Request for Quotation for "Construction of Kerbing to Erf 85 Driveway"
RFQ# NLM/TS/CKE85D/2024/2025

CLOSING DATE	**: 24 January 2025**
CLOSING TIME	**: 12: 00 PM**

COMPANY (BIDDER) NAME.....

CONTACT PERSON.....

CONTACT NUMBER.....

BID PRICE (All Inclusive).....

CSD NUMBER.....

NTABANKULU LOCAL MUNICIPALITY
Erf no 85 Main Street
Ntabankulu, 5130
P.O. Box 234
Ntabankulu, 5130
Tel: 039 258 0056
Fax: 039 258 0173
E-mail: mdudio@ntabankulu.gov.za

REQUEST FOR QUOTATION (RFQ): CONSTRUCTION OF KERBING TO ERF 85 DRIVEWAY.
NTABANKULU LOCAL MUNICIPALITY is calling upon service providers to bid for the

ADVERT: CONSTRUCTION OF KERBING TO ERF 85 DRIVEWAY.
Please furnish all information as requested and return your quotation on the date stipulated. Late and incomplete submissions will invalidate the quotation submitted.

Late and incomplete submissions will invalidate the quotation submitted.

ADVERTISEMENT DATE	17 January 2025
RFQ NUMBER	NLM/TS/CKE85D/2024/2025
DESCRIPTION OF GOODS/SERVICE	**CONSTRUCTION OF KERBING TO ERF 85 DRIVEWAY"**
CLOSING DATE AND TIME:	24 January 2025 AT 12H00
ENQUIRIES	060 973 8676/ ndikis@ntabankulu.gov.za – Mr. S Ndiki Technical Enquiries or 082 786 0772/mdudio@ntabankulu.gov.za O. Mdudi-SCM Related,

Quotations above R30 000 will be evaluated on the basis of the 80:20 point system as stipulated in the Preferential Procurement Policy Framework Act (Act number 5 of 2000) & the Ntabankulu Local Municipality's Supply Chain Management Policies and Procedure.

List of Compulsory Returnable Documents that form part of the this Bid/Quote document:

1.	Invitation to Bid	MBD 1
2.	SARS Tax Pin number Certificate to be attached	MBD 2
3.	Pricing Schedule – Firm Prices (Purchases)	MBD 3.1
4.	MBD 4: Declaration of Interest	MBD 4
5.	Preference Points Claim form in Terms of the Preferential Procurement Regulations 2022	MBD 6.1
6.	Declaration of Bidders Past Supply Chain Management Practice	MBD 8
7.	Certificate of Independent Bid Determination	MBD 9
8.	Proof for claiming Points for Specific goals: • Full Centralized Supplier Database (CSD) Report clearly showing ownership of the company. • Proof of Disability and/or Military Veteran	
9.	Original Certified ID Copy/s of all company directors	
10.	**Rates Clearance for both company and director or proof stating that the company and director do not own property within urban area (affidavit or lease agreement)**	
11.	Centralized Supplier Database (CSD) Report clearly showing ownership of the company.	
12.	**Signed** Quotation valid for 90 Days (validity must be indicated on the quotation or MBD 3.1)	

NB: No quotations will be considered from persons in the service of the state.

PLEASE NOTE THAT NOT SUBMITTING THE COMPULSORY DOCUMENTS MAY LEAD TO DISQUALIFICATION ON COMPULSORY REQUIREMENTS.

Specification:

Specification is attached

CONDITIONS

1. All goods or services purchased will be subject to Ntabankulu Local Municipality SCM Policy and Procedures. A copy of said conditions is available from the SCMU office.
2. All purchases will be made through an official order form. Therefore no goods must be delivered or services rendered before an official order has been forwarded to and accepted by the successful bidder.
3. To participate in the Ntabankulu Local Municipality Quotation process for the procurement of goods and/or services, vendors are advised to be accredited and registered on the Ntabankulu Local Municipality Supplier Database.
4. All prices quoted must be inclusive of Value Added Tax (VAT). Suppliers who are not registered for VAT will be treated as Non VAT Vendors.
5. Prices quoted must include delivery charges and goods must be delivered to the address indicated on the quotation page.
6. All prices submitted must be firm. "Firm" prices are deemed to be fixed prices.
7. Quantities are given in good faith and without commitment to the Ntabankulu Local Municipality. The Municipality reserves the right to increase or reduce the quantity to be in line with the set threshold for quotations prescribed in the SCM Policy.
8. Submission of a Quotation can be dropped in a box clearly marked **"CONSTRUCTION OF KERBING TO ERF 85 DRIVEWAY"** at the reception at Ntabankulu Local Municipality, in Ntabankulu ERF 85, Main Street.
9. THE NTABANKULU LOCAL MUNICIPALITY DOES NOT TAKE RESPONSIBILITY FOR ANY QUOTATIONS DEPOSITED IN THE WRONG BOX.

Requested by	Recommended by	Approved by
.....	.....	.....
O. Mdudi	M. Mhlifili	T.Sikhulu-Nqwena
SCM Manager	CFO	Municipal Manager

INVITATION TO BID

INTERESTED SERVICE PROVIDERS ARE HEREBY INVITED TO SUBMIT QUOTES FOR:
ADVERT: CONSTRUCTION OF KERBING TO ERF 85 DRIVEWAY

RFQ NO: NLM/TS/CKE85D/2024/2025

CLOSING DATE: 24 January 2025
CLOSING TIME: 12:00 PM

Quotation documents must be deposited in the tender box situated at Ntabankulu Local Municipality not later than 12:00 pm on the **24 January 2025.** Bidders should ensure that quotes are delivered timeously to the correct address. If the Quote is late, it will not be accepted for consideration.

THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO MAY RESULT IN YOUR QUOTE BEING DISQAUALFIED)

Name of Bidder		
Postal address		
Street address		
Telephone Number	Code	Number
Cell phone Number	Code	Number
Facsimile Number	Code	Number
Email address		
Vat Registration Number		

Has an original tax clearance certificate been submitted	Yes/No
Are you the accredited representative in South Africa for the good/services offered?	Yes/No (IF YES ENCLOSE PROOF)

SIGNATURE OF BIDDER	
DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED	
TOTAL BID PRICE	

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: **NLM/TS/CKE85D/2024/2025**

Closing Time: **12H00** Closing Date: **24 January 2025**

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) R.....

- Required by: Ntabankulu Local Municipality
- 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

MBD 4

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state[1].

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, hareholder[2]):.....

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. .....

.....
..

[1]MSCM Regulations: "in the service of the state" means to be –
(a) a member of –
  (i) any municipal council;
  (ii) any provincial legislature; or
  (iii) the national Assembly or the national Council of provinces;

(b) a member of the board of directors of any municipal entity;
(c) an official of any municipality or municipal entity;
(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
(e) a member of the accounting authority of any national or provincial public entity; or
(f) an employee of Parliament or a provincial legislature.

[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

MBD 6.1

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

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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**

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 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	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	**100**

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be

interpreted to mean that preference points for specific goals are not claimed.

1.6 The 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**

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

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:

80/20	or	90/10
$Ps = 80\left(1 + \frac{Pt - P\,max}{P\,max}\right)$ or		$Ps = 90\left(1 + \frac{Pt - P\,max}{Pmax}\right)$

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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Business owned by =>50% black people		4		
Business owned by <50% black people OR		1		
Business owned by =>50% women		3		
Business owned by <50% women OR		1		
Business owned by =>50% Youth (age <= 35 years on the closing date)		5		
Business owned by <50% Youth (age >35 years on the closing date) OR		3		
Business owned by People with Disability / Military veteran		2		
Small Enterprise (SMME Category – QSE/EME		2		
Promoting Locality - Business located within Ntabankulu		4		
Promoting Locality - Business located in Alfred Nzo District OR		3		
Promoting Locality - Business located in Eastern Cape OR		2		
Promoting Locality - Business located in South Africa		1		

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: .....

.....

.....

.....

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	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers and or in Ntabankulu Local Municipality as companies or persons prohibited from doing business with the public sector or with the municipality? (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 *audi alteram partem* rule was applied). **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.**	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? **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.**	Yes ☐	No ☐

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 ☐	No ☐
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 ☐	No ☐
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 ☐	No ☐
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 bids[1] 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: **NLM/TS/CKE85D/2024/2025**

CONSTRUCTION OF KERBING TO ERF 85 DRIVEWAY

(Bid Number and Description)

in response to the invitation for the bid made by:

Ntabankulu Local Municipality

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

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

The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium[3] will not be construed as collusive bidding.

6. 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.
7. 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.
8. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....	.....
Signature	Date
.....	.....
Position	Name of Bidder

TERMS OF REFERENCE FOR KERBING OF ERF 85 DRIVEWAY

16 October 2024

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1. Introduction and Background

Ntabankulu Local Municipality is calling upon experienced, competent and qualified service providers for kerbing of Erf 85 driveway.

2. Specification for kerbing of Erf 85 driveway

- A required service to be rendered is specified and attached to tender document.

3. Agreement

The services will be rendered in accordance with the set deliverables in Service Level Agreement (SLA) that will be entered to by the Municipality and a successful bidder.

4. Financial Arrangements

- Payments for services rendered shall be made upon the satisfaction of receipt of appropriate invoices or pro-forma invoice.
- Payment is made within thirty (30) days from the date of receipt of invoice by the municipality.

5. Service Provider`s Requirements

Service providers are requested to attach the following mandatory documents for their bids on the pages indicated in the bid document:

- Valid SARS Tax compliance pin
- MBD 3.1, 4, 6.1, 8 & 9 (Signed after the date of the Advert)
- Proof of company registration
- Original Certified ID copies for the entity owner/s
- Valid original or certified copy of BBBEE Verification Certificate, or original sworn affidavit

NB. All certification must not be more than 3 months old and must be in its original format.

- Proof of municipal rates clearance for the company and director of the company or a signed lease agreement by both parties and confirmation that there is no billing where the entity is based

• A trust, consortium or joint venture must submit a consolidated B-BBEE status level verification certificate for every separate bid and a joint venture agreement.

- All prospective service providers are required to apply on Central Supplier Database in order to do business with all organs of the State in the Republic of South Africa at https://secured.csd.gov.za. Non-registration will be regarded as non-responsive and be disqualified from the bid.

6. Instruction for Supplying Pricing Information

- You are requested to submit a breakdown of your pricing and cost components for your services set out by the NLM.

7. Submission of quotations

Quotations must be submitted in English.

All quotations must be received before the deadline specified in the request for quotation advert.

The envelope should carry the following information:

a) The address for submission of quotation is indicated below.

b) The name and request for quotation number in which the bidder is responding to.

Any infringement of these rules (e.g unsealed and not clearly marked envelope) is to be considered a breach of the rules and will lead to rejection of the quotation.

8. Costs for preparing the quotation

No cost incurred by the bidder in preparing and submitting the quotation shall be reimbursed.

All such costs shall be borne by the bidder. If proposed key personnel were to be interviewed. All costs shall be borne by the bidder.

9. Evaluation criteria

9.1. Stage 1: Functionality evaluation

Functionality will be evaluated based on the following criteria and tenderers who fail to score a minimum functionally assessment of 70% will be considered non-responsive and will not be evaluated further.

KERBING OF ERF 85 DRIVEWAY

Relevant Experience	POINTS	MAXIMUM POINTS
Civil Engineering projects implemented. Service providers should also include the name of projects executed with traceable references of their listed services. Proof of relevant experience such as appointment letter with traceable references A minimum of one (1) appointment letters with traceable references. • 1 appointment letter • No appointment letter	 20 Points 0 Points	20 Points
• **Methodology** ➢ Clear methodology of executing the works with timeframes ➢ Health and safety plan	 10 Points 10 Points	20 Points
• **Company Capacity (Company key personnel)** ➢ **Site manager** ND Civil Engineering with 2-3 years experience ND Civil Engineering with 1-2 years experience Commitment letter to undertake project	 15 Points 10 Points 5 Points	30 Points
➢ **Site Foremen** Civil artisan with trade test certificate and 5 years of experience or more Civil artisan with trade test certificate and 3-5 years of experience Civil artisan with trade test certificate and 0-3 years of experience No indication ***Only one (1) CV of artisan to maximum of 5 years of experience or more required***	 20 Points 15 Points 10 Points 0 Points	20 Points
➢ **Health & Safety Officer** Health and safety officer with relevant qualification and 5 years experience or more Health and safety officer with relevant qualification and 3-5 years experience Health and safety officer with relevant qualification and 0-3 years experience No indication	 10 Points 5 Points 2.5 Points 0 Points	10 Points
TOTALS		**100 POINTS**

Bidders are required to score a minimum of 70% on the evaluation criteria

9.2. Stage 2: Price and Specific Goals

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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Business owned by =>50% black people		4		
Business owned by <50% black people		1		
Business owned by =>50% women		3		
Business owned by <50% women		1		
Business owned by =>50% Youth (age <= 35 years on the closing date)		5		
Business owned by <50% Youth (age >35 years on the closing date)		1		
Business owned by People with Disability / Military veteran		2		
Small Enterprise (SMME Category – QSE/EME		2		
Promoting Locality - Business located within Ntabankulu		4		
Promoting Locality - Business located in Alfred Nzo District		3		
Promoting Locality - Business located in Eastern Cape		2		
Promoting Locality - Business located in South Africa		1		

The provisions of the Preferential Procurement Regulations 2022 will apply.

9.3. Confidentiality

The entire evaluation procedure from the drawing up of the short-list to the signature of the contract is confidential. The evaluation/adjudication committee`s decisions are collective and its deliberations are held in closed sessions. The members of the evaluation/adjudication committees are bound to secrecy.

The evaluation reports and written records in particular are for official use only and may be communicated to neither the bidders nor to any party other than the contracting authority

10. Ethics Clauses/Corruptive Practices

a) Any attempt by a bidder to obtain confidential information, enter into lawful agreements with competitors or influence the evaluation/adjudication committee or the contracting authority during the process of examining, clarifying, evaluating, comparing and adjudication bid will lead to the rejection of its bid and may result in administrative penalties.

b) The bidder must not be affected by any potential conflict of interest.

c) Ntabankulu Local Municipality reserves the right to suspend or cancel funding to this project, if corrupt practices of any kind are discovered at any stage of the award process or during the implementation of a contract if the contracting authority fails to take all appropriate measures to remedy the situation. For the purposes of this provision, `corrupt practices' are the offer of a bribe, gift, gratuity or commission to any person as an inducement or reward for performing or refraining from any act related to the award of a contract or implementation of a contract already concluded with the contracting authority.

d) Bids will be rejected or contract terminated if it emerges that the award or execution of a contract has given rise of unusual commercial expenses. Such unusual commercial expenses are commissions not mentioned in the main contract or not stemming from a properly concluded contract referring to the main contract, commissions not paid in return for any identified or commissions paid to a company which has every appearance of being a front company.

Failure to comply with one or more of the ethics clauses may result in the exclusion of the bidder or contract from other community contracts and in penalties.

11. Cancellation of the Bid Procedure

In the event of cancellation of the bid procedure, bidders will be notified of the cancellation by the contracting authority. If the bid procedure is cancelled before the envelopes of any bid has been opened, the unopened and sealed envelopes will be returned to the bidders.

Cancellation may occur when

- The bid procedure has been unsuccessful, ie no qualitatively or financially worthwhile bid has been received or there is no response at all
- The economic or technical data the project has been fundamentally altered
- Exceptional circumstances or *force majeure* render normal performance of the contract impossible
- All technically complaint bids exceed the financial recourses available
- There have been irregularities in the procedure, where these have prevented fair competition.

In no event shall the contracting authority be liable for any damages whatsoever including, without limitation, damages for loss of profits, in any way connected with the cancellation of a bid even if the contracting authority has been advised of the possibility of damages.

The publication of a procurement notice does not commit the contracting authority to implement the programme or project announced.

Prepared by: PL Mpendulo	Recommended by: M Mhlifili	Approved by: I Sikhulu-Nqwena
.....	.....	.....
Technical Services Director	Chief Financial Officer	Municipal Manager

1800 DAYWORKS

Item No		Description	Unit	Quantity	Rate	Amount R	Amount c
1800		DAYWORKS					
B18.01	LI	Personnel during normal working hours					
		(a) Unskilled labour	h	40			
		(b) Semi-skilled labour	h	40			
		(c) Skilled labour	h	40			

2300 CONCRETE KERBING, CONCRETE CHANNELLING, CHUTES AND DOWNPIPES, AND CONCRETE LININGS FOR OPEN DRAINS

Item No		Description	Unit	Quantity	Rate	Amount R	Amount c
2300		CONCRETE KERBING, CONCRETE CHANNELLING, CHUTES AND DOWNPIPES, AND CONCRETE LININGS FOR OPEN DRAINS					
23.01	LI	Concrete kerbing backed with 25Mpa concrete at 45° from top to bottom with 100- 150mm 25Mpa concrete bedding.					
		(a) Precast kerbing to SABS 927					
		(i) Fig 4	m	0			
		ii) Fig 8c (mountable)	m	400			
23.02		25Mpa Concrete ditch drain reinforced with ref: 395 high tensile welded mesh	m3	3			

Summary

Item		Description		Amount
		DAYWORKS		
		CONCRETE KERBING, CONCRETE CHANNELLING, CHUTES AND DOWNPIPES, AND CONCRETE LININGS FOR OPEN DRAINS		
		SUBTOTAL		
		VAT @15%		
		TOTAL		