sign this document.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1
2.
DATE:

SECTION 6: CONTRACT FORM: PART 1 (TO BE FILLED IN BY THE BIDDER)

BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2) MUST FILL THIS FORM IN DUPLICATE. BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

1. The following documents shall be deemed to form and be read and construed as part of this agreement:

- (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Technical Specification(s);
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations, 2017;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination
 - Special Conditions of Contract;
- (ii) General Conditions of Contract; and
- (iii) Other (specify)

2. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

3. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

4. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1
3.
DATE: