

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			
RFP60/2023	CENTLEC (SOC) Ltd a Municipal Entity distributing electricity in Mangaung and other Municipalities invites service providers for ICT Panel with their professional teams to submit their proposals for information and communication services for a period of thirty-six (36) months.	80/20	www.centlec.co.za www.etenders.gov.za	N/A	N/A	N/A	N/A	Daniel.Malokase@centlec.co.za	07 April 2023 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.** 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 90 days. In a case where the services are paid by the Landlord, the signed lease agreement and statement of account must be submitted by the bidder. In an event, that the Bidder utilizes prepaid services (e.g. Water or electricity) a valid municipal clearance certificate(s) must still be provided. **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 an Original BBBEE Verification Certificate or a Valid Copy of BBBEE Verification Certificate, in case of Joint Venture bidders must submit consolidated BBBEE certificate. **8.** Bidders must be registered on the National Treasury Centralized Suppliers Database and must submit their registration summary report.

PLEASE NOTE:

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. Documents must be ring binded in a book format, indexed and page numbered (Loose documents will be disqualified). 11. The Bidder shall comply to all the Special Conditions as per Table 1 in Specification Document.

1. Specified Goals for Preferential Point System

Specified Goals	Points Allocation
50% Black owned	10
50% Women owned	5
50% Youth owned <35 years	5
Total Points	20

2. 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.
- No bid(s) will be accepted from a person in the service of the state.
 - No telegraphic, telefax and late bids will be accepted. (Please sign bid submission register upon submission)
 - 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.
 - Municipal Supply Chain Management policy and Preferential Procurement Policy Framework Act No 5 of 2000 (rev 2022) 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.



RFP60/2023

**INFORMATION AND COMMUNICATION
TECHNOLOGY PANEL OF SERVICE
PROVIDER(S)**

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1. Invitation

CENTLEC (SOC) Ltd a Municipal Entity distributing electricity in Mangaung and other Municipalities invites service providers for ICT Panel with their professional teams to submit their proposals for information and communication services for a period of thirty-six (36) months.

2. Minimum Requirements

- 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 hardware Current Bill of Account not owing more than 90 days. In a case where the services are paid by the Landlord, the signed lease agreement and statement of account must be submitted by the bidder.
 - 2.2.1. In an event, that the Bidder utilizes prepaid services (e.g. Water or electricity) a valid municipal clearance certificate(s) must still be provided.
- 2.3. The bidder must be registered on the National Treasury Centralized Suppliers Database
- 2.4. Please note that the Special Conditions table as per point 3 below, needs to be met. All supporting documents needs to be submitted where applicable.

3. Special Conditions of the contract

Table 1: Special Conditions

Special Conditions	Yes	No	Supporting Documentation
ICT Service Providers are invited to submit their Bid on different Panel as per CENTLEC specification.			Yes
The successful bidder will be expected to enter into a Service Level Agreement with CENTLEC for a period thirty-six (36) months.			N/A
The Successful Bidders` employees shall be vetted upon appointment.			N/A
Supply CENTLEC with a Source code for all software solutions developed.			On appointment - letter of Commitment
Host the APP and WhatsApp Chatbot on the Cloud services. Agreement with the cloud service provider for Hosting			N/A
Provide local host backup for the APP application on CENTLEC premise and provide the server			N/A

Special Conditions	Yes	No	Supporting Documentation
Data owned by CENTLEC gathered during the intrusion test for security consulting shall remain confidential, the property of CENTLEC and shall not be shared (letter of Commitment)			On appointment - letter of Commitment
Any Consultancy required but not listed above, bidders will be requested to submit a quotation.			N/A

4. Scope of work

CENTLEC will consider bidder(s) for appointment on different ICT Panels. Bidder(s) are allowed to Bid for more than one service(s) in their specialty of work.

ICT Panel 1: ICT Security Consulting Services.

ICT Panel 2: Software Development.

ICT Panel 3: Maintain and management of CENTLEC licensing.

5. Technical Specification

5.1. ICT Panel 1: ICT Security Consulting Services (service requested as and when required by CENTLEC)

Table 2: ICT Security Consulting services

Services	
5.1.1	Perform IT Advisory, IT Assurance and IT Solutions. <ul style="list-style-type: none"> Conduct and implement Cyber Security strategy assessment.

- Perform ICT Security Penetration test on Ports and application.
- Penetration test on cyber for all the infrastructure devices
- Infrastructure security scans for all the vulnerabilities and provide the reports.
- Develop cyber security awareness mechanisms to assist the users.
- Conduct ICT Technology Road map to add value to CENTLEC.
- Implement managed services for ICT infrastructure management.
- Conduct and implement event management on ICT Systems
- Conduct and implement Business continuity management.
- Conduct and implement ICT security infrastructure documents for compliance.
- Conduct ICT Strategy and formulations.
- ICT Governance reviews and alignment to the infrastructure
- Conduct and align the ICT systems according to POPI Act for compliance.
- Conducts and assist on ICT systems development for OEM.
- Assist and align ICT governance Policies, Procedures, Strategy and Governance to CENTLEC according to internal audit recommendations.
- Assist and implement ICT on the best solutions to address infrastructure risks according to CENTLEC risk management recommendations.
- IT Assurance on Service Organisation Control (SOC) audits & reports (ISAE)
- IT Assurance on Detailed operating system security review
- IT Assurance on General IT controls and CAAT's

- IT Assurance on internet, firewall testing, database testing and reviews
- Assist in Data Analytics
- Conduct Risk assessment on Cloud services such as Office 365 and Digital forensics.
- Conduct Social Media risk and ICT communication networks risk for cyber-Security.
- Develop a IT SOX testing and reporting

5.2. ICT Panel 2: ICT Software solution (service requested as and when required by CENTLEC)

Table 3: Software development

Software Development with the future development such as billing, revenue, API integrations, Mobile APP`s, and call log system

5.2.1. Mobile apps development and support for CENTLEC services.

- Register the mobile users on the APP using cell phones numbers with OTP pin for registrations. Group users as per Area for notifications
- Mobile APP notifications to registered users for power outages and maintenance per location areas using GPRS locations. Display Planned and unplanned outage on the app for the users per Area with notifications.
- Instant notification on Mobile APP for electricity maintenance infrastructure and power failure with GPRS location where maintenance is taking place. Allow instant notification update for restoration time.
- Mobile APP to Group registered users per location area to receive notification for any services happening in that area.
- Mobile APP to manage the loadshedding schedule with notification per area for registered users.
- Mobile to publish CENTLEC news with instant notifications for APP users.
- Mobile APP should have correct CENTLEC logo and colours.

- Mobile APP application should allow System administrator to manage the mobile app at the background with password expiry and minimum requirements as per ICT security policy.
- Mobile app application should allow communication departmental users to manage the Mobile app information at the background.
- Mobile APP should track all the activities posted on the APP (admin, functions, rights, and access level for administrator).
- Mobile APP should allow users to take pictures and location for the vandalised infrastructure for attendance with GPRS locations. The app should send the information to communication department to delegate the request.
- Mobile APP should allow fraud help line calls to be made on the APP for fraud reporting and send the information to the security.
- Mobile app icons for electricity tips on how to calculate their load and safe electricity. Have a load calculator for the users to check their consumptions.
- Mobile app icons for infrastructure load – off pick and pick hour.

5.2.2. Development of the WhatsApp Integrator Services (WhatsApp Chatbot System) for CENTLEC Call Centre Robot Talk Systems for Service delivery and integrate with current call log systems for customer services.

- WhatsApp integrator for business WhatsApp Chatbot system for CENTLEC customers
- Develop a Call centre WhatsApp Chatbot for CENTLEC customers to log calls.
- Register customer information for future reference.
- Meter number as a primary key to interact with the customer.
- OTP verification for WhatsApp communication.
- Make use of WhatsApp API integrations tools
- Integrate the WhatsApp Chatbot Call logs with current Call Centre Systems to streamline or combine the call reference on the database.

- Auto response and interact with the customers with different option menus to log the calls.
- Develop conversation workflow on Call centre WhatsApp Chatbot for customers to log the calls for services, e.g. Power Failure, Metering and Street light option.
- WhatsApp Chatbot to provide the customers with the reference numbers and record the details on the WhatsApp Chatbot database and CENTLEC call log system.
- Database check duplicate calls between the APP WhatsApp WhatsApp Chatbot and Agent Call logging system.
- WhatsApp Chatbot to notify users for a high-volume call when user chart to log the calls.
- live WhatsApp Chatbot
- Allows future development to integrate the services on various systems such as finance systems, AMR system and vending systems for customers to get their monthly statement. This is for customers to make a query on the statement and purchased tokens on vending systems.
- Develop the API to integrate the APP systems with Application systems for the Workflows. (Workflows will be provided by CENTLEC on the appointment)

5.3. ICT Panel 3: Maintain and Management of licensing (service requested as and when required by CENTLEC)

Table 4: Maintenance and Management of Licensing

CENTLEC will share the details of the service providers during the request for procurement

License Name	Supply & commissioning	Application Services	Service provider
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VMware vCenter 7.0	Supply, commissioning, and installations	Server Infrastructure	VMware (SA)
Veeam Backup and Replication (v11a)	Supply, commissioning, and installations	Server Infrastructure Backups	Veeam (SA)
vSphere 7.0	Supply, commissioning, and installation	Server Infrastructure backups	Veeam
Kaspersky Antivirus (V11.8)	Supply, commissioning, and support calls	Antivirus	Kaspersky
Active Directory Audit Plus Manage Engine (v6.0)	Supply, commissioning, and support calls	Active Directory logs	ITR Technology
Darktrace Security Management Software	Supply, commissioning, and support calls	Cyber Security	Grovies SA Jv Darktrace SA
Fortinet Firewall 100e ,60F (v6.4.8)	Supply, commissioning, and support calls	Security Management	Fortinet
Forty Analyser (v6.4.8)	Supply, commissioning, and support calls	Security Management	Fortinet
Mimecast	Supply, commissioning, and support calls	Mail relay and security management	Mimecast

Microsoft Office 365 E3 Licenses	Supply, commissioning, and support calls	Microsoft products and operating systems	Microsoft Island
Vending Barracuda	Supply, commissioning, and support calls	Load balancing	Barracuda
TSM500E security module	Supply, commissioning, and support calls	Token management	Prism
OP Manager professional (v12.6) manage Engine	Supply, commissioning, and support calls	Network infrastructure management and drawing	ITR Technology
Teammate	Supply, commissioning, and support calls	Audit	Teammate
EL Robotic	Supply, commissioning, and support calls	Audit	EL Robotics
Wonderware	Supply, commissioning, and support calls	Substations management	Wonderware Intouch
SCADA	Supply, commissioning, and support calls	Electrical network management	Wonderware Intouch
Bently	Supply, commissioning, and support calls	Network engineering	Bently (PTY)LTD

Digsilent	Supply, commissioning, and support calls	Network engineering	Digsilent (PTY)LTD
Reticmaster	Supply, commissioning, and support calls	Network engineering	Digsilent (PTY)LTD
ICASA Mobile Repeater	Supply only	Microwave Links	ICASA
Orbit	Supply, commissioning, and support calls	Document management system	RQ technologies

6. Technical Evaluation

All proposals submitted will be evaluated in accordance with the criteria set out in the policy of Supply Chain Management of the Entity.

The most suitable candidate will then be selected. Please take note that CENTLEC is not bound to select any of the bidders' submitting proposals.

Furthermore, technical competence is the principal selection criteria. CENTLEC will evaluate the technical criteria first and will only look at the price and specified goals if it is satisfied with the technical evaluation. As a result of this, CENTLEC does not bind itself in any way to select the bidder offering the lowest price.

The relative technical weighting of the criteria is as follows:

6.1 Evaluation criteria

Table 5: Evaluation Criteria for ICT Security Consulting services

No.	Criteria	Description	Max Points
6.1.1	Bidder(s) with company experience in ICT consulting services	<p>A minimum of two (2) signed reference letters on company's letter heads confirming the ICT Security Consulting Services.</p> <p>Two (2) letters = 10 points Three (3) letters or more = 20 points</p>	20
6.1.2	A bidder with Local (Mangaung) business operations capability and economic investment to local resources	<p>Does the bidder have an established local office in (CENTLEC distribution area) = 20 Points</p> <p>If not (Within South Africa) = 15 points</p>	20
6.1.3	<p>Bidders to submit employees IT Qualifications within the company.</p> <p>(Company Human Resource should submit a letter of employment on the company letter head for the employees on the BID document)</p>	<p>Bidder(s) submit the CV's/Resumes and Certified qualifications of personnels as well as a company organogram.</p> <p>1 X SQL Database Administrator or Developer with SQL Qualification= 10 Point</p> <p>2 x Audit employee with CISA Certificate = 10 Points</p> <p>2 X Auditor with BTech Financial Systems or BSC in Financial Systems Certificates = 10 Points</p> <p>2 x Information Security Specialist/ Administrator with one of the following or other (ISC)² internationally recognized information security certifications: = 10 Points</p> <ul style="list-style-type: none"> • Certified Information Systems Security Professional (CISSP) • Systems Security Certified Practitioner (SSCP) 	60

No.	Criteria	Description	Max Points
		<ul style="list-style-type: none"> • Certified Cloud Security Professional (CCSP) • Certified Information Systems Manager (CISM) <p>1 x Auditor Certified Risk Management Practitioner (CRMP) Certificate = 10 Points</p> <p>2 X Members with IRBA (Registered Auditor) = 10 Points</p>	
	TOTAL		100

A bidder who gets a minimum of 85 points and above 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 6.1.1 – 10 Points

Item 6.1.2 – 15 Points

Item 6.1.3 – 60 Points

6.2 Evaluation criteria

Table 6: Evaluation Criteria for Software development

No.	Criteria	Description	Max Points
6.2.1	Bidder with company experience in supplying and delivering the Systems development	<p>A minimum of two (2) signed reference letters on company's letter heads confirming Mobile APP, API integrations with Web Applications for various systems and delivery of systems.</p> <p>Two (2) letters = 20 points Three (3) letters or more = 30 Points</p>	30
6.2.2	A bidder with Local (Mangaung) business operations capability and	Does the bidder have an established local office in (CENTLEC distribution area) = 20 Points	20

No.	Criteria	Description	Max Points
	economic investment to local resources	If not (Within South Africa) = 10 points	
6.2.3	Bidders to submit employees IT Qualifications within the company. (Company Human Resource should submit a letter of employment on the company letter head for the employees on the BID document)	Bidder(s) submit the CV's/Resumes and Certified qualifications of personnels as well as a company organogram for developmental team. 2 x Employee with IT Qualification in Software development or BSC Computer Science in Programming or Programming related Qualifications (PHP, python, java, c#)= 10 Points 2 X MCSA: SQL Database Administration or Developer = 10 Point Developers and Database developer CV or resume should state the following for competency: 2 X Software developer with Mobile APP and Web application development with minimum (4) years' experience in C#, .Net, Java and Swift = 10 Points 2 X SQL Database Admin or Developer resume with minimum of (4) years' experience in DB administration = 10 Point Developer Skills and Knowledge on the following = 10 Point <ul style="list-style-type: none"> • Web API • Bootstrap 	50

A bidder who gets a minimum of 80 points and above 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 6.2.1 – 20 Points
Item 6.2.2 – 10 Points
Item 6.2.3 – 50 Points

6.3 Evaluation Criteria

Table 7: Evaluation Criteria for Maintenance and Management of Licensing

No.	Criteria	Description	Max Points
6.3.1	Bidder with company experience in supplying and delivering the licenses	<p>A minimum of one (1) signed reference letter on company's letter head confirming the Microsoft Software Supply and delivery of any Licenses Stated in the bid.</p> <p>One (1) letters = 10 points Two (2) letters or more = 20 points</p>	20
6.3.2	A bidder with Local (Mangaung) business operations capability and economic investment to local resources	<p>Does the bidder have an established local office in (CENTLEC distribution area) = 30 points</p> <p>If not (Within South Africa) = 20 points</p>	30
6.3.3	Company Strategic Partners (<i>Submit the signed partners letter signed by the partners company</i>)	<p>Company with Mimecast partner as per Bid license = 10 Points</p> <p>Company with Microsoft partner as per Bid license = 10 Points</p> <p>Company with VMware partner as per Bid license = 10 Point</p> <p>Company with Antivirus partner as per Bid license = 10 Points</p> <p>Company with Veeam partner as per Bid license = 10 Points</p>	50
	TOTAL		100

A bidder who gets a minimum of 80 points and above 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 6.3.1 – 10 Points

Item 6.3.2 – 20 Points

Item 6.3.3 – 50 Points

6.4 PRICE AND REFERENTIAL POINTS SCORING – STAGE 2 (Price and Specified Goals)

All Bidders that have passed the technical evaluation threshold of 55 points would also be scored based the 80/20 principle where 80 Points is for the Price and 20 points for specified goals as per the detail given below.

6.5 Points awarded for price

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

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

P_s = Points Scored for comparative price of bid under consideration

P_t = Comparative Price of bid under consideration

P_{\min} = Comparative Price of lowest acceptable bid

6.6 Points awarded for Specified Goals Requirement

In terms of Regulation 3.(1) An organ of state must, in the tender documents, stipulate— (a) the applicable preference point system as envisaged in regulations 4, 5, 6 or 7; (b) the specific goal in the invitation to submit the tender for which a point may be awarded, and the number of points that will be awarded to each goal, and proof of the claim for such goals in accordance with the table below;

Table 8: Specified Goals for Preferential Point System

Specified Goals	Points Allocation
50% Black owned	10
50% Women owned	5
50% Youth owned <35 years	5
Total Points	20

7. Pricing Schedules

7.1 Pricing Schedule

Bidders are also advised to indicate a total cost breakdown for this assignment.

Table 9: Pricing schedule for ICT Security Consulting (as an when required)

ITEMS	projects description	Total Hours	Rates	Total Amoun
7.1.1	Conduct ICT Advisory as per Items in 5.1.1			
7.1.2	Conduct ICT Assurance as per Items in 5.1.1			
7.1.3	Conduct ICT Solutions as per Items in 5.1.1			

Personnel Position	Normal rates per Hr	Overtime rates Hr	Total Hours
Project Manager			
Security Specialist			
Network Administrator			
Risk Officer			
Audit Specialist			
Database Specialist			
Business Continuity Specialist			
Auditor			

7.2 Pricing Schedule

Bidders are also advised to indicate a total cost breakdown for this assignment.

Table 10: Pricing schedule for Software development (CENTLEC will provide the Workflow)

ITEMS	Project description	Total Hours	Rates	Total Amoun
7.2.1	Mobile apps development and support for CENTLEC services as per (5.2.1). Notification on power failures, maintenance, loadshedding, Geo location for registered customers, street light problems and all other add on service delivery. Customer to register on the mobile APP.			
7.2.2	Development of the WhatsApp Integrator Services (WhatsApp Chatbot System) As per (5.2.2) CENTLEC Call Centre WhatsApp Chatbot for Service delivery. Allows customer to log a call and received the refence number. (Systems must capture all customer information to the database) and direct the calls to correct data capture.			
7.2.3	Develop the API to integrate Calls on the WhatsApp Chatbot with the existing Call log systems application to a single Database As per (5.2.2). Database had more than 1000 entry			
7.2.4	Develop API for Mobile application. As per (5.2.2) This is to integrate the work order or technician calls logged on the web application to Mobile application and the technician to close the call on the Mobile app using single Database			

Personnel Position	Normal rates per Hr	Overtime rates Hr	Total Hours
Project Manager			
Security Administrator			
Network Administrator			
Application / APP Developer			
Database Developer			

Hardware Specialist			
Business Continuity Specialist (Cloud Hosting Backups)			

7.3 Pricing Schedule

Table 11: Pricing schedule for Maintenance and Management of Licensing

All Licensing are registered under CENTLEC(SOC)Ltd as the license holder.

Bidder (s) price will be based on the quotation request.

ITEMS	Licenses	Price will be per Quotation supply as per CENTLEC request 3 months before expiry date of the Licensing	
7.3.1	VMware vCenter 7.0		
7.3.2	Veeam Backup and Replication (v11a)		
7.3.3	vSphere 7.0		
7.3.4	Kaspersky Antivirus (V11.8)		
7.3.5	Active Directory Audit Plus Manage Engine (v6.0)		
7.3.6	Darktrace Security Management Software		
7.3.7	Fortinet Firewall 100e ,60F (v6.4.8)		
7.3.8	Forti Analyser (v6.4.8)		
7.3.9	Mimecast		
7.3.10	Microsoft Office 365 E3 Licenses		
7.3.11	Vending Barracuda		
7.3.12	TSM500E security module		
7.3.13	OP Manager professional (v12.6) manage Engine		
7.3.14	Teammate		
7.3.15	EL Robotic		
7.3.16	Payday		
7.3.17	Wonderware		
7.3.18	SCADA		
7.3.19	Bently		
7.3.20	Digsilent		
7.3.21	Reticmaster		
7.3.22	ICASA Mobile Repeater		
7.3.23	Orbit		

8. Contact Details

8.1 For any further technical information regarding the document contents please contact Daniel Malokase, e-mail ICTBid@centlec.co.za . Such queries must be done in writing, the email address provided serves for this purpose. The answer to any one question will be shared to all the other prospective bidders that have bought the bid documents.

8.2 For Supply Chain related questions, please contact Me Palesa Makhele at Bid enquiry@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**

PRICING SCHEDULE – NON-FIRM PRICES (PURCHASES)

NOTE: PRICE ADJUSTMENTS WILL BE ALLOWED AT THE PERIODS AND TIMES SPECIFIED IN THE BIDDING DOCUMENTS.

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

1. IN CASES OF PERIOD CONTRACTS, NON FIRM PRICES WILL BE ADJUSTED (LOADED) WITH THE ASSESSED CONTRACT PRICE ADJUSTMENTS IMPLICIT IN NON FIRM PRICES WHEN CALCULATING THE COMPARATIVE PRICES
2. IN THIS CATEGORY PRICE ESCALATIONS WILL ONLY BE CONSIDERED IN TERMS OF THE FOLLOWING FORMULA:

$$P_a = (1-V)P_t \left(D1 \frac{R1_t}{R1_0} + D2 \frac{R2_t}{R2_0} + D3 \frac{R3_t}{R3_0} + D4 \frac{R4_t}{R4_0} \right) + VP_t$$

P_a	=	The new escalated price to be calculated.
$(1-V) P_t$	=	85% of the original bid price. Note that P_t must always be the original bid price and not an escalated price.
$D_1, D_2..$	=	Each factor of the bid price eg. labour, transport, clothing, footwear, etc. The total of the various factors $D_1, D_2...etc.$ must add up to 100%.
$R_{1t}, R_{2t}.....$	=	Index figure obtained from new index (depends on the number of factors used).
R_{1o}, R_{2o}	=	Index figure at time of bidding.
$V P_t$	=	15% of the original bid price. This portion of the bid price remains firm i.e. it is not subject to any price escalations.

3. The following index/indices must be used to calculate your bid price:

Index.....	Dated.....	Index.....	Dated.....	Index.....	Dated.....
Index.....	Dated.....	Index.....	Dated.....	Index.....	Dated.....

4. FURNISH A BREAKDOWN OF YOUR PRICE IN TERMS OF ABOVE-MENTIONED FORMULA. THE TOTAL OF THE VARIOUS FACTORS MUST ADD UP TO 100%.

[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 Shareholder² 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.

.....

.....

.....

.....

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

* Delete if not applicable

*YES / NO

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.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.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		NO	
-----	--	----	--

- 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		NO	
-----	--	----	--

- 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.isp>. 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 2022

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

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

1. GENERAL CONDITIONS

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

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

1.2 **To be completed by the organ of state**

(delete whichever is not applicable for this tender).

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

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

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

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

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

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

- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 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	
$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$	or	$Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$	

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} \end{array}$$

Where

- Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
50% Black owned	10	
50% Women owned	5	
50% Youth owned <35 years	5	
Specified Goals Total	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;

iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

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

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

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 ATON.....

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 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.

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 fulfilment 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	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.3.1	If so, furnish particulars:		
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

Js367bW

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

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