



K O U G A
local municipality
Prosperity through vision

NOTICE NO: 42/2013	
SUPPLY AND DELIVERY OF NEW 22KV RING MAIN UNIT	
Closing Date	16 April 2013 @ 12:00
Name of tendering firm:	
Contact Person (Full Names):	
Tel No.:	Cell No.:
Fax No.:	
Supplier Database No.:	
Signature of Tenderer:	
Issued By:	
KOUGA LOCAL MUNICIPALITY	
PO Box 21	
JEFFREYS BAY , 6330	
Contact Person: Mr. A. Marais at 042 200 8300 ext: 8366 email: amarais@kouga.gov.za or Mr. B.Bosch at 042 2002250 ext:2285 email:bbosch@kouga.gov.za	

NB: THIS TENDER WILL BE EVALUATED ON THE 80/20 POINT SCORING SYSTEM

PLEASE TAKE NOTE OF ALL LISTED INSTRUCTIONS AND COMMENTS

- NB: PLEASE ENSURE THAT YOU FAMILIARIZE YOURSELF WITH THE COMPLETE DOCUMENT AND INITIAL ALL THE PAGES OF THE DOCUMENT AS WELL AS SIGN ALL PAGES WHERE IT IS REQUIRED TO DO SO.
- ALL FORMS IN THIS DOCUMENT MUST BE COMPLETED AND SUBMITTED WITH THE RELEVANT DOCUMENTATION REQUIRED.
- HAND IN THIS TERMS OF REFERENCE DOCUMENT WITH THE COMPULSORY REQUIRED DOCUMENTATION.
- DO NOT RE-TYPE THE PRICING SCHEDULE.

N.B. THESE DOCUMENTS (IF APPLICABLE TO YOUR ENTITY) MUST BE ADDED TO EACH CONTRACT SUBMITTED.

FAILURE TO COMPLY MAY RESULT IN NON ACCEPTANCE

<input type="checkbox"/>	COMPANY REGISTRATION NO/ FORMAL REGISTRATION DOCUMENTS/JV AGREEMENTS
<input type="checkbox"/>	V.A.T. REGISTRATION NO.
<input type="checkbox"/>	ORIGINAL AND VALID SARS TAX CLEARANCE CERTIFICATE
<input type="checkbox"/>	B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE FOR ANY PREFERENCE POINTS TO BE CLAIMED (VALID, ORIGINAL OR A CERTIFIED COPY MUST BE SUBMITTED)
<input type="checkbox"/>	CERTIFIED IDENTIFICATION DOCUMENTS OF DIRECTORS/MEMBERS/PARTNERS/SOLE PROPRIETOR ATTACHED
<input type="checkbox"/>	LATEST MUNICIPAL BILLING CERTIFICATE

IT IS COMPULSORY IN THE CASE OF A FEMALE DIRECTOR / MEMBER OR PARTNER TO ALSO FURNISH HER MAIDEN NAME, AND IF APPLICABLE, ALL HER PREVIOUS MARRIED NAMES

1.4 The Tenderer's Representative for the purpose of this Tender is:

.....

2. STREET ADDRESS OF REGISTERED OFFICES

Street address, which address the Tenderer chooses as it's domicilium citandi et executandi for all purposes of this Tender.

.....

.....

3. POSTAL ADDRESS

.....

.....

.....

2. CONTACT DETAILS

4.1 TELEPHONE NUMBERS

Business: Code

Cell:

4.2 Facsimile Number: Code

4.3 Email address:

5. COMPANY RESOLUTION

5.1 A copy of the recorded Resolution taken by the Board of Directors, members, partners or trustees authorizing the representative to submit this Tender on the Tenderer's behalf must be attached to the Tender Document on submission of same.

5.2 A Tender shall be eligible for consideration only if it bears the signature of the Tenderer or of some person duly and lawfully authorized to sign it for and on behalf of the Tenderer.

6. BANK DETAILS (FOR FUTURE ELECTRONIC BANK TRANSFERS) – PLEASE SUBMIT A RECENTLY (PAST 3MONTHS) STAMPED LETTER FROM THE BANK CONFIRMING ACCOUNT DETAILS.

NAME OF BANK	ACCOUNT NAME	BRANCH CODE NO.	BANK A/C NO.

CERTIFICATION:

I declare that the information in this annexure is true and correct in all respects.

SIGNATURE: _____ **CAPACITY:** _____

KOUGA MUNICIPALITY

GOVERNMENT PROCUREMENT:

General Conditions of Contract- applicable to this contract- please refer to www.treasury.gov.za

NOTICE NO: 42 OF 2013

SUPPLY AND DELIVERY OF NEW 22KV RING MAIN UNIT

OUTLINE SPECIFICATION: 3-WAY OUTDOOR RING MAIN UNIT RM 6

RING MAIN UNIT

1. SCOPE OF SUPPLY

This specification covers the design, manufacture, testing, supply, delivery and off-loading of ring main unit for use underground and/or outdoors.

2. DUTY DESCRIPTION

The ring main unit shall be suitable for use under the following conditions:

- Outdoors
- Exposed to weather, vermin and dust depredations.
- Max air temperature 40°C
- Min air temperature -4°C
- Humidity 20-100%

3. STANDARDS AND CODES

The following shall serve as the minimum standards for the ring main unit:

	Mines Health and Safety Act 29 of 1996
	The South African Minerals Act and Regulations (Act 50/1991)
NRS 006	Metal-enclosed ring main units
BS 3938	Current Transformers
BS 3941	Voltage Transformers
SANS 1195	Busbars
SANS 10142-1	The Wiring of Premises. Part 1 : Low-voltage installations
SANS 10142-2	The Wiring of Premises. Part 2 : Medium-voltage Installations
IEC 60255	Electrical Relays
IEC 60265-1	High voltage switches for rated voltage above 1kV and up to 52kV.
IEC 60529	Degrees of Protection provided by enclosures
IEC 60694	Common Specification for High Voltage Switchgear and Control Gear Standards
IEC 60298 (obsolete)	AC Metal-enclosed Switchgear and Control Gear 1 – 52kV.
IEC 82271 – 100	High-voltage alternating current circuit breakers
IEC 62271-102	Alternating current disconnectors and earthing switches
IEC 62271-105	Alternating current switch-fuse combination
IEC 62271-107	AC Fuse Switches 1-52kV
IEC 62271-200	AC metal-enclosed switchgear and control gear for rated voltages above 1kV and up to and including 52 kV.

Where the requirement of this specification and the abovementioned standards conflict or contradict the more stringent shall apply.

4. TECHNICAL SPECIFICATIONS

4.1 System Details

H.T. Voltage	22 000V, -10%, +5%
Phases	3
Frequency	50Hz \pm 4%
H.T. Fault level	20 kA 3 sec
BIL	95kV

4.2 Mechanical Strength and Construction

The ring main units shall be of robust manufacture adequately designed and manufactured to with stand electrical fault forces and normal mechanical forces experienced in transport, installation, operation and removal.

The minimum outdoor enclosure plate thickness to be used for any purpose shall be 2 mm with adequate bracing.

4.3 Welding

All welding is to be of a recognised standard suitably cleaned/ground to present a neat appearance.

4.4 Lifting Lugs

Lifting lugs shall be of the enclosed type, i.e. a hole, and not the hook type.

4.5 Cable Boxes/Gland Plates

Main cable boxes and gland plates shall be manufactured from plate complying with Section 4.2 and are to have adequate air clearances for the specified voltage levels, i.e. phase to phase and phase to earth clearances shall be for open live connections. Gland plate to ground level clearances shall be maximised to facilitate cable termination. Gland plates shall be so located that ample space is afforded for the satisfactory entry and termination of cables. Specific attention shall be paid to the gland plate to connection point distance to ensure termination can be effected in a professional manner.

The gland plate of any cable box is to be flat with no lips protruding inwards to hinder gland affixing. Each detachable gland plate shall be provided with a 70mm² earth strap bolted to the earth bar.

Access to the gland plate shall be unobstructed n both sides.

4.6 Enclosure

- a) The unit enclosure shall be positively weatherproof (IP 54 enclosure class minimum) and of standard design or similar pattern approved by the engineer.
- b) Suitable lifting lugs shall be supplied on the unit. Four non-removable lifting lugs fitted on top (one at each corner) of the MV enclosure of suitable thickness suitably bolted and welded with 45mm diameter holes, shall be provided for off-loading and general handling.
- c) The unit shall be so constructed as to ensure that sufficient protection will be given to all components during transit. The enclosure shall be of the totally enclosed, vermin proof type, and designed so that easy access can be obtained to all equipment for installation, maintenance and replacement purposes.
- d) An IP54 rated, welded 3CR12 enclosure internal arc tested design manufactured of suitable thickness mounted on a 100mm base.

- e) All removable covers providing access to live compartment shall be fitted with approved signs complying with GME Standards, viz:
- Silk screened aluminium danger sign (zig zag arrow on triangle with yellow background) "Medium voltage" to be secured to the door/s of the M.V. panel. Actual voltage to be inscribed on sign, e.g. 11000 volts.
 - All labels and signs shall be ultra-violet resistant.
- f) All access doors are to be effectively and permanently earthed to the inner enclosure of the ring main unit by means of a braided non-removable copper earth strap, not less than 50mm², crimped with lugs and permanently bolted at each end to the door and enclosure. The securing bolts and nuts shall be tack-welded in position.
- Particular attention shall be paid to ensuring that all parts of the enclosure are solidly *connected to the main longitudinal earth bar*.
- g) Access to the MV compartment shall be through three-point locking, hinged doors at the end of the compartment and outside fitted with handles and robust lockable catches suitable for padlocking. The opening dimension of which shall be such as to allow the operator an unobstructed view of all switch operations, indicators and test facilities.

4.7 Specific Electrical Requirements

4.7.1 HT Switchgear

- a) The ring main unit shall comprise of a non-extensible unitary module of an assembly of three extensible modules.
- RM62 Non Extensible – Isolator – Isolator – Isolator
- (Technical Data Sheet for RM6 Unit to be located securely in MV compartment)
- 3 x Sets of Neon Indicators
 - 1 x Extended Switching Handle
 - Dial Pressure Gauge Indicators
 - Applicable MV circuit diagram to be located securely within the MV compartment.
- b) All power cable boxes to be suitable for a 150mm² 3-core XLPE cable. Cable terminations are to be the bolt-on type.
- c) The incoming and outgoing load switches shall be of the Fault-Make-Load-Break type and rated for a minimum continuous of 630 amps. Each isolator shall have a cable earth switch.
- d) General switchgear ratings shall comply with Section 4.1.
- e) Proprietary indicating neon lights (one per phase) shall be fitted to each panel to indicate voltage present on the outgoing cables, and these indicating lights shall be visible when the external door giving access to the panel is opened.
- f) Each panel shall be fitted with all necessary interlocks to ensure safe operation under all conditions. In particular it shall not be possible to switch any switch from the closed position directly to earth in one motion. All switches shall incorporate a cable earthing facility.
- g) Adequate means shall be provided to enable the status of the earthing switches to be ascertained without the need to climb into the unit.

- h) Padlocking facilities shall be provided to lock any switch in the "OFF" or "EARTHED" position.
- i) A durable, indelible single line diagram depicting the basic power flow shall be applied to each switch and/or circuit breaker.
- j) A longitudinal main earth bar of 40mm x 6mm copper shall be run within the enclosure, and all equipment within the enclosure effectively bonded to it. Allowance shall be made for terminating the earth conductors of incoming power cables.

4.8 Painting

RMU Enclosure Final Colour : Avocado Green

The colour of the switchgear itself shall generally be as per manufacturer's standard.

5. INSPECTION, EXPEDITING AND QUALITY ASSURANCE

Notice of intention of test according to the requirements of the relevant SABS/SANS/BS/IEC Standard shall be given to the Purchaser one week prior to the commencement of test/s to enable the Purchaser to witness all or some of the tests. Failure to obtain the purchaser's permission to perform unwitnessed tests will result in re-testing at the supplier's expense.

The vendor shall ensure that the equipment is ready for final testing before requesting the presence of the Purchaser at such a test. Repeat Inspections necessitated by lack of readiness of the equipment may be charged to the vendor at the discretion of the Purchaser.

The following electrical tests shall be performed on each unit:

- High voltage test to be carried out on switchgear and conductors in accordance with the relevant SABS/SANS and IEC specifications.
- Primary injection test to be performed on all protection circuits to verify correct operation.

The manufacturer shall supply test certificates detailing results of all test specified in the relevant standards within 7 days of these tests being performed.

Defects detected as a result of testing shall be rectified by the supplier at the supplier's expense.

Quality Assurance : All units shall be manufactured under the control of an established quality management system (i.e. complying with SABS/SANS/ISO 9001) to ensure compliance with this specification and consistency of quality of manufacture.

6. GUARANTEES

All equipment is to be guaranteed against poor workmanship and faulty materials for a period of 12 months from the mutually agreed date of hot commissioning or 18 months from date of delivery, whichever occurs first.

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COST BREAKDOWN

Please attach a formal cost breakdown if deemed necessary

<u>DETAILS</u>	<u>UNIT</u>	<u>PRICE EXCL. VAT</u>	<u>VAT</u>	<u>PRICE INCL. VAT</u>
Supply and Delivery of New 22KV Ring Main Unit	1			

Delivery date.....in days/weeks

.....

.....

Authorizing Signature

Date

.....

.....

On behalf of

Name of bidder

Form of Offer

NOTICE NO: 42 /2013

SUPPLY AND DELIVERY OF NEW 22KV RING MAIN UNIT

1. I hereby undertake to render services/goods described in the attached bidding documents to Kouga Local Municipality in accordance with the requirements and specifications stipulated in bid number: 42/2013 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);
 - 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 goods 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. **THE OFFERED TOTAL OF THE PRICES FOR THE SUPPLY AND DELIVERY OF NEW 22KV RING MAIN UNIT TO KOUGA MUNICIPALITY INCLUSIVE OF VALUE ADDED TAX AS QUOTED ON PAGE TEN (10) IS CORRECT.**
5. 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.
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 authorized to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1

DECLARATION OF INTEREST

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

3.1 Full Name:

3.2 Identity Number:

3.3 Position occupied in the Company(Director, trustee, shareholder).....

3.4 Company Registration Number:

3.5 Tax Reference Number:

3.6 VAT Registration Number:

3.7 The names of all the directors/ trustees/shareholders member, 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.....
.....
.....

* 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.

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, principal shareholders or stakeholders in the 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, principal shareholders or stakeholders in service of the state?

YES / NO

3.13.1 If yes, furnish particulars.

.....

.....

3.14 Do you or any directors, trustees, managers, principal shareholders Or stakeholders of this company have any interest in 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.

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011.

1. GENERAL CONDITIONS

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

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

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

1.3 Preference points for this bid shall be awarded for:

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

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

	POINTS
1.3.1.1 PRICE	80
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION	20
Total points for Price and B-BBEE must not exceed	100

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close

Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

2. DEFINITIONS

- 2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad -Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less .
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;

- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

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

4. POINTS AWARDED FOR PRICE

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

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

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

Where

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

5. Points awarded for B-BBEE Status Level of Contribution

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

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

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

7.1 B-BBEE Status Level of Contribution: =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO

8.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted?%
- (ii) the name of the sub-contractor?
- (iii) the B-BBEE status level of the sub-contractor?
- (iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of firm :.....

9.2 VAT registration number :.....

9.3 Company registration number :.....

9.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

9.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

9.7 MUNICIPAL INFORMATION

Municipality where business is situated

Registered Account Number

Stand Number

9.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?

.....

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

- (i) The information furnished is true and correct;

- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.

- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

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

 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

- (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution

WITNESSES:

- 1.
- 2.

.....
SIGNATURE(S) OF BIDDER(S)

DATE:.....

ADDRESS:.....

.....
.....
.....

POINT ALLOCATION

		UP TO	ABOVE
		R1 000 000	R1 000 000
		80/20	90/10
A	PRICE	80	90
B	PREFERENCE POINTS	20	10

KOUGA MUNICIPALITY

To be completed by all bidders or attach resolution re authority of signatory.

AUTHORITY FOR SIGNATORY

Companies submitting tenders must provide evidence that the person who signed the tender document has authority to do so, by attaching a copy of the relevant resolution of the Board of Directors, duly signed and dated, to this form. Alternatively this form may be completed by competent authority.

By resolution of the Board of Directors at a meeting held on

Mr/Ms

.....

Has been duly authorised to sign all documents in connection with this Tender on behalf of:

.....
.....
.....

SIGNED OF BEHALF OF COMPANY:.....

IN HIS CAPACITY AS:

SIGNATURE OF SIGNATORY:.....

COMPANY STAMP:

MBD 9

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.

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

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.

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>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>
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>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>

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"/>
4.5.1	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

KOUGA MUNICIPALITY**CONSUMER ACCOUNT DECLARATION
(RATES AND SERVICES)****Please attach latest municipal billing certificate of company.*****DECLARATION***

I, the undersigned, hereby declare that the municipal account of my business as well as the members' municipal accounts are paid up or that acceptable arrangements have been made with the Office of the City Treasurer to settle overdue accounts.

NAME OF COMPANY	ADDRESS	MUNICIPAL A/C NO.

<i>NAME OF MEMBER</i>	ADDRESS	MUNICIPAL A/C NO.
1.		
2.		
3.		
4.		

5.		

I confirm that the above information is correct.

SIGNATURE OF TENDERER:

CAPACITY (OWNER/PARTNER/MANAGER, ETC.):

COMPANY STAMP:

KOUGA MUNICIPALITY
SUPPLY AND DELIVERY OF NEW 22KV RING MAIN UNIT
 NOTICE NUMBER: 42/2013

SCHEDULE OF WORK CARRIED OUT BY THE TENDERER

The Tenderer shall list below the contracts undertaken by him during the past five (5) years, or present / ongoing contracts with contactable references

Employer (Name, Tel No.)	Contact Person	Contact Telephone & E-mail	Value of Work	Year Completed

SIGNED OF BEHALF OF THE TENDERER: