

CALL FOR BIDS

BID NUMBER	DESCRIPTION	EVALUATION CRITERIA	WHERE TO FIND BID DOCUMENTS	MINIMUM REQUIREMENTS			COMPULSORY SITE MEETING	CONTACT PERSON (TECHNICAL)	CLOSING DATE & TIME
				LETTER OF GOOD STANDING	CIDB GRADING	REGISTRATION WITH PROFESSIONAL BODIES			
RE-ADVERT CD23-2021	CENTLEC (SOC) Ltd, a municipal entity distributing electricity in Mangaung and other Municipalities hereby invite suitable professional service provider to supply and deliver General Store items for the period of thirty-six (36) months.	80/20	www.centlec.co.za www.etenders.gov.za	N/A	N/A	N/A	No	Logean.Leepile@centlec.co.za Allistair.Marais@centlec.co.za	27 June 2022 at 11:00am

MINIMUM REQUIREMENTS

- Bidders must submit the TAX compliance verification pin on a SARS letterhead. **2.** In the case of the Joint venture, Tax compliance verification pins of all parties must be attached. **3.** Copy of JV agreement (in case of JV) must be attached. **4.** Municipal bills (Water, Sanitation, Rates and Electricity) / Taxes Clearance Certificate not owing more than 30 days or a valid lease agreement with municipal bill of account not owing more than 30 days for municipal services that the lessee (bidder) is responsible for. **5.** All supplementary / compulsory MBD forms contained in the bid document must be completed and signed in full. **6.** Failure to comply with point 5 will invalidate your bid. **7.** Bidders must attach Certified or Original BBEE Verification Certificate, in case of Joint Venture bidders must submit consolidated BBEE certificate. **8.** Bidders must be registered on the National Treasury Centralized Suppliers Database and must submit their registration summary report. **9.** Bidders must quote on all the items required on the pricing schedule and adhere to all the requirements as stipulated in the specification (**failure to quote on all items will invalidate your proposal/bid**). **10.** Bidders must neatly bind their bid/proposal documents (**Loose documents will be disqualified**).

PLEASE NOTE:

- 1 Section 217 of the constitution of the Republic of South Africa requires an organ of state to contract for goods and services in accordance with a system which is fair, equitable, transparent, competitive, and cost effective.
- 1.1** No bid(s) will be accepted from a person in the service of the state.
 - 1.2** No telegraphic, telefax and late bids will be accepted. (*Please sign bid submission register upon submission*)
 - 1.3** The lowest bid / proposal will not necessarily be accepted, and the Municipality reserves the right to accept where applicable a part or portion of any bid or where possible accepts bids or proposals from multiple bidders.
 - 1.4** Municipal Supply Chain Management policy and Preferential Procurement Policy Framework Act No 5 of 2000 (rev 2017) and its regulations will be applied.

Bids are to be submitted to the following address:

CENTLEC Supply Chain Offices
30 Rhodes Avenue
Oranjesig
Bloemfontein
9301

For Supply Chain related enquiries, please use the following contact details: Palesa.Makhele@centlec.co.za 051 412 2753



RE-ADVERT CD23/2021

Supply and Delivery of General Store Items

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1. Invitation

CENTLEC (SOC) Ltd, a municipal entity distributing electricity in Mangaung and other Municipalities hereby invite suitable professional service provider to supply and deliver General Store items for the period of thirty-six (36) months.

2. Minimum Submission Requirements

Any omission of the below listed items would render and automatic disqualification

- 2.1 Supply unique security personal identification number (PIN) and/or original TAX Clearance Certificate for TAX compliant status.
- 2.2 Supply municipal services (water, sanitation, rates and electricity) clearance certificate or Lease Agreement with a current Bill and rates clearances, or Current Bill of Account not owing more than 30 days or Lease Agreement in case the services are paid for by the Landlord, the lease agreement must be signed by the applicable stakeholders.
 - 2.3.1 In an event that the Bidder utilizes prepaid services (e.g. water and or electricity) a valid municipal clearance certificate(s) must still be provided.
 - 2.3.2 Bidders that are CENTLEC (SOC) Ltd customers are also expected to attach a valid electricity clearance certificate.
- 2.3 Submit proof of registration on the National Treasury Centralized Supplier's Database.

3. Scope of Work

3.1 Suitable service provider(s) to supply and deliver general store items as per lists provided below:

3.1.2 LIST OF GENERAL ITEMS TO BE SUPPLIED

No.	Description
1	BATTERIES TORCH R20 PP
2	REFUSE BAGS PLASTIC BLACK (15-20 MICRONS STANDARDS BAGS)
3	BATTERIES 9 VOLT PP3
4	BATTERIES PENLIGHT P6RR
5	BATTERY 1.5 VOLT AAA
6	BLADE GRINDER 116MM STEEL
7	BLADE GRINDER 116MM STONE
8	BLADE GRINDER 230MM STEEL
9	BLADES HACKSAW 18 TH
10	BLADES HACKSAW 24 TH
11	BLADES STAINLEY HEAVY DUTY
12	BOLTS AND NUTS 6X25MM BRASS (PACKET OF 50)
13	BOLTS AND NUTS 6X40MM BRASS (PACKET OF 50)
14	BOLTS AND NUTS 6X50MM BRASS (PACKET OF 50)
15	BROOM 300MM BROWN PVC STRAIGHT
16	BROOM SOFT HAIR NYLON HOUSE
17	BRUSHES LAVATOR PAN
18	BRUSHES SCRUBBING 300MM
19	CLEAN LIFEBOUY 100 GRAM
20	CLEANER HARPIC 500 GRAM
21	CLEANER MR MIN 375 ML
22	CLEANER WINDOLENE 300ML
23	CLOTH MUTTON 400 GRM ROLL
24	DISINFECTANT SANPIC 5 LITER
25	DUSTER FEATHER LONG HANDLE
26	DUSTER FEATHER SHORT HANDLE
27	ELECTRICAL CLEANER: SAFETY SOLVENT F352 (5 LITER)
28	GLOVES OUTER FOR RUBBER GLOVES SILICONE GRAIN LEATHER WITH PROTECTIVE CUFF
29	GREASE ANIT-OXIDATION ELECTRICAL 500GRAM TUBE
30	HANDLE PICK WOOD
31	KILLER INSECTS FOR FLYING INSECTS
32	LOCK BRASS LOCK 50MM WITH 2 KEYS

33	LOCKS PADLOCK 40MM WITH TWO KEYS
34	LOCKS UNION MORTICE WITH TWO HANDLES COMPLETE FOR WOODEN DOORS (3LEVER)
35	MOP WITH HANDLE
36	OIL PENETRATING 500 GRAM AEROSOL
37	PAINT 5LT AVOCADO ENAMEL
38	PAINT 5LT BITUMINOUS ALUMINUM SILVER PAINT SABS 802-1972
39	PAINT 5LT DARK AMORALITY GREY CODE G12
40	PAINT 5LT RED METAL OXIDE PRIMER
41	PAINT 5LT NON-CONDUCTIVE ELECTRICAL (LEAD FREE)
42	PAINT 5LT WHITE ACRYLIC BASED EXTERIOR PVA
43	PAPER TOILET NAMPAK
44	PICK HEADS STEEL
45	PLUG TOP 15 AMP 3 PIN
46	POLISH FURNIGLOSS
47	PUTTY SCOTCHFIL 38MM (SCOTCHFIL 23)
48	RAKE 14 TOOTH STEEL
49	SELF DRILLING SCREW TEX 50MM
50	SHOVEL SQUERE NOSE
51	SOAP BLUE MOLTED
52	SOAP LUX TOILET 100GR
53	TAPE BLACK 19MM PVC ADHESIVE
54	TAPE CORONA RESISTANT HIGH VOLTAGE VOLT (M23)
55	TAPE RED 19MM PVC ADHESIVE
56	VIM 500 GRM
57	WATER BAG 27.9X35.5X6.8
58	1 LT GALVO PRIMER
59	BLADE GRINDER 230MM STONE
60	BOLTS AND NUTS ZINK COTED 10X25MM (PACKET OF 50)
61	BOLTS AND NUTS ZINK COTED 10X50MM (PACKET OF 50)
62	BOLTS AND NUTS ZINK COTED 12X40MM (PACKET OF 50)
63	BOLTS AND NUTS ZINK COTED 12X50MM (PACKET OF 50)
64	BOLTS AND NUTS ZINK COTED 12X25MM (PACKET OF 50)
65	CLEANER HANDY ANDY 750GRAM
66	CLEANER JIK 750GRAM
67	CLEANER HAND GRITT TIPE 500GRAM
68	CONDUIT TUBING 20MM WHITE PVC 4 METER LENGTHS
69	DOMESTOS 750ML
70	FORK GARDEN 4 PRONG
71	GAS HOUSEHOLD GAS 19KG
72	LATEX DISPOSAL MEDICAL GLOVES (BOX OF 100)
73	NAIL PLUS X 6X45MM
74	PAINT 1LT KING BLUE ENAMEL
75	PAINT BRUSH 25MM

76	PAINT 1 LT CANARY YELLOW
77	PAINT 1 LT SIGNAL RED ENAMEL
78	PAINT 5 LT WHITE ENAMEL HIGH GLOSS
79	PAINT 300ML CAN BRILLIANT GREEN SPRAY PAINT
80	PAINT 5LT BLACK ENAMEL PAINT HIGH GLOSS
81	PAINT 5LT ENAMEL BROWN H CODE B03
82	PAINT BRUSH 50MM
83	PASTE STAGE JOINT 500GRAM TIN
84	RAGS COTTON ONLY NEATLY CUT 5KG BALES PACKED
85	SEALER SILICON CLEAR
86	SELF DRILLING SCREW TEX 30MM
87	SHOVEL ROUND NOSE
88	SIGN - ELECTRICAL SHOCK AND FIRST AID FOR SUBSTATIONS (5 IN 1)
89	SIGN DANGER SKULL AND CROSSBONE NO ENTRY C52/1
90	SILICA GEL 500GRAM
91	SILICON AEROSOL LUBRICANT
92	SOAP SUNLIGHT 125 GRM
93	SOAP SUNLIGHT DISHWASHING 400ML
94	TAPE BLUE 19MM PVC ADHESIVE
95	TAPE YELLOW 19MM PVC ADHESIVE
96	THINNERS 5LT
97	WELDING RODS 2,5MM (PACK OF 5KG)
98	WASHERS BRASS 6MM FLAT
99	WASHERS ZINK COTED 8MM FLAT
100	WASHERS ZINK COTED 10MM FLAT
101	WASHERS ZINK COTED 12MM FLAT
102	PAINT FLOOR GREEN EMERALD 5L
103	PAINT FLOOR WHITE 5L
104	PAINT FLOOR RED 5L
105	PAINT CREAM ENAMEL 5L
106	PAINT FLOOR YELLOW 5L
107	PAINT BATTLESHIP GREY ENAMEL 5L
108	PAINT GREY DOVE ENAMEL 5L
109	PAINT 300ML CAN BRILLIANT WHITE SPRAY PAINT
110	PAINT ORANGE ENAMEL 1L
111	TAPE PVC GREEN ADHESIVE 19MM

TABLE 1- GENERAL STORE ITEMS

4. Special Conditions

The successful bidder would also be required to comply with the following:

- 4.1 The successful bidder will be expected to enter into a Service Level Agreement with CENTLEC for thirty-six (36) months.
- 4.2 Please note that CENTLEC (SOC) Ltd reserves the right to appoint more than one bidder where applicable.
- 4.3 All goods will be delivered at 30 Rhodes Avenue, Oranjesig, Bloemfontein, Supply Chain Stores.
- 4.4 All goods delivered are to be supported with material safety datasheet where applicable.

5. Evaluation Criteria

All proposals submitted will be evaluated in accordance with the criteria set out in the policy of Supply Chain Management of CENTLEC. The most suitable candidates will then be selected.

Please take note that CENTLEC (SOC) Ltd is not bound to select any of the bidders submitting proposals. Furthermore, technical competence is the principal selection criteria, CENTLEC (SOC) Ltd will evaluate the technical criteria first and will only look at the price and BBBEE level of contribution if it is satisfied with the technical evaluation.

As a result of this, CENTLEC (SOC) Ltd does not bind itself in any way to select the bidder offering the lowest price. CENTLEC (SOC) Ltd reserves the right to appoint one or more service provider to complete various services as and when required.

5.1 The relative technical weighting of the criteria is as follows:

No	Criteria	Description	Points
5.1.1	Track Record	Have they provided these products in the last four years? a) Three (3) letters = 30 points b) Four (4) letters or more = 40 points	40
5.1.2	Local (Mangaung) operational capability and economic investment	Does the bidder have a local office with operational capability, and will they use local resources and procure from local businesses. Existing and established local office = 30 points	30
5.1.3	Delivery Period	Indicate the delivery period on the MBD form a) Three (3) to five (5) days = 20 points b) One (1) to three (3) days = 30 points	30
	Points		100

Table 2 – Evaluation criteria

A bidder who gets a minimum of 80 points and above on will qualify to the next stage. Individual tenders would have to be evaluated according to the preferential point system.

The bidder must score minimum points as follows:

Item 1 - 30 points

Item 2 - 30 points

Item 3 – 20 points

All Bidders that have passed the technical evaluation threshold of 80 points would also be scored based the 80/20 principle where 80 Points is for the Price and 20 points for B-BBEE as per the detail given below

5.2 Price and referential points scoring – (Stage 2)

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

Where
$$P_s = 80 \left[1 - \frac{P_t - P_{\min}}{P_{\min}} \right] \text{bid}$$

P_s = Points Scored for comparative price of under consideration

P_t = Comparative Price of bid under bid

P_{\min} = Comparative Price of lowest acceptable

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:

B-BBEE Status Level of Contributor	Number of Points (80/20 System)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-Compliant Contributor	0

Table 3 - BBEE level status

6. Pricing

6.1 Contract Price

6.1 Contract Price

- 6.1.1 The contract price(s) shall be based on the market related values and price matching will be permitted.
- 6.1.2 Prices for year two (2) and three (3) can be adjusted for CPI and any other substantiated reasons beyond supplier's control.

6.2 Price Schedule

Prices must be quoted as per technical specification. All prices must be VAT exclusive.

No.	Description	Unit of Measure	Unit Price (Rands) Year 1	Unit Price (Rands) Year 2	Unit Price (Rands) Year 3
1	BATTERRIES TORCH R20 PP	EACH			
2	REFUSE BAGS PLASTIC BLACK (15-20 MICRONS STANDARDS BAGS) (20 BAGS PER PACK)	PER PACK			
3	BATTERIES 9 VOLT PP3	EACH			
4	BATTERIES PENLIGHT P6RR	EACH			
5	BATTERY 1.5 VOLT AAA	EACH			
6	BLADE GRINDER 116MM STEEL	EACH			
7	BLADE GRINDER 116MM STONE	EACH			
8	BLADE GRINDER 230MM STEEL	EACH			
9	BLADES HACKSAW 18 TH	EACH			
10	BLADES HACKSAW 24 TH	EACH			
11	BLADES STAINLEY HEAVY DUTY	EACH			
12	BOLTS AND NUTS 6X25MM BRASS (PACKET OF 50)	EACH			
13	BOLTS AND NUTS 6X40MM BRASS (PACKET OF 50)	EACH			
14	BOLTS AND NUTS 6X50MM BRASS (PACKET OF 50)	EACH			
15	BROOM 300MM BROWN PVC STRAIGHT	EACH			
16	BROOM SOFT HAIR NYLON HOUSE	EACH			
17	BRUSHES LAVATOR PAN	EACH			
18	BRUSHES SCRUBBING 300MM	EACH			
19	CLEAN LIFEBOUY 100 GRAM	EACH			
20	CLEANER HARPIC 500 GRAM	EACH			
21	CLEANER MR MIN 375 ML	EACH			
22	CLEANER WINDOLENE 300ML	EACH			

No.	Description	Unit of Measure	Unit Price (Rands) Year 1	Unit Price (Rands) Year 2	Unit Price (Rands) Year 3
23	CLOTH MUTTON 400 GRM ROLL	EACH			
24	DISINFECTANT SANPIC 5 LITER	EACH			
25	DUSTER FEATHER LONG HANDLE	EACH			
26	DUSTER FEATHER SHORT HANDLE	EACH			
27	ELECTRICAL CLEANER: SAFETY SOLVENT F352 (5 LITER)	EACH			
28	GLOVES OUTER FOR RUBBER GLOVES SILICONE GRAIN LEATHER WITH PROTECTIVE CUFF	PER PAIR			
29	GREASE ANIT-OXIDATION ELECTRICAL 500GRAM TUBE	EACH			
30	HANDLE PICK WOOD	EACH			
31	KILLER INSECTS FOR FLYING INSECTS	EACH			
32	LOCK BRASS LOCK 50MM WITH 2 KEYS	EACH			
33	LOCKS PADLOCK 40MM WITH TWO KEYS	EACH			
34	LOCKS UNION MORTICE WITH TWO HANDLES COMPLETE FOR WOODEN DOORS (3LEVER)	EACH			
35	MOP WITH HANDLE	EACH			
36	OIL PENETRATING 500 GRAM AEROSOL	EACH			
37	PAINT 5LT AVOCADO ENAMEL	EACH			
38	PAINT 5LT BITUMINOUS ALUMINUM SILVER PAINT SABS 802-1972	EACH			
39	PAINT 5LT DARK AMORALITY GREY CODE G12	EACH			
40	PAINT 5LT RED METAL OXIDE PRIMER	EACH			
41	PAINT 5LT NON-CONDUCTIVE ELECTRICAL (LEAD FREE)	EACH			
42	PAINT 5LT WHITE ACRYLIC BASED EXTERIOR PVA	EACH			
43	PAPER TOILET NAMPAK	EACH			
44	PICK HEADS STEEL	EACH			
45	PLUG TOP 15 AMP 3 PIN	EACH			
46	POLISH FURNIGLOSS	EACH			
47	PUTTY SCOTCHFIL 38MM (SCOTCHFIL 23)	EACH			
48	RAKE 14 TOOTH STEEL	EACH			
49	SELF DRILLING SCREW TEX 50MM (PACK OF 50)	PER PACK			
50	SHOVEL SQUERE NOSE	EACH			
51	SOAP BLUE MOLTED	EACH			
52	SOAP LUX TOILET 100GR	EACH			
53	TAPE BLACK 19MM PVC ADHESIVE	EACH			

No.	Description	Unit of Measure	Unit Price (Rands) Year 1	Unit Price (Rands) Year 2	Unit Price (Rands) Year 3
54	TAPE CORONA RESISTANT HIGH VOLTAGE VOLT (M23)	EACH			
55	TAPE RED 19MM PVC ADHESIVE	EACH			
56	VIM 500 GRM	EACH			
57	WATER BAG 27.9X35.5X6.8	EACH			
58	1 LT GALVO PRIMER	EACH			
59	BLADE GRINDER 230MM STONE	EACH			
60	BOLTS AND NUTS ZINK COTED 10X25MM (PACKET OF 50)	EACH			
61	BOLTS AND NUTS ZINK COTED 10X50MM (PACKET OF 50)	EACH			
62	BOLTS AND NUTS ZINK COTED 12X40MM (PACKET OF 50)	EACH			
63	BOLTS AND NUTS ZINK COTED 12X50MM (PACKET OF 50)	EACH			
64	BOLTS AND NUTS ZINK COTED 12X25MM (PACKET OF 50)	EACH			
65	CLEANER HANDY ANDY 750GRAM	EACH			
66	CLEANER JIK 750GRAM	EACH			
67	CLEANER HAND GRITT TIPE 500GRAM	EACH			
68	CONDUIT TUBING 20MM WHITE PVC 4 METER LENGTHS	EACH			
69	DOMESTOS 750ML	EACH			
70	FORK GARDEN 4 PRONG	EACH			
71	GAS HOUSEHOLD GAS 19KG	EACH			
72	LATEX DISPOSAL MEDICAL GLOVES (BOX OF 100)	EACH			
73	NAIL PLUS X 6X45MM	EACH			
74	PAINT 1LT KING BLUE ENAMEL	EACH			
75	PAINT BRUSH 25MM	EACH			
76	PAINT 1 LT CANARY YELLOW	EACH			
77	PAINT 1 LT SIGNAL RED ENAMEL	EACH			
78	PAINT 5 LT WHITE ENAMEL HIGH GLOSS	EACH			
79	PAINT 300ML CAN BRILLIANT GREEN SPRAY PAINT	EACH			
80	PAINT 5LT BLACK ENAMEL PAINT HIGH GLOSS	EACH			
81	PAINT 5LT ENAMEL BROWN H CODE B03	EACH			
82	PAINT BRUSH 50MM	EACH			
83	PASTE STAGE JOINT 500GRAM TIN	EACH			
84	RAGS COTTON ONLY NEATLY CUT 5KG BALES PACKED	EACH			
85	SEALER SILICON CLEAR	EACH			

No.	Description	Unit of Measure	Unit Price (Rands) Year 1	Unit Price (Rands) Year 2	Unit Price (Rands) Year 3
86	SELF DRILLING SCREW TEX 30MM	EACH			
87	SHOVEL ROUND NOSE	EACH			
88	SIGN - ELECTRICAL SHOCK AND FIRST AID FOR SUBSTATIONS (5 IN 1)	EACH			
89	SIGN DANGER SKULL AND CROSSBONE NO ENTRY C52/1	EACH			
90	SILICA GEL 500GRAM	EACH			
91	SILICON AEROSOL LUBRICANT	EACH			
92	SOAP SUNLIGHT 125 GRM	EACH			
93	SOAP SUNLIGHT DISHWASHING 400ML	EACH			
94	TAPE BLUE 19MM PVC ADHESIVE	EACH			
95	TAPE YELLOW 19MM PVC ADHESIVE	EACH			
96	THINNERS 5LT	EACH			
97	WELDING RODS 2,5MM (PACK OF 5KG)	PER PACK			
98	WASHERS BRASS 6MM FLAT	EACH			
99	WASHERS ZINK COTED 8MM FLAT	EACH			
100	WASHERS ZINK COTED 10MM FLAT	EACH			
101	WASHERS ZINK COTED 12MM FLAT	EACH			
102	PAINT FLOOR GREEN EMERALD 5L	EACH			
103	PAINT FLOOR WHITE 5L	EACH			
104	PAINT FLOOR RED 5L	EACH			
105	PAINT CREAM ENAMEL 5L	EACH			
106	PAINT FLOOR YELLOW 5L	EACH			
107	PAINT BATTLESHIP GREY ENAMEL 5L	EACH			
108	PAINT GREY DOVE ENAMEL 5L	EACH			
109	PAINT 300ML CAN BRILLIANT WHITE SPRAY PAINT	EACH			
110	PAINT ORANGE ENAMEL 1L	EACH			
111	TAPE PVC GREEN ADHESIVE 19MM	EACH			

Table 4 – Pricing Schedule

7. Contact details

7.1 For any further technical information regarding the document contents please contact Mr Logean Leepile e-mail: logean.leepile@centlec.co.za. Such queries must be done in writing, the email address provided serves this purpose

7.2 For Supply Chain related questions, please contact Me. Palesa Makhele at Palesa.Makhele@centlec.co.za

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ENTITY)

BID NUMBER: CLOSING DATE: CLOSING TIME:

DESCRIPTION.....

The successful bidder will be required to fill in and sign a written Contract Form (MBD 7).

BID DOCUMENTS MAY BE POSTED TO:

.....

.....

OR

DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

.....

.....

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

The bid box is generally open 24 hours a day, 7 days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (as defined in Regulation 1 of the Local Government: Municipal Supply Chain Management Regulations)

**THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)**

NAME OF BIDDER

POSTAL ADDRESS

STREET ADDRESS

TELEPHONE NUMBER CODE.....NUMBER.....

CELLPHONE NUMBER

FACSIMILE NUMBER CODE.....NUMBER.....

E-MAIL ADDRESS

VAT REGISTRATION NUMBER

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN ATTACHED? (MBD 2) YES/NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (MBD 6.1) YES/NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) ☐

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN NATIONAL ACCREDITATION SYSTEM (SANAS) ☐

A REGISTERED AUDITOR ☐

(Tick applicable box)

(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)

ARE YOU THE ACCREDITED REPRESENTATIVE
IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED ?

YES/NO
(IF YES ENCLOSE PROOF)

SIGNATURE OF BIDDER

DATE

CAPACITY UNDER WHICH THIS BID IS SIGNED

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS OFFERED

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Municipality / Municipal Entity:

Department:

Contact Person:

Tel:

Fax:

ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact Person:

Tel:

Fax:

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 Service (SARS) to meet the bidder's tax obligations.

- 1 In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "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 acceptable.
- 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 or on the website www.sars.gov.za.
- 6 Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of Bidder.....	Bid Number.....
Closing Time	Closing Date

OFFER TO BE VALID FOR.....DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
----------	----------	-------------	--

- | | | |
|---|--|--------------------------|
| - | Required by: | ..... |
| - | At: | ..... |
| - | Brand and Model | ..... |
| - | Country of Origin | ..... |
| - | Does the offer comply with the specification(s)? | *YES/NO |
| - | If not to specification, indicate deviation(s) | ..... |
| - | Period required for delivery | *Delivery: Firm/Not firm |
| - | Delivery basis | ..... |

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

**** "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.**

***Delete if not applicable**

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of Bidder.....	Bid number.....
Closing Time	Closing Date

OFFER TO BE VALID FOR.....DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
-	Required by:		
-	At:		
-	Brand and model		
-	Country of origin		
-	Does the offer comply with the specification(s)?		*YES/NO
-	If not to specification, indicate deviation(s)		
-	Period required for delivery		
-	Delivery:		*Firm/Not firm

**** "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.**

***Delete if not applicable**

A NON-FIRM PRICES SUBJECT TO ESCALATION

- $$Pa = (1-V)Pt \left(D1 \frac{R1t}{R1o} + D2 \frac{R2t}{R2o} + D3 \frac{R3t}{R3o} + D4 \frac{R4t}{R4o} \right) + VPt$$

Pa	=	The new escalated price to be calculated.
(1-V) Pt	=	85% of the original bid price. Note that Pt must always be the original bid price and not an escalated price.
D1, D2..	=	Each factor of the bid price eg. labour, transport, clothing, footwear, etc. The total of the various factors D1,D2...etc. must add up to 100%.
R1t, R2t.....	=	Index figure obtained from new Index (depends on the number of factors used).
R1o, R2o	=	Index figure at time of bidding.
VPt	=	15% of the original bid price. This portion of the bid price remains firm i.e. it is not subject to any price escalations.

- Index..... Dated..... Index..... Dated..... Index..... Dated.....
Index..... Dated..... Index..... Dated..... Index..... Dated.....

- [illegible]

B PRICES SUBJECT TO RATE OF EXCHANGE VARIATIONS

1. Please furnish full particulars of your financial institution, state the currencies used in the conversion of the prices of the items to South African currency, which portion of the price is subject to rate of exchange variations and the amounts remitted abroad.

PARTICULARS OF FINANCIAL INSTITUTION	ITEM NO	PRICE	CURRENCY	RATE	PORTION OF PRICE SUBJECT TO ROE	AMOUNT FOR CURRENCY REMIT ABROAD
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		

2. Adjustments for rate of exchange variations during the contract period will be calculated by using the average monthly exchange rates as issued by your commercial bank for the periods indicated hereunder: (Proof from bank required)

AVERAGE MONTHLY EXCHANGE RATES FOR THE PERIOD:	DATE DOCUMENTATION MUST BE SUBMITTED TO THIS OFFICE	DATE FROM WHICH NEW CALCULATED PRICES WILL BECOME EFFECTIVE	DATE UNTIL WHICH CALCULATED PRICES WILL BE EFFECT

PRICING SCHEDULE
(Professional Services)

Name of Bidder:	Bid Number:
Closing Time:	Closing Date:

OFFER TO BE VALID FORDAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
------------	-------------	--

1. The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION

HOURLY RATE

DAILY RATE

	R.....	
	R.....	
	R.....	
	R.....	
	R.....	

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

	R.....	..... days
	R.....	..... days
	R.....	..... days
	R.....	..... days

5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
	R.....
	R.....
	R.....
	R.....

***all applicable taxes" includes value-added taxes, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

- 5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....
.....	R.....
TOTAL R			

6. Period required for commencement with project after acceptance of bid
7. Estimated man-days for completion of project
8. Are the rates quoted firm for the full period of contract? *YES/ NO.
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.....

*Delete if not applicable

MBD 4

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his or her representative:.....

3.2 Identity Number:

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

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

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

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

3.8.1 If yes, furnish particulars.

.....

¹MSCM 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.

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

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

3.9.1 If yes, furnish particulars.....

.....

3.10 Do you have any relationship (family, friend, other) with persons
in the service of the state and who may be involved with
the evaluation and or adjudication of this bid? YES / NO

3.10.1 If yes, furnish particulars.

.....

.....

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

3.11.1 If yes, furnish particulars

.....

.....

3.12 Are any of the company's directors, trustees, managers,
principle shareholders or stakeholders in service of the state? YES / NO

3.12.1 If yes, furnish particulars.

.....

.....

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

3.13.1 If yes, furnish particulars.

.....

.....

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

3.14.1 If yes, furnish particulars:

.....

.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED)

For all procurement expected to exceed R10 million (all applicable taxes included), bidders must complete the following questionnaire:

1 Are you by law required to prepare annual financial statements for auditing?

1.1 If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.

***YES / NO**

.....

.....

2 Do you have any outstanding undisputed commitments for municipal services towards any municipality for more than three months or any other service provider in respect of which payment is overdue for more than 30 days?

2.1 If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards any municipality for more than three months or other service provider in respect of which payment is overdue for more than 30 days.

2.2 If yes, provide particulars.

.....

.....

.....

.....

* Delete if not applicable

***YES / NO**

3 Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of

such contract?

3.1 If yes, furnish particulars

.....

***YES / NO**

4. Will any portion of goods or services be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic?

***YES / NO**

4.1 If yes, furnish particulars

.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of Bidder

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

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

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

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

Where

x is the Imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as required in paragraph 4.1 below.

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

1.6. A bid may be disqualified if –

- (a) this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and
- (b) the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

2. Definitions

- 2.1. **“bid”** includes written price quotations, advertised competitive bids or proposals;
 - 2.2. **“bid price”** price offered by the bidder, excluding value added tax (VAT);
 - 2.3. **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
 - 2.4. **“designated sector”** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;
 - 2.5. **“duly sign”** means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility (close corporation, partnership or individual).
 - 2.6. **“imported content”** means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour and intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
 - 2.7. **“local content”** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
 - 2.8. **“stipulated minimum threshold”** means that portion of local production and content as determined by the Department of Trade and Industry; and
 - 2.9. **“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.
3. **The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

Description of services, works or goods Stipulated minimum threshold

_____ %
 _____ %
 _____ %

4. Does any portion of the services, works or goods offered have any imported content?
 (Tick applicable box)

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

- 4.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by the SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za.

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

5. Were the Local Content Declaration Templates (Annex C, D and E) audited and certified as correct?
 (Tick applicable box)

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

- 5.1. If yes, provide the following particulars:

- (a) Full name of auditor:.....
 (b) Practice number:
 (c) Telephone and cell number:.....
 (d) Email address:

(Documentary proof regarding the declaration will, when required, be submitted to the satisfaction of the Accounting Officer / Accounting Authority)

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

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

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

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Municipality / Municipal Entity):
.....

NB

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

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

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

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

(b) I have satisfied myself that

- (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (ii) the declaration templates have been audited and certified to be correct.

(c) The local content percentages (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C;

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

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Municipality /Municipal Entity has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Municipal / Municipal Entity imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

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

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the Preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

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

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

2. DEFINITIONS

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

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

or

90/10

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

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

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

- 6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(Tick applicable box)

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

- 7.1.1 If yes, indicate:

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

(Tick applicable box)

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

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

Designated Group: An EME or QSE which is at least 51% owned by:	EME ✓	QSE ✓
Black people	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are youth	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are women	<input type="checkbox"/>	<input type="checkbox"/>
Black people with disabilities	<input type="checkbox"/>	<input type="checkbox"/>
Black people living in rural or underdeveloped areas or townships	<input type="checkbox"/>	<input type="checkbox"/>
Cooperative owned by black people	<input type="checkbox"/>	<input type="checkbox"/>

Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a

fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

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

WITNESSES

- 1.
- 2.

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

DATE:

ADDRESS

.....

.....

CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)..... in accordance with the requirements and 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 time of 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);
 - Technical Specification(s);
 - 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 goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
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 fulfilment 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.

DATE:

CONTRACT FORM - PURCHASE OF GOODS/WORKS**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I..... in my capacity as..... accept your bid under reference numberdated.....for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	BRAND	DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

SIGNED AT ON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP


WITNESSES

1.

2.

DATE

CONTRACT FORM - RENDERING OF SERVICES

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	.....
DATE:	

CONTRACT FORM - RENDERING OF SERVICES**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I..... in my capacity as.....
accept your bid under reference numberdated.....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.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP



WITNESSES

1

2

DATE:

CONTRACT FORM - SALE OF GOODS/WORKS

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SUCCESSFUL BIDDER (PART 1) AND THE SELLER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SUCCESSFUL BIDDER AND THE SELLER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to purchase all or any of the goods and/or works described in the attached bidding documents from (name of Institution)..... in accordance with the requirements stipulated in (bid number)..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the seller during the validity period indicated and calculated from the closing time of 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);
 - Declaration of interest;
 - Declaration of Bidder's past SCM practices;
 - 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) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) cover all my obligations and I accept that any mistakes regarding price(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 undertake to make payment for the goods/works as specified in the bidding documents.
6. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
7. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1.

2.

DATE:

CONTRACT FORM - SALE OF GOODS/WORKS**PART 2 (TO BE FILLED IN BY THE SELLER)**

1. I..... in my capacity as.....
accept your bid under reference numberdated.....for the purchase of
goods/works indicated hereunder and/or further specified in the annexure(s).
2. I undertake to make the goods/works available in accordance with the terms and conditions of the
contract.

ITEM NO.	DESCRIPTION	PRICE (ALL APPLICABLE TAXES INCLUDED)		

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

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1.

2.

DATE

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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

Js9141w 4

Arbitration Clause

This clause is part of this document to be compliant to regulation 50 of Supply Chain Management Regulations as published in Gen N 868 in Government Gazette 27636 of 30 May 2005.

Any dispute of whatsoever nature arising out of this contract concerning any of the rights and/ or obligations of any party thereto, either during the currency of the contract or after the completion thereof, including a dispute as to the validity of the contract, is hereby referred to the arbitration. The decision of a single arbitrator would be final and the parties agree to accept the award as final and binding upon them.

The arbitrator shall be:

-
- Selected by agreement between the parties, or failing such agreement,
- Appointed at the request of either party by the chairman for the time being of the Free State Council.
- A person with more than 10 years in the practice of law and a member of the arbitration foundation of Southern Africa.
- The costs associated with the arbitration action would be those prescribed by the Arbitration Association of South Africa

The cancellation of this contract by either party for whatever reason shall not affect the validity of this clause.

**Signature by tenderer of
acceptance**

Date

