SAKHISIZWE LOCAL MUNICIPALITY

QUOTATION NOTICE

SLM/SCM/10/2016/17

DEVELOPMENT OF WARD BASED PLAN (ELLIOT)

Sakhisizwe Municipality invites suitable qualified service providers to submit proposals for DEVELOPMENT OF WARD BASED PLAN (ELLIOT).

Quotation documents are obtainable from THURSDAY, 24 NOVEMBER 2016, at the offices of the Supply Chain Management Unit, Sakhisizwe Municipality, 15 Maclear Road, Elliot, 5460 Tel. 0459311011, from Ms. Z. Madabane between 08h00 and 16h30. Alternatively the documents may be downloaded free of charge from the website: www.sakhisizwe.gov.za

Sealed Proposals, with “Quotation No SLM/SCM/10/2016/17: DEVELOPMENT OF WARD BASED PLAN (ELLIOT)” clearly endorsed on the envelope, must be deposited in Tender Box at the offices of the Sakhisizwe Municipality, 15 Maclear Road, Elliot, 5460. Quotations may only be submitted on the quotation documentation provided by the Municipality.

The closing date and time of the quotation is on MONDAY 05 December 2016 at 12h00 and will be opened in public immediately thereafter in the Sakhisizwe Municipality SCM Office, 15 Maclear Road, Elliot.

FUNCTIONALITY ASSESSMENT WILL BE EVALUATED BASED ON THE FOLLOWING:

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<tr>
<th>Criteria</th>
<th>Weight</th>
<th>Values 1-5</th>
<th>Maximum Score</th>
</tr>
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<tbody>
<tr>
<td>Methodology</td>
<td>20</td>
<td>5</td>
<td>100</td>
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<tr>
<td>Experience in the Development of an IDP</td>
<td>10</td>
<td>5</td>
<td>50</td>
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<tr>
<td>Experience in the Development of an SDBIP</td>
<td>10</td>
<td>5</td>
<td>50</td>
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<td>Experience in the Development of an Annual Report</td>
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<td>5</td>
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<tr>
<td>Experience in the Development of a PMS Framework</td>
<td>10</td>
<td>5</td>
<td>50</td>
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<td>Experience in the development of a Risk management framework</td>
<td>10</td>
<td>5</td>
<td>50</td>
</tr>
<tr>
<td>Experience in the Development of a Socio-economic Profile</td>
<td>10</td>
<td>5</td>
<td>50</td>
</tr>
<tr>
<td>Total</td>
<td>80</td>
<td>Max 5</td>
<td>400</td>
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Where: 1 = Poor; 2 = Acceptable; 3 = Good; 4 = Very; 5 = Excellent

Bidders are to note that a Pre-Qualification evaluation will be undertaken. A minimum score of 80 points out of 100 must be scored in order to proceed to the Financial Evaluation.

Quotations must be valid for 90 days after the closing date. Quotations shall be evaluated in terms of the Preferential Procurement Regulations, 2011.

Price - 80
BB-BEE - 20
N.B The following supporting documentation is to be included in the bid submission:

**Bidders shall take note of the following bid conditions:**

- Sakhisizwe Municipality Supply Chain Management Policy will apply.
- The GCC will apply.
- All bids submitted should remain valid for a period of 90 days after the bid closing date;
- Original Valid Tax Clearance, or Code from SARS;
- The bid will be evaluated according to the preferential procurement model in the Preferential Procurement the bidders attention is drawn to Form MBD 6.1 whereby bidders other than EMEs must submit their original and valid B-BBEE Status level verification certificate or certified copy thereof, substantiating B-BBEE rating issued by a Registered Auditor approved IRBA or a Verification Agency accredited by SANAS, EMEs must submit a sworn affidavit. **Failure to do so will result in zero points score for BBBEE status level;**
- Certified copies of original company registration and certified ID documents of company directors, Detailed Company profile, failure to do so will result in disqualification;
- Joint Venture agreement(where applicable)
- **Failure to complete all supplementary information returnable schedules like MBD 4, MBD 8, MBD 9 and Form of Offer will result in the tender being eliminated. Invalid or non-submission of the documents listed in the Specification will lead to disqualification;**
- All prospective bidders must registered/eligible to register on the Sakhisizwe Local Municipality Database System of 2016/17 financial year, reference can be made to such documents and it is the bidders’ responsibility to ensure that the document does exist and the verification of such registration will be done by the municipality and where the bidder is found not registered or has submitted incorrect registration details will be regarded as non-responsive and be disqualified from the bid;
- Bids must only be submitted on documentation provided by the municipality. Late, emailed, faxed and telegraphic bids will not be considered;
- All prospective service providers of goods and services and infrastructure procurement are required to apply on Central Supplier Database in order to do business with all organs of the State in the Republic of South Africa at [https://secured.csd.gov.za](https://secured.csd.gov.za) non registration will be regarded as non-responsive and be disqualified from the bid;
- All municipal rates and taxes of the renderer must be paid where the business has its head or regional office and rates clearance certificate not older than 3 months must be submitted with the bid, if the property is being leased by the bidder then lease agreement should be submitted.

The Sakhisizwe Municipality does not bind itself to accept the lowest or any quotation and reserves the right to accept any quotation, as it may deem expedient. Quotations are subject to the Standard Conditions of Tender and the Supply Chain Management Policy of the Sakhisizwe Municipality.

Enquiries should be directed to Mr. B.A Mdyosi @ 047 877 5200 between the hours of 8H00 and 16:30H00.

**THEMBENI SAMUEL**
**MUNICIPAL MANAGER**
**PUBLICATION DATE 24 NOVEMBER 2016**
ToR FOR TWO ELLIOT WARDS FOR WARD BASED PLANS

TERMS OF REFERENCE FOR APPOINTMENT OF A SERVICE PROVIDER TO DEVELOP WARD BASED PLAN FOR TWO WARDS (ELLIOT TOWN) WHICH FALLS UNDER SAKHISIZWE LOCAL MUNICIPALITY

TERMS OF REFERENCE

1. PURPOSE:
The Sakhisizwe Local Municipality seeks to secure the services of competent and well experienced service provider with a proven track record in formulation and development of Ward Based Plans for two Wards which fall within the Sakhisizwe Local Municipality Elliot Town in line with the Outcomes Based Approach and B2B for purposes of Integrated Service Delivery Model.

2. BACKGROUND:
The Municipal Systems Act, 2000, says that municipalities must develop 5 year Integrated Development Plans to integrate planning and delivery, and to provide a framework for all development activities in the area of the municipality. These have to be reviewed every year. The Municipal Systems Act has many references to participation. For example, Section 29(b) of the Systems Act states that: “The process to be followed in developing an IDP – must allow for:

(i) The local community to be consulted on its development needs and priorities;

(ii) The local community to participate in the drafting of the IDP

Government has agreed on 12 outcomes as a key focus of work, each outcome has a number of measurable outputs with targets. Output 1 contained in the Delivery Agreement for Outcome 9 reflects the intention to design an intervention for defined smaller municipalities (B4 and some of B3’s) that face similar constraints to produce IDPs that are simplified to focus on planning for the delivery of a set of minimum of 10 critical municipal services. Among the services which these municipalities are required to focus are on water, electricity, sanitation, street lighting, solid waste disposal, and the construction and maintenance of roads. Additionally, local government is required to promote and encourage the development of local economies and facilitate the reduction of poverty. Central to the role of municipalities to deliver services to residents within their demarcated areas, is the right of citizens to participate in governance and government processes which is enshrined in the Constitution. This is further guaranteed through legislation and various policy frameworks.

3. OBJECTIVES AND GOAL
The main objective on the development of Ward Based Plans is to promote a participatory process that focuses on the mobilization of communities around grassroots planning with a view to:

- Improve the quality of the IDP;
- Improve the quality of services;
- Improve the community’s control over development; and
- Increase community action and reduce dependency.

4. SCOPE OF WORK:
Development of Ward Based Plans for two wards at Elliot Town under Sakhisizwe Local Municipality, each plan should meet the following planning requirements, a community profiling as indicated in the scope below.
4.1 A community profiling: The first part of the Ward Based Development Planning will comprise of a comprehensive assessment of data and information about the community for example:

- The planning environment; physical environment; Settlements & infrastructure;
- Population figures; Socio-economic characteristics, Ward Number, Number of Households
- Accurate base line ward information on the state of infrastructure development and service levels including but not limited to the following: for example envisaged service delivery backlogs, current and projected service delivery requirements.

1. Water
2. Sanitation
3. Municipal Roads
4. Storm water
5. Electricity reticulation
6. Vulnerability to Disasters for example Fire fighting and other natural disasters
7. Traffic and Parking
8. Cemeteries
9. Refuse removal, refuse dumps and solid waste
10. Local Sport and recreation facilities.
11. Access to social services, i.e Housing, Health, Education
12. Environmental sensitive areas
13. Any other critical economic infrastructure

4.2 Prioritization of development needs:

Based on the above profiling the following should be undertaken:

- Analysis of Strengths/Weaknesses/Opportunities and Threats per service mentioned above and determine possible solutions thereof for example i.e re-use of abandoned structures or sites for socio-economic development initiatives.
- Gauge interdependency on infrastructure and services between wards i.e schools, clinics, and bulk water and electricity network.
- Identify priorities based on the above analysis
- Based on the identified priorities, develop objectives, and ideal Ward future reflection

N.B: The above process should be informed and reflect full range of community values and desires

4.3 Community Intervention Requirements.

The third part of the Ward Based Development Plan is a Community Participation Program that describes the intervention/project proposals as per:

- Sector and third party interventions
- Local and District Interventions

4.4 Financial Implications:

The last critical area of the Ward Based Development Plan will be to determine estimated costs to address infrastructural backlogs.

The product of the Ward Based Planning must be a concise, informative and capable of informing decision-making by stakeholders which enable monitoring and evaluation of progress made.

5 METHODOLOGY FOR THE DEVELOPMENT OF WARD BASED PLANNING

Ward Based Planning Underlying Principles: Planning Methodology has been based on the following principles which are critical in understanding the Ward Based Planning:
• The need to ensure that sampling of all groups in the community, including the disadvantaged, can participate in the planning process
• Planning must be of the ward, and supported by the ward committee;
• The plan must focus on the people in the ward, hence the need to ensure that the plan is based around the livelihoods of different groups,
• The planning process must build capacity within the community to understand their situation, plan on how to improve it, and then implement this
• Build on strengths and opportunities in the area, which makes the plan more likely to succeed to overcome existing challenges to address problems
• Plans must be cover all aspects of people's lives;
• Planning should promote mutual accountability between the community and relevant stakeholders;
• There must be commitment by councillors and officials to both plans.

The project will be implemented in a phased approach as indicated below;

**Phase 1: Development of ward profile,** composed of analysis of latest SDF, relevant sector plans, guided by IDP, Community and stakeholder analysis (existing community ward based planning and ward outreach information) and any other information supplied through Stats SA, ECSSEC, Global Insight etc

**Phase 2: Identification of Priorities:**

- Conduct an analysis of the dynamic environments of a Ward in terms of strengths, opportunities, threats and solutions impact on service delivery as per critical services.
- Formulate alternate development scenarios and projects to address solutions to the problem.
- Gauge interdependency on infrastructure and services between wards i.e schools, clinics, and bulk water and electricity network.
- Formulate a ward strategic intent/ future reflection

**Phase 3: Community Intervention Requirements.**

Link intervention priorities to liable institutional organizations for example:

- Sector Intervention
- third party interventions
- District municipality Interventions and
- Local municipality interventions

**Phase 4: Financial Implications:**

Provide estimated costs per LM’s specific identified projects for example solid waste sites,

Note* make reference to their powers and functions.

**The Service Provider must undertake to:**

- Provide quality progress reports to the Project Steering Committee on a bi-weekly basis; for verification and approval for payment
- Timeous submission of invoices and documentation for payment on completion of project milestones;
- The service provider shall advise the Municipality in the event and prior to any possible deviations relating to the approved Scope of Work.
• Provide variance reports against the Project Programme and planned project expenditure and milestones during the project life cycle;

• Adhere to project milestones and expenditure as stated in the Project Implementation Plan

• The service provider shall conduct its activities in accordance with best practices.

The following issues must be taken into consideration:

• The implementation of the allocated project with the set indicators is paramount and should be approached as such;
• It is critical for service provider to fully present the credentials of key personnel to be assigned to projects;
• All documents submitted and/or produced shall become the property of Sakhisizwe Local municipality.
• Fees shall be paid at completed milestones intervals as contained in the SLA
• The service provider undertakes to provide the professional resources required to attain the project objectives.

7. DELIVERABLES

Expected deliverable is a Ward Based Plan with the following features:

<table>
<thead>
<tr>
<th>Section</th>
<th>Contents</th>
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<tbody>
<tr>
<td>1.</td>
<td>Executive Summary</td>
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<tr>
<td>2.</td>
<td>Methodology</td>
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<tr>
<td>3.</td>
<td>3.1 General background on the community profiling</td>
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<td>3.2 Status Quo of the minimal critical services identified in the ward,</td>
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<td>o Water &amp; Sanitation</td>
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<td>o Municipal Roads</td>
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<td>o Storm water</td>
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<td>o Traffic and Parking</td>
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<td>o Municipal Planning</td>
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<td>o Cemeteries and crematoria</td>
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<td>o Refuse removal, refuse dumps and solid waste</td>
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<td>o Local Sport and recreation facilities.</td>
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<td>o Education</td>
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<td>o Environmental sensitive areas</td>
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<td>4.</td>
<td>4.1 Identification of Priorities:</td>
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<td>• SWOT Analyses as per minimum critical services.</td>
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<td>• Development scenarios and projects to address solutions to the problem.</td>
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<td>• Clear future reflection of the Ward</td>
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</table>
4.2 Community Intervention Requirements.

Linkages of intervention priorities to liable institutional organizations for example:

- Sector Intervention
- third party interventions
- District municipality Interventions and
- Local municipality interventions

4.3 Financial Implications:

Provide estimated costs per LM’s specific identified projects for example solid waste sites.

| Annexure | Attachments of significant evaluation report, maps |

8. **MONITORING AND SUPPORT**

- A Steering Committee must be established for the Ward Based Plan development/review process consisting of the Local Municipality, Chris Hani District Municipality, and key identified stakeholders, including certain government departments and public utilities.

- The Steering Committee must be chaired by the either the Councillor and or the Municipal Manager.

- The creation of such a Steering Committee, the details of consultations with the public and desired outcomes must be finalized at the initial stage of the project, before the actual work commences.

- The project Steering Committee will be responsible for the monitoring of the process and progress of the Ward Based Plan process.

- The Steering Committee will determine the frequency of the meetings.

- The development/review Ward Based Plan process involves the phases as set out in the Project Implementation Plan below.

- The appointed consultant shall report to the Manager Office of the Municipal Manager/Strategic Manager Sakhisizwe LM as well as any other party designated by the Manager.

- The consultant shall not act in isolation from the Directorate/ project co-coordinators.

9. **PROJECT IMPLEMENTATION PLAN**

A detailed step by step project plan is attached as Appendix A.

10. **PROJECT OUTCOMES:**

- The Ward Based Plans should provide assistance to municipality to give effect to the requirements of the Municipal Systems Act;

- Taking participation beyond a consultation approach to one that empowers communities, encouraging ownership of local development, the releasing of community energy for action thereby overcoming dependency;

- The use of relatively small amounts of discretionary funds by the municipality and relevant sectors to harness local energy and resources;
• Obtaining in-depth understanding of the assets, vulnerabilities, preferred outcomes and livelihood strategies of different groups within the community, especially the most vulnerable;
• Planning from outcomes not problems leads to more realistic and creative planning, valuable for the ward plan but also for enabling practical implementation of the IDP;
• The plans are more targeted and relevant to addressing the priorities of all groups, including the most vulnerable; The municipality empowers its ward committees to start to be effective, based around the ward plan which they need to support and monitor implementation;

11. QUALIFICATION AND EXPERIENCE OF KEY PERSONNEL
The Service Provider must;

• Be a qualified Economic Development Background,
• Be experienced in the required field of expertise, at least 5yrs experience in the field
• Have a good understanding with local conditions

12. DURATION OF THE PROJECT
The duration of the project will be 1 or 2 months, with interval milestones submissions

13. VALIDITY PERIOD
90 Days

14. PAYMENT SCHEDULE

<table>
<thead>
<tr>
<th>Phase</th>
<th>Expected Costs</th>
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<tbody>
<tr>
<td>Phase 1: Ward Profiling</td>
<td>25%</td>
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<td>Phase 2: Individual Detailed Ward Plans</td>
<td>60%</td>
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<td>Phase 3: Consolidated Ward based Plans</td>
<td>15%</td>
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<td><strong>TOTAL</strong></td>
<td><strong>100%</strong></td>
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The project quotation must include VAT and all disbursements
PAST EXPERIENCE 1

Service Providers must furnish hereunder details of similar projects/service, which they have satisfactorily completed in the past. The information shall include a description, Contract value and name of Employer with contactable references.

<table>
<thead>
<tr>
<th>EMPLOYER</th>
<th>NATURE OF WORK</th>
<th>VALUE OF WORK</th>
<th>DURATION AND COMPLETION DATE</th>
<th>EMPLOYER CONTACT NO.</th>
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SIGNATURE: NAME (PRINT):  
CAPACITY: DATE:  
NAME OF FIRM:
MBD 2 TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Services (SARS) to meet the bidder’s tax obligations.

1. In order to meet this requirement, bidders are required to complete in full the TCC 0001 form, “Application for a Tax Clearance Certificate” and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.

2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.

3. The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be accepted.

4. In bids where Consortia / Joint Ventures / Sub-Contractors are involved, each party must submit a separate Tax Clearance Certificate.

5. Copies of the TCC 001 “Application for a Tax Clearance Certificate” form are available from any SARS branch office nationally of on the website www.sars.gov.za

6. Applications for the Tax Clearance Certificates 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

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<th>SIGNATURE:</th>
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<tbody>
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<td>CAPACITY:</td>
<td>DATE:</td>
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<td>NAME OF FIRM:</td>
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MBD 4 DECLARATION OF INTEREST

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

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<tbody>
<tr>
<td>3.1.</td>
<td>Full Name of bidder or his or her representative</td>
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<td>3.2.</td>
<td>Identity Number</td>
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<td>3.3.</td>
<td>Position occupied in the Company (director, shareholder etc.)</td>
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<td>3.4.</td>
<td>Company Registration Number</td>
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<td>3.5.</td>
<td>Tax Reference Number</td>
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<td>3.6.</td>
<td>VAT Registration Number</td>
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<tr>
<td>3.7.</td>
<td>Are you presently in the service of the state?</td>
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<td>3.7.1.</td>
<td>If so, furnish particulars:</td>
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<tr>
<td>3.8.</td>
<td>Have you been in the service of the state for the past twelve months?</td>
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<tr>
<td>3.8.1.</td>
<td>If so, furnish particulars:</td>
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</table>

1. 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. 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 |

3.9.1. If so, furnish particulars:

---

3.10. 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 |

3.10.1. If so, furnish particulars:

---

3.11. Are any of the company’s directors, managers, principle shareholders or stakeholders in the service of the state?  

| YES | NO |

3.11.1. If so, furnish particulars:

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3.12. Is any spouse, child or parent of the company’s directors, managers, principle shareholders or stakeholders in the service of the state?  

| YES | NO |

3.12.1. If so, furnish particulars:

---

4. DECLARATION

I, the undersigned (name)___________________________________________________, certify that the information furnished in paragraph 3 above is correct.

I accept that the state may act against should this declaration prove to be false.

SIGNATURE __________________________ DATE ____________

NAME OF SIGNATORY __________________________

POSITION __________________________

NAME OF COMPANY __________________________
1. **GENERAL CONDITIONS**

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

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

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

1.3. Preference points for this bid shall be awarded for:

   (a) Price; and

   (b) B-BBEE Status Level of Contribution.

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

<table>
<thead>
<tr>
<th>Points</th>
<th>Description</th>
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<tbody>
<tr>
<td>80</td>
<td>Price</td>
</tr>
<tr>
<td>20</td>
<td>B-BBEE status level of contribution</td>
</tr>
</tbody>
</table>

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

1.4. Failure on the part of a bidder to fill in and/or to sign this form will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

1.6. The Municipality 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 Municipality.

2. **DEFINITIONS**

2.1. “All Applicable Taxes” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

2.2. “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
2.3. “B-BBEE status level of contributor” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

2.4. “Bid” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;

2.5. “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

2.6. “Comparative Price” means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;

2.7. “Consortium or Joint Venture” means an association of persons for the purpose of combining their expertise, property, capital, efforts, skills and knowledge in an activity for the execution of a contract;

2.8. “Contract” means the agreement that results from the acceptance of a bid by an organ of state;

2.9. “EME” means any enterprise with an annual total revenue of R5 million or less (except where Sector Charter Thresholds apply);

2.10 “Firm Price” means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;

2.11 “Functionality” means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;

2.12 “Non-firm Prices” means all prices other than “firm” prices;

2.13 “Person” includes a juristic person;

2.14 “Rand Value” means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;

2.15 “Sub-contract” means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;

2.16 “Total Revenue” bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the Government Gazette on 9 February 2007;

2.17 “Trust” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
2.18 “Trustee” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

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

4. POINTS AWARDED FOR PRICE
4.1. THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

\[
\begin{align*}
Ps &= 80 \left(1 - \frac{Pt - P_{\text{min}}}{P_{\text{min}}} \right) & \text{or} & & Ps &= 90 \left(1 - \frac{Pt - P_{\text{min}}}{P_{\text{min}}} \right)
\end{align*}
\]

Where:

Ps = Points scored for comparative price of bid under consideration
Pt = Comparative price of bid under consideration
Pmin = Comparative price of lowest acceptable bid

5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION

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

<table>
<thead>
<tr>
<th>B-BBEE Status Level of Contributor</th>
<th>Number of points (90/10 system)</th>
<th>Number of points (80/20 system)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>10</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>9</td>
<td>18</td>
</tr>
<tr>
<td>3</td>
<td>8</td>
<td>16</td>
</tr>
<tr>
<td>4</td>
<td>5</td>
<td>12</td>
</tr>
<tr>
<td>5</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>7</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Non-compliant contributor</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
5.2. Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA’s approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.

5.3. Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a CERTIFIED COPY thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.

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

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

5.6. Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

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

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

6. **BID DECLARATION**

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

<table>
<thead>
<tr>
<th>B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.1.1 B-BBEE Status Level of Contribution as reflected on the B-BBEE Certificate</td>
</tr>
<tr>
<td>6.1.2 Points claimed in respect of Level of Contribution (maximum of 10 or 20 points)</td>
</tr>
</tbody>
</table>

(Points claimed in respect of paragraph 6.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

2. **SUB-CONTRACTING**

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

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

7.1.1. If yes, indicate:

7.1.1.1. what percentage of the contract will be subcontracted? %

7.1.1.2. the name of the sub-contractor?

7.1.1.3. the B-BBEE status level of the sub-contractor?
### 3. DECLARATION WITH REGARD TO COMPANY/FIRM

<table>
<thead>
<tr>
<th>Name of Enterprise</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>VAT registration number</td>
<td></td>
</tr>
<tr>
<td>Company registration number</td>
<td></td>
</tr>
</tbody>
</table>

### TYPE OF ENTERPRISE *(Tick applicable box)*

| Partnership / Joint Venture / Consortium |  |
| One person business / sole proprietor |  |
| Company |  |
| Close Corporation |  |

### Describe principal business activities

|  |
|  |

### Company Classification *(Tick applicable box)*

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

### TOTAL NUMBER OF YEARS THE ENTERPRISE HAS BEEN IN BUSINESS

|  |
|  |

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

(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 paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

(iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

(a) disqualify the person from the bidding process;

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

<table>
<thead>
<tr>
<th>SIGNATURE:</th>
<th>NAME (PRINT):</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAPACITY:</td>
<td>DATE:</td>
</tr>
<tr>
<td>NAME OF FIRM:</td>
<td></td>
</tr>
</tbody>
</table>
THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). 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.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)……………………………………. in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number…………………… at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.

2. 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);
       - Filled in task directive/proposal;
       - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
       - 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)

3. 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 services 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.

4. 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.

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

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

NAME (PRINT)  …………………………….
CAPACITY  …………………………….
SIGNATURE  …………………………….
NAME OF FIRM  …………………………….
DATE   …………………………….

WITNESSES

1  …………………………….
2  …………………………….
PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I……………………in my capacity as………………………………………… accept your bid under reference number …………….dated………………….for the rendering of services indicated hereunder and/or further specified in the annexure(s).

2. An official order indicating service delivery instructions is forthcoming.

3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

<table>
<thead>
<tr>
<th>DESCRIPTION OF SERVICE</th>
<th>PRICE (ALL APPLICABLE TAXES INCLUDED)</th>
<th>COMPLETION DATE</th>
<th>B-BBEE STATUS LEVEL OF CONTRIBUTION</th>
<th>MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

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

SIGNED AT ...........................................ON..............................................

NAME (PRINT) ..................................................

SIGNATURE ..................................................

OFFICIAL STAMP

WITNESSES

1 ..................................................

2 ..................................................
1. This Municipal Bidding Document must form part of all bids invited.

2. It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3. The bid of any bidder may be rejected if that bidder, or any of its directors have:
   a. abused the municipality’s / municipal entity’s supply chain management system or committed any improper conduct in relation to such system;
   b. been convicted for fraud or corruption during the past five years;
   c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
   d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).

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

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 audi alteram partem rule was applied).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.1.1 If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> , 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).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.2.1 If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.3.1 If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.4.1 If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
on or comply with the contract?

4.7.1 If so, furnish particulars:

5. 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: __________________________________________________________________________
NAME (PRINT): ________________________________________________________________________
CAPACITY: __________________________________________________________________________
DATE: _______________________________________________________________________________
NAME OF FIRM: _______________________________________________________________________

1. This Municipal Bidding Document (MBD) must form part of all bids 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). Collusive bidding is a per 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:

   **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

   In response to the invitation for the bid made by:

   **SAKHISIZWE MUNICIPALITY**

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

   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: *Includes price quotations, advertised competitive bids, limited bids and proposals.*

   3 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:

(a) has been requested to submit a bid in response to this bid invitation;

(b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and

(c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium 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:

f) prices;

g) geographical area where product or service will be rendered (market allocation);

h) methods, factors or formulas used to calculate prices;

i) the intention or decision to submit or not to submit a bid;

j) the submission of a bid which does not meet the specifications and conditions of the bid; or

k) 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.

**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.**

<table>
<thead>
<tr>
<th>SIGNATURE:</th>
<th>NAME (PRINT):</th>
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</thead>
<tbody>
<tr>
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</table>

<table>
<thead>
<tr>
<th>CAPACITY:</th>
<th>DATE:</th>
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<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NAME OF FIRM:</th>
</tr>
</thead>
</table>
1. OFFER

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

**SLM/SCM/10/2016/17: DEVELOPMENT OF WARD BASED PLAN (ELLIOT)**

b) The tenderer, identified in the Offer signature block, has examined the draft contract as listed in the Acceptance section and agreed to provide this Offer.

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

**THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VAT IS:**

<table>
<thead>
<tr>
<th>In figures:</th>
<th>R</th>
</tr>
</thead>
<tbody>
<tr>
<td>In words:</td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Signature(s)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name(s)</td>
<td></td>
</tr>
<tr>
<td>Capacity</td>
<td></td>
</tr>
<tr>
<td>Name of tenderer:</td>
<td></td>
</tr>
<tr>
<td>Name of witness:</td>
<td>DATE</td>
</tr>
<tr>
<td>(Insert name and address of organisation)</td>
<td></td>
</tr>
</tbody>
</table>

| Signature of witness: |
|                       |             |
4. ACCEPTANCE

a) By signing this part of this Form of Offer and Acceptance, the Employer identified below accepts the tenderer’s Offer. In consideration thereof, the Employer shall pay the Contractor the amount due in accordance with the conditions of contract identified in the Contract Data. Acceptance of the tenderer’s Offer shall form an agreement between the Employer and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

b) Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto listed in the Returnable Schedules as well as any changes to the terms of the Offer agreed by the tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Form of Offer and Acceptance. No amendments to or deviations from said documents are valid unless contained in this Schedule.

c) The tenderer shall within two weeks of receiving a completed copy of this agreement, including the Schedule of Deviations (if any), contact the Employer’s agent (whose details are given in the Contract Data) to arrange the delivery of any securities, bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the Contract Data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

d) Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the Schedule of Deviations (if any).

e) It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this agreement.

Signature(s):

Name(s):

Capacity:

For the Employer: Sakhisizwe Municipality, 15 Maclear Road, Elliot, 5460

Name of witness:

Signature of witness: Date:
DECLARATION BY TENDERER

I / We acknowledge that I / we am / are fully acquainted with the contents of the conditions of tender of this quotation form and that I / we accept the conditions in all respects.

I / We agree that the laws of the Republic of South Africa shall be applicable to the contract resulting from the acceptance of *my / our quotation and that I / we elect domicillium citandi et executandi in the Republic at:

________________________________________
________________________________________
________________________________________

I / We furthermore confirm I / we satisfied myself / ourselves as to the corrections and validity of my / our quotation: that the price quoted cover all the work items specification in the quotation documents and that the price cover all my / our obligations under a resulting contract and that I / we accept that any mistake(s) regarding price and calculations will be at my / our risk.

SIGNATURE NAME (PRINT)

CAPACITY DATE

NAME OF FIRM

WITNESS 1 WITNESS 2