

" The City of Heritage "



ULUNDI LOCAL MUNICIPALITY

BID NO.: 26/2023/2024

BID DESCRIPTION

CALL FOR PROPOSAL

**APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN
ONLINE PRE-PAID VENDING SYSTEM AND THIRD-PARTY VENDING
FOR A PERIOD OF 3 YEARS**

SUBMISSION OF BID DOCUMENT DEADLINE

Date: Friday, 22 March 2024

Time: 12h00

Venue: Ulundi Municipality, SCMU, Corner of
Princess Magogo and King Zwelithini
Street, Ulundi, 3838

Name of bidder	
Contact person	
Tel/ Cell Number	
Email Address	
Physical Address	
CSD Number	MAAA
Professional fees %	

Sealed bid document must be deposited in the Tender Box provided at the Ulundi Municipality SCMU, Corner of Princess Magogo and King Zwelithini Street, Ulundi by no later than 12h00 on the 22nd of March 2024. Please be advised that the bid number and closing date should be written at the back of the envelope.

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CHECK-LIST FOR TENDER SUBMISSION

PLEASE ENSURE THAT THE FOLLOWING FORMS HAVE BEEN DULY COMPLETED AND SIGNED AND THAT ALL DOCUMENTS AS REQUESTED, ARE ATTACHED TO THE BID DOCUMENT:

Page No.	Description	Yes	No	Remarks
6	MBD 1: Invitation to Bid			
30	Certificate of Authority for Signatory			
33	Compulsory Enterprise Questionnaire			
34	Record of Addenda to Bid Documents			
35	Declaration of Central Supplier Database			
36	Central Supplier Database Registration			
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38	Bidder's Financial Standing			
39	Declaration of Interest – MBD 4			
41	Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022 – MBD 6.1			
46	Declaration of Bidders' Past Supply Chain Management Practices – MBD 8			
48	Certificate of Independent Bid Determination – MBD 9			
50	Certificate for Municipal Services and Payments/Lease Agreement			
	Company Registration Documents, e.g. CIPRO			
	Certified ID copies of all active directors			
	Copy of tax clearance certificate with PIN			
	Full CSD report			
	B-BBEE Certificate or sworn affidavit			
	Municipal Account (Municipal Utility Bill) (If not owner of property: lease agreement)			
	Compliance certificates			
	Recovery plan			
	Company relevant experience (Appointments and Completion Certificates)			
	Relevant local Municipal market presence			
	Key personnel CV's, ID copies and Qualifications			

PART T1: BIDDING PROCEDURES

" The City of Heritage "



ULUNDI LOCAL MUNICIPALITY

T1.1 - BID NOTICE AND INVITATION AWARD

Bids are hereby invited from suitable service providers of the following Ulundi Municipality projects:

Bid No.	Bid Description	Point System	Closing Date	Time	Technical enquiries	Contact number
26/2023/2024	APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ONLINE PRE-PAID VENDING SYSTEM AND THIRD-PARTY VENDING FOR A PERIOD OF 3 YEARS	80/20	22/03/2024	12h00	Miss P.T. Nxumalo	035 874 5100

Only service providers registered in the Ulundi Municipality suppliers' database and registered with Central Supplier Database (CSD) will be considered.

Bid documents may be obtained on the **Ulundi Municipal Website at www.ulundi.gov.za**. Bid documents must be submitted in a sealed envelope clearly marked with the bid number, closing date and, dropped off in the tender box at SCMU, Ulundi Municipality, Corner of Princess Magogo and King Zwelithini Street, Ulundi, 3838 by no later **12H00 of the above stated closing dates**. The bid box is generally open from 07h30 to 16h30 Monday to Thursday and 07h30 to 15h15 Friday. All quotes must be submitted on the official forms – **(Not to be retyped)**. This bid is subject to the general conditions of contract (GCC) and any other special conditions of contract.

THE FOLLOWING ARE MANDATORY:

- Full CSD report (Not older than 3 months of tender closing date);
- Valid tax clearance certificate or SARS login pin;
- Municipal account in which the business is registered (Not older than 3 Months);
- Certified Identity Documents (ID) of members of the entity;
- B-BBEE Certificate or Sworn Affidavit and
- Certified copy of entity registration documents e.g. CK certificates
- MBD 1; 4; 6.1; 8 and 9

Please Note:

- Bidders are requested to sign where necessary and initial each page on the Bid Documents.
- All certified documents shall be not older than 3 months

This proposal will be evaluated using 80/20 Preferential Procurement Point system where 80 points are for price, and 20 points are for specific goals in terms of SCM Regulation 2022.

Specific goals for the tender and points claimed as indicated per table below.

SPECIFIC GOAL ALLOCATED TERMS OF THIS TENDER	NUMBER OF POINTS ALLOCATED
Black ownership with at least 51%	7
Disabilities as defined by Empowerment Equity Act of 1998. (Attach certificate)	3
Women ownership with at least 30% ownership	5
Youth ownership by at least 30%	5
TOTAL	20

Late tenders will not be accepted, and the Ulundi Municipality reserved the right not to make an award. Failure to comply with the above conditions will invalidate your offer.

Kindly note that the successful bidder will be subjected to a screening process prior to the bid being awarded, should it be discovered that a successful bidder provided misleading information he/she will be disqualified with immediate effect.

SCM related enquires: Miss N.V.D Hlabe (035 874 5100)

Mr. S.M. KHOMO
MUNICIPAL MANAGER

**PART A
T1.2 - INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE ULUNDI LOCAL MUNICIPALITY

BID NUMBER:	26/2023/2024	CLOSING DATE:	22 MARCH 2024	CLOSING TIME:	12H00
DESCRIPTION	26/2023/2024: APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ONLINE PRE-PAID VENDING SYSTEM AND THIRD-PARTY VENDING FOR A PERIOD OF 3 YEARS				

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).
 BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

CNR OF PRINCESS MAGOGO AND KING ZWELITHINI STREET
ULUNDI
3838

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 CLAIM FOR SPECIFIC GOALS WHERE APPLICABLE]

SCHEDULE 1: 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]	SCHEDULE 2: ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
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BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	SCM	CONTACT PERSON	P.T. Nxumalo
CONTACT PERSON	N.V.D. Hlabe	TELEPHONE NUMBER	035 874 5100
TELEPHONE NUMBER	035 874 5100	FACSIMILE NUMBER	035 874 5174
FACSIMILE NUMBER	035 874 5174	E-MAIL ADDRESS	tnxumalo@ulundi.gov.za
E-MAIL ADDRESS	nhlabe@ulundi.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, 2022, 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 MUNICIPALITY 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 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:

Functionality

A tender must score a minimum of 60% out of the full points for functionality in order to be prequalified to a tender; to be utilized for future works within the period of 36 months.

No.	Description	Evaluation	Points
1	Does the system comply with all the STS specifications as listed in the tender?	STS certificate not supplied = 0 Points STS certificate supplied = 30 Points	30
2	Is a detailed disaster recovery plan acceptable?	Recovery plan not acceptable = 0 Points Recovery plan acceptable = 10 Points Recovery plan acceptable Plus = 20 Points	20
3	Company experience with a similar vending project successfully completed with prepayment vending system.	1 - 5 Years experience = 4 points 6 Years experience = 8 points 7 Years experience = 12 points 8 Years experience = 16 points 9 Years or more experience = 20 points	20
4	Relevant local Municipal market presence.	Three or more existing Municipal customers for whom a fully hosted vending system for prepaid vending are provided. 3 Or more = 10 Less than 3 = 0	10
5	Relevant Tertiary Qualification of nominated senior manager vending operational support <ul style="list-style-type: none"> • Qualifications NQF7 or higher (relevant Electrical/ Electronic/ ICT or Business qualification) • At least a National Diploma Qualifications NQF6 (relevant Electrical/ Electronic or ICT or Business qualification) 	Qualifications NQF7 = 20 Qualifications NQF6 = 10 No submission or lack of information = 0	20
Total Points			100
MINIMUM OF 60 POINTS REQUIRED TO ADVANCE TO THE NEXT LEVEL			

T1.3 - STANDARD CONDITIONS OF TENDER

- The employer and each tenderer submitting a tender offer shall comply with these conditions of tender. In their dealings with each other, they shall discharge their duties and obligations as set out in tender data timeously and with integrity, and behave equitably, honestly and transparently, comply with all legal obligations and not engage in anticompetitive practices.
- The employer and the tenderer and all their agents and employees involved in the tender process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Tenderers shall declare any potential conflict of interest in their tender submissions. Employees, agents and advisors of the employer shall declare any conflict of interest to whoever is responsible for overseeing the procurement process at the start of any deliberations relating to the procurement process or as soon as they become aware of such conflict, and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate.

Note: (1) *A conflict of interest may arise due to a conflict of roles which might provide an incentive for improper acts in some circumstances. A conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly in his or her position even if no improper acts result.*

(2) *Conflicts of interest in respect of those engaged in the procurement process include direct, indirect or family interests in the tender or outcome of the procurement process and any personal bias, inclination, obligation, allegiance or loyalty which would in any way affect any decisions taken.*

- The employer shall not seek and a tenderer shall not submit a tender without having a firm intention and the capacity to proceed with the contract.
 - a) **conflict of interest** means any situation in which:
 - someone in a position of trust has competing professional or personal interests which make it difficult to fulfill his or her duties impartially;
 - an individual or organisation is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit; or
 - Incompatibility or contradictory interests exist between an employee and the organisation which employs that employee.
 - b) **comparative offer** means the price after the factors of a non-firm price and all unconditional discounts it can be utilised to have been taken into consideration;
 - c) **corrupt practice** means the offering, giving, receiving or soliciting of anything of value to influence the action of the employer or his staff or agents in the tender process;
 - d) **fraudulent practice** means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels;
 - e) **organization** means a company, firm, enterprise, association or other legal entity, whether incorporated or not, or a public body;
 - f) **functionality** means the measurement according to the predetermined norms of a service or commodity designed to be practical and useful, working or operating, taking into account quality, reliability, viability and durability of a service and technical capacity and ability of a tenderer.

Communication and employer's agent

- Each communication between the employer and a tenderer shall be to or from the employer's agent only, and in a form that can be readily read, copied and recorded. Communications shall be in the English language. The employer shall not take any responsibility for non-receipt of communications from or by a tenderer. The name and contact details of the employer's agent are stated in the tender data.

The employer's right to accept or reject any tender offer

- The employer may accept or reject any variation, deviation tender offer, or alternative tender offer, and may cancel the tender process and reject all tender offers at any time before the formation of a contract. The employer shall not accept or incur any liability to a tenderer for such cancellation and rejection.

Procurement procedures

General

All responsive tenderers, or not less than three responsive tenderers that are highest ranked in terms of the evaluation method and evaluation criteria stated in the tender data, shall be invited in each round to enter into competitive negotiations, based on the principle of equal treatment and keeping confidential the proposed solutions and associated information.

At the conclusion of each round of negotiations, tenderers shall be invited by the employer to make a fresh tender offer, based on the same evaluation criteria, with or without adjusted weightings. Tenderers shall be advised when they are to submit their best and final offer.

The employer shall evaluate tenders received during in terms of the method of evaluation stated in the tender data, and award the contract in terms of these conditions of tender.

TENDERER'S OBLIGATIONS

Eligibility

Submit a tender offer only if the tenderer satisfies the criteria stated in the tender data and the tenderer, or any of his principals, is not under any restriction to do business with employer.

Notify the employer of any proposed material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used by the employer as the basis in a prior process to invite the tenderer to submit a tender offer and obtain the employer's written approval to do so prior to the closing time for tenders.

Cost of tendering

Accept that the employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer complies with requirements.

Check documents

Check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.

Confidentiality and copyright of documents

Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.

Reference documents

Obtain, as necessary for submitting a tender offer, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are not attached but which are incorporated into the tender documents by reference.

Acknowledge addenda

Acknowledge receipt of addenda to the tender documents, which the employer may issue, and if necessary apply for an extension to the closing time stated in the tender data, in order to take the addenda into account.

Clarification meeting

There will be no clarification meeting for this bid.

Seek clarification

Request clarification of the tender documents, if necessary, by notifying the employer at least five working days before the closing time stated in the tender data.

Insurance

Be aware that the extent of insurance to be provided by the employer (if any) might not be for the full cover required in terms of the conditions of contract identified in the contract data. The tenderer is advised to seek qualified advice regarding insurance.

Alterations to documents

Not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations.

Alternative tender offers

Unless otherwise stated in the tender data, submit alternative tender offers only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted as well as a schedule that compares the requirements of the tender documents with the alternative requirements that are proposed.

Accept that an alternative tender offer may be based only on the criteria stated in the tender data or criteria otherwise acceptable to the employer.

Submitting a tender offer

Submit one tender offer only, either as a single tendering entity or as a member in a joint venture to provide the whole of the works, services or supply identified in the contract data and described in the scope of works, unless stated otherwise in the tender data.

Return all returnable documents to the employer after completing them in their entirety by writing in black ink.

Submit the parts of the tender offer communicated on paper as an original plus the number of copies stated in the tender data, with an English translation of any documentation in a language other than English, and the parts communicated electronically in the same format as they were issued by the employer.

Sign the original and all copies of the tender offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint ventures shall state which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer.

Seal the original and each copy of the tender offer as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.

Seal the original tender offer and copy packages together in an outer package that states on the outside only the employer's address and identification details as stated in the tender data. Accept that the employer will not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and marked as stated.

Accept that tender offers submitted by facsimile or e-mail will be rejected by the employer.

Information and data to be completed in all respects

Accept that tender offers, which do not provide all the data or information requested completely and in the form required, may be regarded by the employer as non-responsive.

Ensure that the employer receives the tender offer at the address specified in the tender data not later than

the closing time stated in the tender data. Accept that proof of posting shall not be accepted as proof of delivery.

Accept that, if the employer extends the closing time stated in the tender data for any reason, the requirements of these conditions of tender apply equally to the extended deadline.

Tender offer validity

Hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the tender data after the closing time stated in the tender data.

If requested by the employer, consider extending the validity period stated in the tender data for an agreed additional period with or without any conditions attached to such extension.

Accept that a tender submission that has been submitted to the employer may only be withdrawn or substituted by giving the employer's agent written notice before the closing time for tenders that a tender is to be withdrawn or substituted.

Clarification of tender offer after submission

Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of tenderers or substance of the tender offer is sought, offered, or permitted.

***Note:** Clarification of the offer does not preclude the negotiation of the final terms of the contract with a preferred tenderer following a competitive selection process, should the Employer elect to do so.*

Provide other material

Provide, on request by the employer, any other material that has a bearing on the tender offer, the tenderer's commercial position (including notarized joint venture agreements), preferencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the tenderer not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employer's request, the employer may regard the tender offer as non-responsive.

Dispose of samples of materials provided for evaluation by the employer, where required.

Inspections, tests and analysis

Provide access during working hours to premises for inspections, tests and analysis as provided for in the tender data.

Submit securities, bonds and policies

If requested, submit for the employer's acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required in terms of the conditions of contract identified in the contract data.

Check final draft

Check the final draft of the contract provided by the employer within the time available for the employer to issue the contract.

Certificates

Include in the tender submission or provide the employer with any certificates as stated in the tender data.

THE EMPLOYER'S UNDERTAKINGS

Respond to requests from the tenderer

Unless otherwise stated in the tender Data, respond to a request for clarification received up to five working days before the tender closing time stated in the Tender Data and notify all tenderers who drew procurement documents.

Consider any request to make a material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used to prequalify a tenderer to submit a tender offer in terms of a previous procurement process and deny any such request if as a consequence:

- a) an individual firm, or a joint venture as a whole, or any individual member of the joint venture fails to meet any of the collective or individual qualifying requirements;
- b) the new partners to a joint venture were not prequalified in the first instance, either as individual firms or as another joint venture; or
- c) in the opinion of the Employer, acceptance of the material change would compromise the outcome of the prequalification process.

Issue Addenda

If necessary, issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until three days before the tender closing time stated in the Tender Data. If, as a result a tenderer applies for an extension to the closing time stated in the Tender Data, the Employer may grant such extension and, shall then notify all tenderers who drew documents.

Return late tender offers

Return tender offers received after the closing time stated in the Tender Data, unopened, (unless it is necessary to open a tender submission to obtain a forwarding address), to the tenderer concerned.

Non-disclosure

Not disclose to tenderers, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of tender offers, the final evaluation price and recommendations for the award of a contract, until after the award of the contract to the successful tenderer.

Grounds for rejection and disqualification

Determine whether there has been any effort by a tenderer to influence the processing of tender offers and instantly disqualify a tenderer (and his tender offer) if it is established that he engaged in corrupt or fraudulent practices.

Test for responsiveness

Determine, after opening and before detailed evaluation, whether each tender offer properly received:

- a) complies with the requirements of these Conditions of Tender,
- b) has been properly and fully completed and signed, and
- c) is responsive to the other requirements of the tender documents.

A responsive tender is one that conforms to all the terms, conditions, and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would:

- a) detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work,

- b) significantly change the Employer's or the tenderer's risks and responsibilities under the contract, or
- c) affect the competitive position of other tenderers presenting responsive tenders, if it were to be rectified.

Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.

Arithmetical errors, omissions and discrepancies

Check the highest ranked tender or tenderer with the highest number of tender evaluation points after the evaluation of tender offers.

- a) the gross misplacement of the decimal point in any unit rate;
- b) omissions made in completing the pricing schedule or bills of quantities; or
- c) arithmetic errors in:
 - (i). line item totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules of prices; or
 - (ii). the summation of the prices.

Notify the tenderer of all errors or omissions that are identified in the tender offer or either confirm the tender offer as tendered or accept the corrected total of prices.

Where the tenderer elect to confirm the tender offer as tendered, correct the errors as follows:

- a) If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate shall be corrected.
- b) Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall govern and the tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices.

Clarification of a tender offer

Obtain clarification from a tenderer on any matter that could give rise to ambiguity in a contract arising from the tender offer.

General

Appoint an evaluation panel of not less than three persons. Reduce each responsive tender offer to a comparative offer and evaluate them using the tender evaluation methods and associated evaluation criteria and weightings that are specified in the tender data.

Acceptance of tender offer

Accept the tender offer, if in the opinion of the Employer, it does not present any unacceptable commercial risk and only if the tenderer:

- a) is not under restrictions, or has principals who are under restrictions, preventing participating in the Employer's procurement,
- b) can, as necessary and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical

competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel, to perform the contract,

- c) has the legal capacity to enter into the contract,
- d) is not insolvent, in receivership, under Business Rescue as provided for in chapter 6 of the Companies Act, 2008, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of any of the foregoing,
- e) complies with the legal requirements, if any, stated in the tender data, and
- f) is able, in the opinion of the Employer, to perform the contract free of conflicts of interest.

Prepare contract documents

If necessary, revise documents that shall form part of the contract and that were issued by the Employer as part of the tender documents to take account of:

- a) addenda issued during the tender period,
- b) inclusion of some of the returnable documents, and
- c) other revisions agreed between the Employer and the successful tenderer.

Complete the schedule of deviations attached to the form of offer and acceptance, if any.

Complete adjudicator's contract

Unless alternative arrangements have been agreed or otherwise provided for in the contract, arrange for both parties to complete formalities for appointing the selected adjudicator at the same time as the main contract is signed.

Provide copies of the contracts

Provide to the successful tenderer the number of copies stated in the tender data of the signed copy of the contract as soon as possible after completion and signing of the form of offer and acceptance.

T1.4 DETAILED SPECIFICATIONS AND REQUIREMENTS FOR THE ONLINE VENDING SYSTEM AND THIRD-PARTY VENDING

1. INTRODUCTION

The Ulundi Local Municipality herewith invites proposals for a pre-paid electricity vending system/solution that will be fully integrated with the Ulundi Local Municipality's existing financial system. The period of appointment will be for a period of 3 years. Bids from suitable service providers will be evaluated according to the set criteria as set out in this document.

2. DESCRIPTION OF THE SERVICES REQUIRED

The scope of the contract as detailed in this specification is as follows:

- 2.1. The supply, delivery, installation, training and commissioning of the most optimal vending solution, including a hosted back end and distributed 3rd party 24 hour vending, offered by the tenderer within the framework and performance specification of the Ulundi Local Municipality as detailed in this document.
- 2.2. Stand-by and support required as detailed in this document.
- 2.3. Disaster recovery and business continuity as specified.

3. REQUIREMENTS

3.1. USE OF REASONABLE SKILL AND CARE

- In applying the scope of work, it is expected of the service provider to render services that commensurate with the highest expectations of professionals in the industry and to ensure that all legislative requirements are met.
- It is expected of the service provider to take ownership of the project and to facilitate a process that commensurate with the integrity of the municipality as a public institution.
- It will also be required of the service provider to contribute to reports on the process progress and outcomes to the relevant officials and/or committees if need be.
- It will be required of the service provider to prepare a detailed phased project program of implementation within 1 week of appointment.

4. NORMATIVE REFERENCES

The solution offered must be compliant with SABS 1524, the STS Specifications and SABS IEC 1036. The following standards contain provisions which through reference in the SABS 1524 constitute provisions of this specification.

IEC 62055-41 / 62055-51	Standard transfer specification (STS) - Application layer protocol for one-way token carrier systems / Physical layer protocol for one-way numeric card token carriers
NRS 009-4-2:1994	National electricity meter cards and associated numbering standards section two national electricity meter number. (Replacing MCI57).
Licensed STS Document	Standard transfer specification documents.
ESKOM XMLVend 2.1	Eskom’s specification for standardization of vending client/server protocols
KRN02	Key revision number or the token identifier (TID) programme
ISO 8583	ISO 8583- Financial transaction card message specifications originated messages — Interchange
NRS 009-1:1994	Electricity Sales Systems Part 1: Glossary system overview. Preferred requirements for applications in the electricity supply industry.

5. DETAILED SPECIFICATION OF VENDING SYSTEM

5.1 SYSTEM CONFIGURATION

- The hardware, software, network infrastructure availability and requirements must include each of the current vending offices.
- A hosted database configuration set is preferable with standby disaster recovery systems in place for business continuity.
- A disaster recovery plan shall be provided with all necessary hardware and infrastructure requirements.
- Assurance of business continuity in the event of a catastrophic systems and/or communications system breakdown in the Municipal environment must be provided.

5.2 PHYSICAL LOCATION OF WORKSTATIONS

- The configuration envisaged by the municipality is one where the management system server(s) will be located off site in a high availability environment with redundant power and connectivity.
- Vending workstations (credit dispensing units) will be required at each of the vending offices. The system must not be limited to existing workstations and locations. The tenderer is required to evaluate the existing hardware at each of the current offices and make an optimum solution recommendation to the municipality.

5.3 SYSTEM CAPACITY

- The system shall be designed to ultimately accommodate a minimum of 30 000 consumers. The system shall have the capacity to retain a five (5) year transaction history in the live database and older transactions in an archive database. Any system limitations shall be indicated by the tenderer.

6. PERFORMANCE SPECIFICATION

- A full and detailed functionality description of the system shall be provided by the tenderer.
- The following criteria will receive preference on the Ulundi Local Municipality's decision and choice of a system offered:
- It is required that full specification (and pricing) of equipment (if any) is specified to ensure optimum performance of the system. For this reason, it is also imperative that tenders should be quite clear on where the Ulundi Local Municipality's hardware and/or networks lack the capability and/or capacity to function properly with the system proposed by the tenderer.
- A detailed graphical drawing depicting the proposed network and system layout must be drafted to clarify and indicate solution functionality.
- Tenderers shall liaise with Ulundi IT Manager to ensure that the proposed system is compatible with existing Ulundi software and hardware systems.
- The system shall be a database solution from which both management functions and vending take place. All updates to customer data must be immediately available at vending terminals and all transactions made at all sales outlets must be immediately available for reporting on.
- The vending terminal solution shall be web based or a web application which automatically updates from the host server should updates be posted.

The solution should have the capability to provide pre-paid vending services over the internet/intranet. Customers should be able (should the Ulundi Local Municipality wish to activate these options) to purchase prepaid electricity either via the Internet or a cell phone as follows:

- A registered service on the web where the customer registers for the service. This includes providing the required financial information and then simply authenticating on every transaction. The Ulundi Local Municipality's vending and credit management rules must still be applicable.
- The vending system shall cater for integration with the systems/applications in use. The Ulundi Local Municipality uses the PASTEL system as the financial system of choice.
- The system must cater for storage of all information to comply with financial services regulations (e.g. the storage of all sales/vending transactions).

The vending system will provide a web-based interface to allow for management functionality and reporting over the Ulundi Local Municipal Intranet and internet. The system must ensure that the program supports the latest version of Microsoft Internet Explorer and always keep up with updates by Microsoft.

7. PERFORMANCE SPECIFICATION

- A full and detailed functionality description of the system shall be provided by the tenderer.
- The following criteria will receive preference on the Ulundi Local Municipality's decision and choice of a system offered:
- It is required that full specification (and pricing) of equipment (if any) is specified to ensure optimum performance of the system. For this reason, it is also imperative that tenders should be quite clear on where the Ulundi Local Municipality's hardware and/or networks lack the capability and/or capacity to function properly with the system proposed by the tenderer.
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8. SYSTEM / OPERATION REQUIREMENTS

8.1. GENERAL

- The administrator(s) must have the option to link directly into the server from their offices for e.g. management, reports, etc. Maintenance staff must have the option to link into the system over a 3G data connection from remote locations to perform customer maintenance functions.
- All licenses required must be clearly defined and a list provided with license cost. All limitations must clearly be indicated.
- All current data on the current vending systems used by the municipality must be catered for on the proposed vending system. The last 3 years data must be migrated into the proposed vending system from the current vending system.

8.2. ACCESS

- It must be possible to allocate access rights into the system into users and user groups. Access rights allocations shall be transferred during the data migration process and distributed throughout the system. The vending system must allow for activation of password ageing functionality. If this function is activated, the password of the particular user shall expire after a definable amount of time. Early password expiry warnings must be available. In addition, a concurrent log-in limit for log-in attempts is also required. User IDs not used or disabled permanently must not be able to be removed from transaction history data. A full audit trail on user IDs and movement must be kept. Access rights must be configured by the Ulundi Local Municipality.

8.3. ARREARS

- The vending system offered by tenderer shall make it possible for the municipality to deduct arrears from moneys tendered by consumers to purchase pre-paid electricity. The vending system must be able to define within the applicable arrears scheme and/or credit control policy of the municipality different arrears recovery categories/indexes. This must be included and enforced in all electricity dispensing strategies and/or systems, inclusive of third party vending systems.

The system shall allow for at least:

- Fixed percentage of transaction recovery
- Service based recovery
- Full arrear payment recovery
- Partial arrear recovery and limited sales

8.4. BLOCKING

- The vending system offered by the tenderer will allow for profiled blocking of purchases by customers based on arrears balances in specific account types. Blocking will be configurable by account type and will allow for either no sales or limited monthly sales to customers with arrears balances.
- Customers with shared service accounts will all be unblocked simultaneously when any one blocked account is paid in full.

8.5. FREE BASIC ELECTRICITY

- The vending system software offered shall allow preferential treatment of individual consumers [Indigents]. Discounts will be given to the specific consumers by adding "50 Kwh free" utility units to the purchase value.

8.6. ENGINEERING

- The system must make provision for the generation of all engineering vouchers directly from the system master station and these vouchers can be printed, viewed (without printing) or sent via SMS.

8.7. FREE ISSUES

- The vending system should allow the issuing of vouchers free of charge.

8.8. GENERAL DATA IMPORT / EXPORT

- All reports must be able to export into other formats such as Excel and PDF.

8.9. LIMITS

- The vending system should allow a limit for the amount of credit that any individual workstation or group of workstations in the system can issue without re-authorization. This amount can be defined per workstation.
- The credit update of a workstation must be done by a supervisor (or another user with appropriate access rights) updating the credit limit via the management interface. All updates will be recorded; the records will include the previous credit balance and the user identity, the date and time of the update. The update will automatically print for audit purposes.

8.10. MESSAGES

- The vending system should allow the utility to define voucher messages that are printed at the bottom of the printed voucher. The municipality must have the option to change the messages according to requirements.

8.11. GENERAL ISSUES

- Vending to a consumer shall only be possible when a point of connection and meter are linked to the consumer and a tariff has been selected.
- The customer must still be able to do payments although blocked for pre-paid electricity sales.
- Should the information on the database differ from the information on the meter card, no token must be generated.

8.12. SEARCH AND FILTER

- The vending system should support full search for the following items in registration:
- surname, first names, ID number, postal address details, comments, blocking codes, account number, point of connection, meter serial number, different tariffs.
- All of these searches can be incremental searches or full word searches. Once the search criteria are entered, the system must display the first record matching the search condition or the closest field at any one time for the search.

8.13. REPORTS

- The vending system should support a set of standard reports and the capability to customize and / or create new Reports. The tenderer undertakes to add or alter reports according to the needs of the Municipality for at least the first six months free of charge.
- Printer selection and formatting according to operating system availability must be supported. Exporting of all reports to at least Excel and/or PDF must be supported. The standard reports required should preferably include but not necessarily all of the following:

Standard operator report

- Operator actions between dates grouped by date
- List of all users registered on the system
- List of all the user's groups and their functions
- List of all the groups and their respective functions

Standard consumer reports

- Number of consumers registered by town between dates
- List of all STS meters registered on the system
- List of towns registered on the system
- List of disconnected meters between dates
- List of disconnected meters by disconnect reason between dates
- Consumer information
- Total new connections per area
- Total installed meters per area
- Meter replacements per area
- All consumers in alphabetic order

Standard transaction reports

- List of transactions grouped by date between dates
- Sum of transactions grouped by transaction type and tariff
- Total electricity bought between dates by consumer
- Free issues between dates per meter
- Low purchases of electricity over a specified period
- Total electricity bought in the last 30 and 90 days
- Reversals between dates
- Summary of all end of shifts for a user between dates
- All transactions for a meter between custom dates
- Arrears owed by consumer
- Daily cash reconciliation report
- All transactions for an account between dates
- Low consumption report
- Indigent high purchase report
- Total sales by town
- Total sales by operator
- Customer purchase reports
- Month sales analysis by Tariff Class

Engineering Reports

- Current power limit for a meter
- Current power limit for all meters
- Audit trail on Amperage changes
- Reports in the vending system must be able to be previewed before printing.

TARIFFS

- The vending system must support the use of vending based tariffs. The system must cater for pre-defined tariffs by date to be created in advance. Tariff structure of current vending systems must be accommodated.
- Meter Tariff Index and Customer Tariff Class must not be linked in the system in order to avoid key changes when tariffs are changed, for instance from an Indigent to Domestic tariff.

8.14. BLOCK TARIFFS

- A block tariff module or stepped tariffs must be able to be defined.

8.15. VAT

- The vending system shall support the use of vending based VAT where the VAT is calculated at the time of vending.

8.16. ACCOUNT PAYMENTS

- In vending, it should be possible to pay off arrears amounts or portions thereof separately from the purchase of actual electricity.
- The solution will make provision for configurable blocking codes.
- The system must automatically remove the blocking code once the full arrear amount has been paid should the system be set to this configuration.
- The solution will have the capability to accommodate linked accounts e.g. a rates account on a pre-paid account and be able to force payment on linked account should linked account be in arrears before any pre- paid services will be allowed on the pre-paid account.

- All different amounts must be clearly displayed on the vending system screen.
- The business rules of the municipality will apply at all times. Arrear amounts, linked account amounts and blocking codes will be transferred from the financial system to the vending system.

8.17. VENDING AMOUNTS

- For each workstation in a vending system, a list of predefined typical purchase amounts must be able to be setup individually.

8.18. IMPLEMENTATION AND COMMISSIONING

- The tenderer shall be responsible for the conversion of current Ulundi Local Municipal system data, static as well as historical transaction as well as all meter related data to the new system.

8.19. SYSTEM CHANGES AND ENHANCEMENTS

- The tenderer shall indicate corporate policy requirements on system enhancements and changes

9. SYSTEM SITE VISIT/DEMONSTRATION

- The Ulundi Local Municipality retains the right to request a full system demonstration and/or site visit. The tenderer undertake to arrange as such. A list of current system users with contact details should be supplied by the tenderer. The municipality reserves the right to contact any of these users and the tenderer undertakes to arrange a site visit to any user(s) as indicated by the Municipality within a specified timeframe as agreed on.

10. CUSTOMER REFERENCES

- The Ulundi Local Municipality may wish to contact one or more of the tenderer's reference clients during the tender evaluation period. Please provide contact names and details of the individuals who should be contacted in this regard.
- Contact with your reference clients will be arranged through the tenderer, but the Ulundi Local Municipality reserves the right to conduct these information sharing sessions without representatives from the tenderer being present.

11. THIRD PARTY VENDING

- The system shall be integrated with third party vending platforms such as ADO, EasyPay and Blue Label Technologies.
- The tenderer must demonstrate this capacity and must supply documentation from third party channels to validate the partnership.
- The tenderer must describe in detail the remittance process to be followed between the parties and the periods over which monies will be paid to the Municipality.

12. DATA OWNERSHIP

- All the information on consumers and related data in the hosted databases will remain the property of the Ulundi Local Municipality at all times and will not be disclosed as a whole or in part to any third party without the express permission of the Ulundi Local Municipality.
- Any data archived and warehoused on behalf of the Ulundi Local Municipality shall be accessible at any time by the Ulundi Local Municipality or its appointed auditor.

13. MAPING OF METERS ON THE SYSTEM

- The system should be able to capture the coordinates of the meters.

14. ONLINE AND CARD PURCHASES

- The system should allow customers to be able to buy electricity on their banks apps and be able to use bank cards to buy electricity at any vending station.

15. BID EVALUATION

The bid will be evaluated as follows:

15.1 Stage 1 – Mandatory Requirements

The following criteria will be used to evaluate the compliance of Service Providers. (Compliance evaluation will be done outside of 80/20 point system):

- Original Tax clearance certificate and/or Tax Pin.
- CSD full report
- Invitation to bid (MBD 1)
- Declaration of interest (MBD4)
- Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022 (MBD 6.1)
- Declaration of bidders past supply chain management practices (MBD 8)
- Certificate of independent bid determination (MBD 9).
- B-BBEE Certification.
- Company registration certificates (CIPRO).
- ID copies of company directors.
- Declaration of Payment of Municipal Services.

15.2 Stage 2 – Functionality

The following criteria will be used to score the functionality of service providers (Functionality evaluation will be done of 80/20 point system):

- Compliance (certificates) - 30 points
 - Recovery plan - 20 Points
 - Company relevant past experience - 20 points
 - Existing Municipal Customer - 10 points
 - Key personnel - 20 points
 - **Maximum - 100 Points**
- Minimum of 60 Points must be scored to continue.

15.3 Stage 3 Price and Specific Goals (80/20)

This proposal will be evaluated using 80/20 Preferential Procurement Point system where 80 points are for functionality, and 20 points are for specific goals in terms of SCM Regulation 2022.

The 80/20 Preference Point Systems

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

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Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

Specific goals for the tender and points claimed as indicated per table below.

SPECIFIC GOAL ALLOCATED TERMS OF THIS TENDER	NUMBER OF POINTS ALLOCATED
Black ownership with at least 51%	7
Disabilities as defined by Empowerment Equity Act of 1998. (Attach certificate)	3
Women ownership with at least 30% ownership	5
Youth ownership by at least 30%	5
TOTAL	20

16. COMPLIANCE SCHEDULE

No.	Question	Yes / No	Comments
1	Does the system comply with all the STS specifications as listed in the tender? STS certificate to be supplied.		
2	Does the system allow for configuration by the municipality for various system requirements?		
3	Is a list of system limitations attached?		
4	Is a full, detailed functionality description of the system attached?		
5	Is a detailed graphical drawing of the proposed network and system attached?		
6	Is a detailed disaster recovery plan attached?		
7	Is a comprehensive 3rd Party payment remittance process attached?		
8	Is this a database solution with no data transfer or replication required?		
9	Does the system have the capability to provide pre-paid services according to the municipality's rules over the internet/intranet?		
10	Does the system integrate to other vending mechanics such as other third party service providers using Eskom XMLVend as an interface language?		
11	Does the system provide for integration to the other systems in use at the municipality through the following options: periodic bulk export/import/registration of data/meter to and from other business systems, on-line real-time per transaction synchronization of data?		
12	Does the system comply with financial services regulations regarding storage of data?		
13	Does the system provide WEB integration for management functionality and reporting?		
14	Can the administrators log into the servers directly from their offices? Can admins log in remotely over the internet?		
15	Is a list of license requirements with limitations attached?		
16	Does the system provide for smart metering?		
17	Does the system provide for access rights into the system for users and groups?		
18	Does the system provide for user ID disabled or removed to remain in history transaction data?		
19	Does the system provide for arrear recovery in line with the credit control policy of the municipality?		
20	Does the system provide for at least the following arrear recovery alternatives: fixed percentage of transaction recovery; service based recovery; full arrear payment recovery; partial arrear payment recovery with limited electricity sales?		
21	Does the system provide for "free issues" (EBSST token) to specific customers like indigents?		
22	Does the system allow all engineering tokens to be either printed, viewed without printing or sent through SMS?.		
23	Does the system support all the different types of engineering vouchers as specified the tender?		
24	Can the abovementioned amount be defined per workstation?		
25	Does the system provide for up-front vending?		
26	Does the system provide for messages at the bottom of the token voucher which can be changed by the municipality according to the municipality's requirements?		
27	Does the system allow vending when a point of connection, meter or tariff is not linked to a customer?		
28	Does the system allow payment of accounts although a blocking code is active that does not allow the customer to purchase pre-paid electricity tokens?		
29	Does the system provide for at least the standard reports as stipulated in the tender?		
30	Does the system allow for preview of reports before printing?		

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31	Does the system provide for pre-defined tariffs by date to be created in advance?		
32	Does the system accommodate the current vending structures of the municipality?		
33	Does the system support IBT (stepped tariffs)?		
34	Does the system support vending based VAT that is calculated at time of vending?		
35	Does the system provide for the payment of arrear amounts, current amounts or linked account separately from purchasing pre-paid electricity tokens?		
36	Does the system provide for the cashier to enter the full amount from which the arrear amount will automatically be deducted and the remainder of the money will then automatically be allocated towards pre-paid electricity sales?		
37	Does the system make provision to warn the cashier before finalizing any transaction?		
38	Does the system provide for integration of historical data?		
39	Does the system provide for user lock-out after a number of wrong password entries?		
40	Is a list of current system users with full contact details supplied?		
41	Was an assessment of current infrastructure done and an optimum solution recommendation attached?		
42	Is provision made for periodic data synchronization with an off-line database in the municipal environment?		
43	Does the system support the latest version of The standard Microsoft Internet Explorer and always keep up with updates by Microsoft.		
44	Key revision number or the token identifier (TID) programme		

T1.5 PRICING SCHEDULE

ITEM	DESCRIPTION	PRICE INCLUSIVE OF VAT AS % OF R1 000 000.00 TOTAL SALES PER MONTH
1	PROFESSIONAL FEES Provide and run a complete Vending solution including Municipal offices, local shops, major retailers, internet, ATM, and cell phone vending.(commission).	%

Name of Bidder

Signature of bidder

Date

T2 - RETURNABLE DOCUMENTS

T2.1: LIST OF RETURNABLE DOCUMENTS

The Bidder must complete the following returnable documents:

Form	Page
Returnable Schedule	
A. Certificate of authority for signatory	30
B. Compulsory Enterprise questionnaire	33
C. Record of addenda to bid documents	34
D. Declaration that information on central supplier database	35
E. Central suppliers database registration	36
F. Schedule of previous similar work	37
G. Bidder's financial standing	38
H. Declaration of interest	39
I. Preference points claim form in terms of the preferential procurement regulations 2022	41
J. Declaration of bidder's past supply management practices	46
K. Certificate of independent bid determination certificate for declaration of	48
L. Payment of municipal services agreement	51

T2.2 RETURNABLE SCHEDULES

A. CERTIFICATE OF AUTHORITY FOR SIGNATORY

The Tenderer must indicate the enterprise status by ticking the appropriate box hereunder.

(I) SOLE PROPRIETOR	(II) CLOSE CORPORATION	(III) PARTNERSHIP	(IV) COMPANY	(V) JOINT VENTURE / CONSORTIUM	
				Incorporated	
				Unincorporated	

Note:

The following document must be attached to this form according to the status of the enterprise, in the form of a resolution authorising the signatory to sign all documents and any contract resulting therefrom on behalf of the enterprise, and **such resolution shall include a specimen signature of the signatory.**

- Cooperative: 'Resolution of the Members'
- Close Corporation: 'Resolution of the Members'
- Company: 'Resolution of the Board' signed by the chairperson
- Joint Venture / Consortium: 'Resolution/agreement passed/reached' signed by the authorised representatives of the enterprises

MEMBERS RESOLUTION

APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ONLINE PRE-PAID VENDING SYSTEM AND THIRD-PARTY VENDING FOR A PERIOD OF 3 YEARS – (2024/2025 TO 2026/2027 FINANCIAL YEARS)

Close Corporation / Company / Partnership / Trust /Sole proprietor or sole trader Name: _____Registrati
on

Number: _____RESOLUTION OF

THE DIRECTORS OF THE COMPANY etc RESOLVED that
_____, in his/her capacity as

_____, is authorised to make applications on behalf of the Close Corporation / Company / Partnership / Trust /Sole proprietor or sole trader for: any documentation relating to the business (which is not necessarily a change of ownership). The nominated person will also have access to webpage for the business.

Signature(s) for Close Corporation / Company / Partnership / Trust/ Sole proprietor or sole trader.
(sole member still must sign this resolution)

Signature of members:
Name

Signature

Date

- | | | |
|----------|-------|--------|
| 1. _____ | _____ | _____: |
| 2. _____ | _____ | _____: |
| 3. _____ | _____ | _____: |
| 4. _____ | _____ | _____: |
| 5. _____ | _____ | _____: |
| 6. _____ | _____ | _____: |

Specimen signature of the signatory

CERTIFICATE FOR JOINT VENTURE

BID NO.26/2023/2024: APPOINTMENT OF A SERVICE PROVIDER FOR PROVIDING AN ONLINE PRE-PAID VENDING SYSTEM AND THIRD-PARTY VENDING FOR A PERIOD OF 3 YEARS – (2024/2025 TO 2026/2027 FINANCIAL YEARS)

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorize Mr/Ms, authorized signatory of the company,

.....acting in the capacity of lead partner, to sign all documents in connection with the tender offer for Contract No and any contract resulting from it on our behalf.

This authorization is evidenced by the attached power of attorney signed by legally authorized signatories of all the partners to the Joint Venture.

Signature of Signatory:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

NAME OF FIRM	ADDRESS	THORISING SIGNATURE, NAME AND CAPACITY
Lead partner

Note: *This certificate is to be completed and signed by all of the key partners upon who rests the direction of the affairs of the Partnership as a whole.*

B. COMPULSORY ENTERPRISE QUESTIONNAIRE

The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted.

Section 1: Name of Enterprise:

Section 2: VAT registration number, if any:

Section 3: CIDB:

Section 4: CSD:

Section 5: Particulars of sole proprietors and partners in partnerships

Name	Identity Number	Personal Income Tax Number

** Complete only if sole proprietor or partnership and attach separate page if more than 3 partners*

Section 6: Particulars of companies and close corporations

Company registration number:

Close corporation number:

Tax reference number:

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the enterprise:

(i) Authorizes the employer to verify the tenderers tax clearance status from the South African Revenue Services that it is in order;

(ii) Confirms that neither the name of the enterprise nor the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;

(iii) Confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise control over the enterprise appears, has within the last five years been convicted of fraud or corruption;

(iv) Confirms that I/we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and

(v) Confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

Signed : _____ **Date :** _____

Name : _____ **Position :** _____

Enterprise Name: _____

C. RECORD OF ADDENDA TO TENDER DOCUMENTS

The undersigned confirm that the following communications received from the Employer or his representative before the date of submission of this tender offer, amending the tender documents, have been considered in this tender offer. ***(Addenda can only be issued following approval from the Employer. The Employer’s representative is not allowed to issue addenda to bidders without prior approval in terms of the SCM Delegations).***

ADDENDUM NO.	DATE	TITLE OR DETAILS

Signed		Date	
Name		Position	
Bidder			

D. DECLARATION THAT INFORMATION ON CENTRAL SUPPLIER DATABASE (CSD) IS CORRECT AND UP TO DATE

(To be completed by bidder)

THIS IS TO CERTIFY THAT I (name of bidder/authorised representative)

.....

WHO REPRESENTS (state name of bidder)

.....

I AM AWARE OF THE CONTENTS OF THE CENTRAL SUPPLIER DATABASE WITH RESPECT TO THE BIDDER'S DETAILS AND REGISTRATION INFORMATION, AND THAT THE SAID INFORMATION IS CORRECT AND UP TO DATE AS ON THE DATE OF SUBMITTING THIS BID.

AND I AM AWARE THAT INCORRECT OR OUTDATED INFORMATION MAY BE A CAUSE FOR DISQUALIFICATION OF THIS BID FROM THE BIDDING PROCESS, AND/OR POSSIBLE CANCELLATION OF THE CONTRACT THAT MAY BE AWARDED ON THE BASIS OF THIS BID.

.....

SIGNATURE OF BIDDER OR AUTHORISED REPRESENTATIVE

DATE:

.....

E. REGISTRATION ON THE CENTRAL SUPPLIERS DATABASE

1. In terms of the KwaZulu-Natal Supply Chain Management Policy Framework, all suppliers of goods and services are required to register on the Central Suppliers Database.
2. If you wish to apply for Central Supplier Database (CSD) registration, suppliers may go to www.csd.gov.za to register or call 033 897 4223/4676/4509 for assistance.
3. If a business is registered on the Database and it is found subsequently that false or incorrect information has been supplied, then the Department may, without prejudice to any other legal rights or remedies it may;
 - 3.1 de-register the supplier from the Database,
 - 3.2 cancel a bid or a contract awarded to such supplier, and the supplier would become liable for any damages if a less favourable bid is accepted or less favourable arrangements are made.
4. **The same principles as set out in paragraph 3 above are applicable should the supplier fail to updates its information on the Central Suppliers Database, relating to changed particulars or circumstances.**

F. SCHEDULE OF PREVIOUS SIMILAR WORKS

The following is a statement of work of similar nature recently successfully executed by myself / ourselves:

EMPLOYER: CONTACT PERSON AND TELEPHONE NUMBER	NATURE OF WORK	VALUE OF WORK (inclusive of VAT)	DATE COMPLETED OR EXPECTED TO BE COMPLETED

Attach additional pages if more space is required

SIGNATURE:

DATE:

(Of person authorised to sign on behalf of the Tenderer)

G. BIDDER'S FINANCIAL STANDING

The Employer may make enquiries to obtain a bank rating from the Bidder's bank.

To this end, the Bidder must provide with this Bid a bank rating, certified by his banker, to the effect that he will be able to successfully complete the contract at the bided amount within the specified time for completion.

However, should the bidder be unable to provide a bank rating with his Bid, he shall state the reasons as to why he is unable to do so, and in addition, provide the following details of his banker and bank account that he intends to use for the project.

Name of the Account Holder:.....

Name of Bank:

Branch Name:

Account Number:

Account Type:

Branch Code:

Telephone number:

Fax number:

Name of contact person (at bank):

Failure to provide either the required bank details or a certified bank rating with his Bid, will lead to the conclusion that the Bidder does not have the necessary financial resources at his disposal to complete the contract successfully within the specified/bided time for completion.

The employer undertakes to treat the information thus obtained as confidential, strictly for the use of evaluation of the Bid submitted by the Bidder

SIGNATURE:

DATE:

(Of person authorised to sign on behalf of the Bidder)

H. DECLARATION OF INTEREST

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder’s declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?
YES/NO

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 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 consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 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.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 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

² 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.

I. PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

1.2 To be completed by the municipality

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) The 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the municipal:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The municipal reserves the right to require of a tenderer, either before a tender is

1.7 adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the municipality

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an municipality in response to an invitation to provide goods or services through price quotations,

- competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
 - (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
 - (d) “**tender for income-generating contracts**” means a written offer in the form determined by an municipality in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the municipality and a third party that produces revenue for the municipality, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
 - (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1. THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 preference point system applies, an municipality must, in the tender documents, stipulate in the case of—
 - (a) an invitation for tender for income-generating contracts, that either the 80/20 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the municipality must indicate the points allocated for specific goals for both the 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to Municipality: Where the 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The bidder must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
PRICE	80	
SPECIFIC GOALS	20	
Black ownership with at least 51%	7	
Disabilities as defined by Empowerment Equity Act of 1998. (Attach certificate)	3	
Women ownership with at least 30% ownership	5	
Youth ownership by at least 30%	5	
Total points for Price and SPECIFIC GOALS	100	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company [TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

	SIGNATURE(S) OF BIDDER(S)
SURNAME AND NAME:
DATE:
ADDRESS:

J. DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Municipal Bidding Document must form part of all bids invited.
 2. It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
 3. The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b. been convicted for fraud or corruption during the past five years;
 - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 2 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 as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	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)? (To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	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:		

*Indicate YES or NO

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

K. 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 (MBD 9) 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:

(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:

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.

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 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

L. DECLARATION OF PAYMENT OF MUNICIPAL SERVICES

DECLARATION TO CERTIFY THAT:

THE TENDERER HAS NO UNDISPUTED COMMITMENTS FOR MUNICIPAL SERVICES TOWARDS A MUNICIPALITY OF WHICH PAYMENT IS OVERDUE FOR MORE THAN 30 DAYS

[Proof of Payment to be attached to this page]

DECLARATION

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the firm, confirms that there are no undisputed commitments for municipal services towards a municipality of which payment is overdue for more than 30 days to my personal knowledge, and save where stated otherwise to the best of my belief both true and correct.

Signature:

Duly authorized to sign on behalf of :

Address:

.....

.....

Telephone:

Date:

