

# STELLENBOSCH PNIEL FRANSCHHOEK

## MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## **PART A: INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE STELLENBOSCH MUNICIPALITY												
FQ NUMBER:	FQ/SM83	/21	CLOSING	DATE	:	18 Decen	nber 2	2020	CLOSI	NG TIME:	14:00	
DESCRIPTION										OFESSIONAL ERF 81/9, STE		OVIDER, TO
	BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)  Stellenbosch Municipality, Town Hall Complex, Plein Street, Stellenbosch.											
SUPPLIER INFOR	SUPPLIER INFORMATION											
NAME OF BIDDER	R											
POSTAL ADDRES	SS											
STREET ADDRES	SS				1				<u> </u>			
TELEPHONE NUM	MBER	CODE						NUMB	ER			
CELLPHONE NUM	MBER				1							
FACSIMILE NUME	BER	CODE						NUMB	ER			
E-MAIL ADDRESS												
VAT REGIST NUMBER	FRATION											
TAX COMPLIANC STATUS	E	TCS PI	IN:				OR	CSD N	No.			
B-BBEE STATUS	LEVEL	10011			1		OIX	0001	10.			
VERIFICATION CERTIFICATE OF	₹	Yes	s [	∏Nο			CON	TRIBUT	OR			
SWORN AFFIDAV	/IT		_				FACT	ΓOR				
[TICK APPLICABL		DIEICATIO	ON CEPTIEI	CATE/S	SWODN AEE	IDAVIT (E	(1-2)		SEc) MI	IST RE SHRMITT	ED IN OPDER TO	OLIALIEV EOD
PREFERENCE POIN	ITS FOR B-	BBEE]				·				JST DE SODIVITT	LD IN ONDER TO	QOALIITTOK
ORIGINAL B-BBEE STA												
A CERTIFIED COPY	F A B-BBEE S	TATUS LE	VEL VERIFICA	ATION CE	RTIFICATE IS	SUED BY A	SANAS /	ACCREDIT	TED AGE	ENCY		
ORIGINAL EME OR QS	SE SWORN AI	FIDAVIT C	OR A CERTIFIE	ED COPY	THEREOF							
ARE YOU THE ACCREDITED												
REPRESENTATIVE		□Yes		□No	)					<b>GN BASED</b> E GOODS	□Yes	□No
SOUTH AFRICA FO GOODS /SERVICES			ENCLOSE							S OFFERED?		/ER PART B:3]
/WORKS OFFERED	)?	[ 120			ı						R	
CRS no		TOTAL	BID PRICE	(Brought	t forward fron	n MBD 3.1)	)				K	
SIGNATURE OF BIDDER				DATI	E							
	CAPACITY UNDER WHICH THIS BID IS SIGNED											
BIDDING PROCEDI	URE ENQUI	RIES MA	Y BE DIREC	CTED TO	):	TEC	HNICA	LINFOR	MATIO	N MAY BE DIREC	TED TO:	
DEPARTMENT		FINAN	CE				PARTM			Planning & Eco	nomic Developm	ent
CONTACT PERSO			lelwa Dolor	mba				PERSC		Shaun October		
TELEPHONE NUM		021 80						NE NUN		021 808 8756		
E-MAIL ADDRESS <u>Bulelwa.dolomba@stellenbosch.gov.za</u>		za   E-M	E-MAIL ADDRESS		Shaun.october@stellenbosch.gov.za							

## PART B: TERMS AND CONDITIONS FOR BIDDING

1.	BID SUBMISSION:					
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIN ACCEPTED FOR CONSIDERATION.	ME TO THE CORRECT ADDRESS. LAT	E BIDS WILL NOT BE			
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FO	ORMS PROVIDED-(NOT TO BE RE-TYP	ED) OR ONLINE			
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PREFERENTIAL PROCUREMENT REGULATIONS, 2017 APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF	, THE GENERAL CONDITIONS OF CON				
	TAX COMPLIANCE REQUIREMENTS					
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR T	AX OBLIGATIONS.				
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE F TO ENABLE THE ORGAN OF STATE TO VIEW THE TA					
2.3	APPLICATION FOR THE TAX COMPLIANCE STATUS (TO IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL THE WEBSITE WWW.SARS.GOV.ZA.					
2.4	FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AW	ARD QUESTIONNAIRE IN PART B:3.				
2.5	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFI	CATE TOGETHER WITH THE BID.				
2.6	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD I		, EACH PARTY MUST			
2.7	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS RI A CSD NUMBER MUST BE PROVIDED.	EGISTERED ON THE CENTRAL SUPPL	IER DATABASE (CSD),			
3.	QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SO	UTH AFRICA (RSA)?	☐ YES ☐ NO			
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA?		☐ YES ☐ NO			
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHM	IENT IN THE RSA?	☐ YES ☐ NO			
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN	THE RSA?	☐ YES ☐ NO			
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF	TAXATION?	☐ YES ☐ NO			
CON	IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.					
	AILURE TO PROVIDE ANY OF THE ABOVE PARTICULA					
NO B	IDS WILL BE CONSIDERED FROM PERSONS IN THE SE	RVICE OF THE STATE.				
	MUNICIPALITY RESERVES THE RIGHT TO ACCEPT HER WHOLLY OR IN PART — AND IT IS NOT OBLI					
SIGN	ATURE OF BIDDER:					
CAPA	ACITY UNDER WHICH THIS BID IS SIGNED:					
DATE	<u>:</u>					

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- 5. Preference claim form in terms of the Preferential Procurement Regulations 2017 (MBD 6.1)
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- 7. Certificate of independent bid determination (MBD 9)
- 8. Certificate for municipal services and payments to service providers
- 9. Responsiveness criteria

## PART B: TECHNICAL SPECIFICATIONS, PRICING SCHEDULE AND CHECKLIST

- 10. Technical specifications
- 11. Pricing schedule (MBD 3.1)
- 12. Checklist for completeness

#### YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF STELLENBOSCH MUNICIPALITY

**REQUEST FOR FORMAL QUOTATION NUMBER:** FQ/SM: 83/21

**REQUEST QUOTATION DESCRIPTION:** Appointment a suitable, qualified and experienced professional service provider, to undertake a traffic impact assessment on ERF 81/2 and erf 81/9, Stellenbosch.

CLOSING DATE: 18 December 2020

**TIME:** 14:00

Bid documents can be obtained from the Supply Chain Management Unit, 1<sup>ST</sup> floor, Plein Street , Stellenbosch 08h00 and 15:00. A non-refundable fee of R50-00 is payable to Stellenbosch Municipality. Alternatively, the bid documents can be downloaded from our website at <a href="https://www.stellenbosch.gov.za">www.stellenbosch.gov.za</a> by following the Supply Chain Management link.

Enquiries can be directed as follows:

Type of enquiry	Contact person	Tel no	Email address
Bidding procedures and			
documents	Bulelwa Dolomba	021 808 8521	bulelwa.dolomba@stellenbosch.gov.za
Technical enquiries	Shaun October	021 808 8756	Shaun.october@stellenbosch.gov.za

Bids may only be submitted on the bid documentation provided by the municipality and must remain valid for 60 days after bid closing.

Bids must be submitted in a sealed envelope. The quotation number and quotation description must appear on the outside of the envelope. Bidders that fail to adhere to this requirement will be disqualified at the bid opening.

Bids must be deposited in the **bid box**, located at the entrance of the Municipal Offices of Stellenbosch Municipality, Ground floor, Plein Street, Stellenbosch, by no later than the date and time as specified above. This quotation box is open 24/7. Telephonic, telex, facsimile, e-mail and late bids will not be accepted.

Bids will be opened in public in the Supply Chain Management Conference room at the 1<sup>st</sup> Floor, Room 101B, Plein Street, Stellenbosch. The lowest, only or any bid shall not necessarily be accepted and the municipality reserves the right to accept any part of the bid or to withdraw the invitation to bid.

This bid shall be evaluated on the 80/20 preference points system as prescribed by the Preferential Procurement Regulations 2017 (government gazette no. 40553)

Prospective bidders must familiarise themselves with the content of Stellenbosch Municipality's Supply Chain Management Policy and must be registered on the <u>Central Supplier Database (CSD)</u> if they wish to conduct business with the municipality. The General Conditions of Contract is applicable.

GM METTLER
STELLENBOSCH MUNICIPALITY

#### **AUTHORITY TO SIGN A BID**

	·	NER BUSINESS) AND NATURA					
		, the υ			confirm tha	it I am t	he sole owner of
the	business trading as						
	OR						
,		, the undersig	ned, hereby	confirm	that I am s	ubmittii	ng this tender in m
capa	acity as natural person.						
	SIGNATURE:		DATE:				
	PRINT NAME:						
	WITNESS 1:		WITN	ESS 2:			
orr oid, n th	espondence in connection that is, before the closing to case of a CLOSE CORPOR	so, as well as to sign any cor with this bid and/or contract time and date of the bid ATION (CC) submitting a bid, In to sign the documents on th	on behalf o	f the cor	npany must nembers, au	be sub	mitted with this
PAR	TICULARS OF RESOLUTION B	BY BOARD OF DIRECTORS OF TI	HE COMPAN	Y/MEME	BERS OF THE	<u>cc</u>	
	Date Resolution was take	en					
	Resolution signed by (na	me and surname)					
	Capacity						
	Name and surname of de Signatory	legated Authorised					
	Capacity						
	Specimen Signature						
	Full name and surname of	of ALL Director(s) / Member (	s)				
	Is a CERTIFIED COPY of th	e resolution attached?		YES		NO	
	SIGNED ON BEHALF		DAT	F:			
	OF COMPANY / CC:		DAI	_,			
	PRINT NAME:				Т		
	WITNESS 1:		WIT 2:	NESS			
					_		

## **DECLARATION OF INTEREST**

No bid will be accepted from persons in the service of the state<sup>1</sup>. 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 owith the bid.	completed and submitted
	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 indirectors and state employee numbers must be indicated in paragraph of	•
	3.8 Are you presently in the service of the state?	YES $\Box$ / NO $\Box$
	3.8.1 If yes, furnish particulars.	
	3.9 Have you been in the service of the state for the past twelve months?	
	3.9.1 If yes, furnish particulars	<del></del>
¹MSCM (a)	regulations: "in the service of the state" means to be — a member of — (i) any municipal council; (ii) any provincial legislature; or (iii) the national Assembly or the national Council of provinces;	
(b) (c) (d)	a member of the board of directors of any municipal entity; an official of any municipality or municipal entity; an employee of any national or provincial department, national or provincial public entity or constitutional institution Management Act, 1999 (Act No.1 of 1999);	within the meaning of the Public Finance
(e) (f) <sup>2</sup> Shareh compan	an executive member of the accounting authority of any national or provincial public entity; or an employee of Parliament or a provincial legislature.   older" means a person who owns shares in the company and is actively involved in the management of the company or by.	ousiness and exercises control over the

3.10	Do you have any relationship (fa who may be involved with the ev		
3.10	0.1 If yes, furnish particulars:		
3.11	Are you, aware of any relationsh persons in the service of the state of this bid?		
.11.1	If yes, furnish particulars:		
	Are any of the company's director stakeholders in service of the stat		shareholders or  YES   / NO
12.1	If yes, furnish particulars:		
	re any spouse, child or parent of t hareholders or stakeholders in ser	• •	s, managers, principle YES   / NO
13.1	If yes, furnish particulars:		
	If yes, furnish particulars:		
	Full Name	Identity Number	State Employee Number
	Signature	Date	
	Capacity	Name of Bio	dder

4.

## **AFFIDAVIT**

NAME AND	O SURNAME:		
GENDER:	M/F		
ID No:		LANGUAGE:	
HOME ADI	DRESS		
		TEL NR:	_
	DRESS:		
I declare th	nat		
	municipality for services/ rates etc. That I do not have any municipal ac That all my municipal accounts are I That all agreements entered into, to honoured monthly.	n my name with Stellenbosch Municipality and/occount that is in arrears to my knowledge. paid in full. pay back the amounts that are in arrears are not in arrears for more than 90 days.	or any other
I HAVE NO	ND UNDERSTAND THE CONTENTS OF OBJECTION TO TAKING THE PRESCR	RIBED OATH	
		SIGNATURE OF DEPONENT	
ACKNOWL STATEMEN	EDGED THAT HE/SHE KNOWS AND U	EMENT WAS TAKEN BY ME AND THAT THE DEP JNDERSTANDS THE CONTENTS OF THE STATEN O ON MY PRESENCE AT	IENT. THIS
SIGNATUR	E (COMMISIONER)		
	E AND SURNAME ioner of Oaths		

Signature & stamp

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

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

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

#### 1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
  - the 80/20 system for requirements with a Rand value of up to R 50 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R 50 000 000 (all applicable taxes included).
- 1.2 The value of this bid is estimated not to exceed R200 000 (all applicable taxes included) and therefore the **80/20 points** 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
PRICE	80
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 submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.5. 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

- "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;
- "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic 2.5 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.

- 3.1 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.
- 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:

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 comparative price of bid under consideration

Pt = Comparative price of bid under consideration

Pmin = Comparative price of lowest acceptable bid

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

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

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

- 5.2 Bidders who qualify as EMEs in terms of the B- BBEE Act must submit a certificate issued by a Verification Agency accredited by SANAS or an original sworn affidavit or an originally certified copy thereof.
- 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 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.
- 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 CLA	AIME	D IN TERMS OF PARAGRAPHS 1.3.1. AND 5.1
7.1	B- BBEE Status Level of Contribution:	=	(maximum of 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 an original sworn affidavit or an originally certified copy thereof).

#### 8 SUB-CONTRACTING

8.1	Will any portion of the	contract be sub-contracted?	YFS / NO (delete which is	not applicable)
0.1	vviii ariv bortion or the	Contract be sub-contracted:	ILS / NO lucicle willen is	IIUL abbilcabie

## 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/FIRE	М			
9.1	Name of firm:				
9.2	VAT registration number:				
9.3	Company registration number:				
\	WITNESSES				
,	1	DATE:		IATURE(S) OF BIDDERS(S)	
2	2	ADDRES	S		

#### **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:
  - 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;
  - 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 as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the audi alteram partem rule was applied).		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)? (To access this Register enter the National Treasury's website, <a href="www.treasury.gov.za">www.treasury.gov.za</a> , click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	Yes	No
4.2.1	If so, furnish particulars:	•	1
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:	<u> </u>	1

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	<b>No</b> 15
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
4.5.1	If so, furnish particulars:		

## **CERTIFICATION**

I, THE UNDERSIGNED	
(FULL NAME)	
	O ON THIS DECLARATION FORM IS TRUE AND CORRECT. I I OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME BY N PROVE TO BE FALSE.
SIGNATURE	DATE
POSITION	NAME OF BIDDER

## DECLARATION: CERTIFICATE FOR MUNICIPAL SERVICES AND PAYMENTS TO SERVICE PROVIDERS

PART A: PROPERTY OWNED BY ENTERPRISE OR DIRECTORS
Please complete the following if property is owned by the enterprise, the proprietors, directors or partners in their personal capacity, obtain the confirmation of the relevant municipality and attach a copy of their municipal account(s) which are not older than 90 days. (Refer MBD 4 paragraph 4)
Name of account holder:
Account number:
Name of account holder:
Account number:
Name of account holder:
Account number:
PART B: PROPERTY LEASED BY ENTERPRISE OR DIRECTORS
Please attach a sworn affidavit or a copy of your lease agreement if the property is leased by the enterprise or the proprietors or directors in their personal capacity, for which the aforementioned is not responsible for payment of municipal rates and taxes.
PART C: WHERE PROPERTY IS NOT OWNED OR LEASED BY ENTERPRISE OR DIRECTORS
Please attach a sworn affidavit from the proprietor or director of the enterprise confirming that the enterprise does not own or lease any property and that the aforementioned is not responsible for payment of any municipal rates and taxes.
I,, the undersigned, certify that the information furnished on this declaration form is correct and that I/we have no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 90 days.
Signature for and on behalf of the bidder Date

#### **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1. This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> 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;
  - 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:-

<sup>&</sup>lt;sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>&</sup>lt;sup>2</sup> 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 N	Number and Description)
in res	sponse to the invitation for the bid made by <b>Stellenbosch Municipality</b>
do he	ereby make the following statements that I certify to be true and complete in every respect:
l cert	ify, on behalf
of:	that:
6.	(Name of Bidder) I have read and I understand the contents of this Certificate;
7.	I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
8.	I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
9.	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;
10.	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.
11. b	The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication etween partners in a joint venture or consortium <sup>3</sup> will not be construed as collusive bidding.
12.	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.

<sup>&</sup>lt;sup>3</sup> 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.

- 13. 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.
- 14. 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.
- 15. 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 Prevention and Combating of Corrupt Activities Act No. 12 of 2004 or any other applicable legislation.

SIGNATURE	DATE
POSITION	NAME OF BIDDER

#### 1. RESPONSIVENESS CRITERIA

No bid will be considered by Stellenbosch Municipality unless it meets the following responsiveness criteria (for the bid to be considered responsive, the bid must meet the following requirements):

- a) Bidders must ensure that they are registered on the Central Supplier Database (CSD), if they wish to conduct business with the Municipality.
- b) <u>Enquiries regarding the above can be directed to:</u>

Contact persons	Tel no	Email address
Nicolene Hamilton	021 8088594	Nicolene.hamilton@stellenbosch.gov.za

- 2. Stellenbosch Municipality will reject a bid in terms of the following:
  - a) If any municipal rates and taxes or municipal service charges owed by the bidder or any of its directors to this of any other municipality or municipal entity, are in arrears for more than three months (90 days).
  - b) The name of the company of any of its director(s) names appear on the list of Tender Defaulters or restricted suppliers as published by National Treasury.
- 3. The following completed documents must be submitted or provided as part of the bid submission:
  - a) Copy or Certified valid B-BBEE Status Level Verification Certificate or sworn affidavit. Bidders who do not submit a B-BBEE Status Level Verification Certificate or are non-compliant contributors to B-BBEE do not qualify for preference points for B-BBEE, but will not be disqualified from the bidding process. A trust, consortium or joint venture must submit a consolidated B-BBEE Status Level Verification certificate for every separate bid.
  - b) Completed and signed declaration of interest form (MBD 4).
- 4. No bids will be accepted unless the bid documentation as issued by the municipality is utilised.
- 5. The awarding of this bid is subject to the following:
  - a) Relevant technical specifications as stated in this bid document;
  - b) Attendance of compulsory site meetings, as may be applicable;
  - c) Proper completion of this bid document and signing of declarations
  - d) Documents as indicated in MBD 1.
  - e) Any special conditions of contract as stipulated in this bid document.
- 6. Persons aggrieved by decisions or actions taken in the implementation of this supply chain management system, may lodge within 14 days of the decision or action, a written objection or complaint against the decision or action.
- 7. Inducements, rewards, gifts and favours to municipalities, officials and other role players
  - a) No person who is a provider or prospective provider of goods or services, or a recipient or prospective recipient of goods disposed or to be disposed of may either directly or through a representation intermediary promise, offer or grant any inducement or reward to the Stellenbosch Municipality for or in connection with the award of a contract;

- b) The accounting officer must promptly report any alleged contravention of subparagraph (1) to the National Treasury for considering whether the offending person, and any representative or intermediary through which such person is alleged to have acted, should be listed in the National Treasury's database of persons prohibited from doing business with the public sector.
- 8. Telephonic, facsimile, electronic/ emailed and late bids will not be accepted.
- 9. Bids shall be declare invalid, and shall be endorsed and recorded as such in the bid opening record by the responsible official to open the bid, in the following instances:
  - a) If the bid is not sealed;
  - b) if the bid including the bid price amount, where applicable is not submitted on the official pricing schedule;
  - c) if the bid is not completed in non-erasable ink; or
  - d) if the name of the bidder is not stated, or is indecipherable
- 10. A bid will not be invalidated if the amount in words and the amount in figures do not correspond, in which case the amount in words shall be read out at the bid opening and shall be deemed to be the bid amount.
- 11. The official bid document must be fully completed in indelible ink.
- 12. All requested relevant and/ or additional documentation such as compliance certificates, professional registration, artisan qualification, etc., must be attached behind the bid document.
- 13. If the entity submitting a bid is a joint venture or consortium or partnership, each party to that formation must submit all the above information.
- 14. The bidder must adhere to the pricing instructions.
- 15. The Bidder's details must be provided.
- 16. The necessary document authorising the representative to sign and submit the bid on the bidder's behalf must be completed and signed.
- 17. The bid must comply with all the minimum technical specifications.
- 18. Alternative offers may be submitted by the bidder. The municipality is under no obligation to accept alternative offers.

#### 2. EVALUATION OF BIDS

- a) All bids received shall be evaluated in terms of the Municipal Supply Chain Management Regulations, the Preferential Procurement Policy Framework Act no 5 of 2000 and the Preferential Procurement Regulations of 2017.
- b) The municipality reserves the right to accept all, some, or none of the bids submitted either wholly or in part and it is not obligated to accept the lowest bid.

## PART C: TECHNICAL SPECIFICATIONS AND PRICING SCHEDULE

The following minimum specifications are applicable and must be complied with.

**NB:** Service providers are required to read and study the specification, its general condition of contract, as well as the instructions to them very carefully before submitting their offers.

All tenders received will be evaluated in terms of the Municipal Supply Chain Management Regulations, PPPFA, the Stellenbosch Municipality Supply Chain Management Policy and relevant specifications.

## APPOINTMENT A SUITABLE, QUALIFIED AND EXPERIENCED PROFESSIONAL SERVICE PROVIDER, TO UNDERTAKE A TRAFFIC IMPACT ASSESSMENT ON ERF 81/2 AND ERF 81/9, STELLENBOSCH

This REQUEST FOR FORMAL QUOTATIONS document consists of the following nine sections:

- 1. Background
- 2. Scope and objective
- 3. Cost implications
- 4. Reporting requirements
- 5. Programme and project plan
- 6. Evaluation of Formal Quotation Scoring of Functionality
- 7. Formal Quotation
- 8. Scoring
- 9. Checklist

### 1. BACKGROUND

Stellenbosch Municipality has in this phase of its Social Housing Programme implementation identified Erf 81/2 and Erf 81/9, Stellenbosch, a piece of land that lies between Cloetesville and Kayamandi (adjacent to a residential development known as Mount Simon). It is the intention of the Municipality to give effect to the social housing Programme by making available land portions in the Restructuring Zones to SHI's and/or ODA's who then will undertake all the necessary processes for the development of Social Housing Estates. Restructuring Zones were identified based on their close proximity to social and economic amenities and their potential to promote integration, access to economic opportunities and spatial restructuring. It is envisaged that the proposed building types are multi-storey walk up blocks of rental flats. A feasibility study was conducted during February 2020 and is attached as **Annexure 1**.

The property (Erf 81/2 and Erf 81/9, Stellenbosch) is located between the Khayamandi and Cloetesville settlements. Its boundary is framed by the R304 to the west and the railway line to the east. The Plankenburg River traverses the property along the eastern boundary. The southern boundary of property includes portions of the Khayamandi Tourism Centre, as well as a bridge over the railway line. The northern boundary is framed by the Mount Simon residential development.

The property has a triangular shape with its widest part on the northern boundary with the Mount Simon residential development. The total erf size is approximately 17.47ha this area includes the road, the river as well as a portion of the Khayamandi Tourism Corridor. These features must all be subtracted from the total area to determine the developable area. The road reserve for the R304 is approximately 45m wide. This implies that the area of the road reserve is approximately 5.4ha and this area must also be subtracted from the developable area which leaves approximately 12.07ha. Another development constraint is the Plankenburg River area that also borders the site. The latter area measures approximately 8.6ha which leaves an effective developable area of 3.47ha. The R304 passes through the property. The road reserve must still be subdivided from the property in order arrive at the developable area. The proposed future road widening must occur within this space.

**Figure 5: Mount Simon Precinct** 



#### 2. SCOPE AND OBJECTIVE

#### 2.1. Objective

The objective of the Traffic Impact Assessment Study is to examine all aspects of the feasibility of establishing a medium to high density residential area (3-4 story walk ups) on Erf 81/2 and Erf 81/9, Stellenbosch.

#### 2.2. Scope of work

#### 2.2.1 Traffic Impact Assessment study on Erf 81/2 and Erf 81/9, Stellenbosch.

- Traffic counts at relevant intersections
- Prepare and submit a Traffic Impact Assessment (TIA) Report

#### 3 REPORTING REQUIREMENTS

You are to report directly to the designated Stellenbosch Municipality internal Programme Manager or the Project Manager appointed for this project. You are required to make provision for attendance at Project Technical Committee meetings as required by the Programme Manager or Project Manager;

- i. Provide feedback to the Project Manager on the progress of the project when required; and
- ii. To submit invoices directly to the Project Manager to process payments.

#### 4 PROGRAMME, PROJECT PLAN AND CASHFLOW

The consultants must produce proposed plan setting out how it will carry out this assignment. The plan must detail the milestones / deliverables, and their estimated duration. It must include a cash flow budget linked to timeframes and deliverables.

#### 5 EVALUATION OF FORMAL QUOTATION

The Formal Quotation will be evaluated by at least three officials, including the project manager for the project.

A scoring of at least 70 should be obtained by a consultant to be considered for an appointment of an individual assignment/specific project.

#### **6 FORMAL QUOTATION**

The Formal Quotation must contain the following four sections and must also be <u>clearly indicated (marked)</u> within the tender document:

- 1. Tenderer Experience
- 2. Organisation & Staffing
- 3. Experience of Staff
- 4. Technical Approach Plan:
  - a) Scope of Work,
  - b) Approach/Methodology,
  - c) Time frames and Cash Flow Projections, and

#### 7 PRE-QUALIFICATION OF TECHNICAL PROPOSAL

#### 7.1 Pre-qualification criteria

The Technical Proposal will be evaluated by at least five (5) officials, including the project manager for the project. The bidder must adhere to the pre-qualification criteria as set out below:

#### 1) TENDERER EXPERIENCE

#### **SCORE APPLICABLE**

Description	Portfolio of Evidence to be submitted	Yes/No
The multi-disciplinary team has relevant experience in projects of a similar nature (3-5 years).	The following must be provided:  1. Name of projects;  2. References for previous work completed, specifying at least 5 TIA studies.	
	3. Timeframe of each listed project	

#### 2) ORGANISATION AND STAFFING

#### **SCORE APPLICABLE**

Description	Portfolio of Evidence to be submitted	Yes/No
The organizational organogram must provide detail on the key personnel that will be assigned to this particular project.	Organogram structure	

#### 3) EXPERIENCE OF STAFF (ADEQUACY)

#### **SCORE APPLICABLE**

Description	Portfolio of Evidence to be submitted	Yes/No
Key staff have reasonable levels of projects specific education, skills,	CV's of all key staff working on this project, listing their involvement in	
training and experience	similar projects	

It should be duly noted that should the bidder must adhere to all the pre-qualification criteria (the bidder must adhere to all three categories), if not, the bidder will be considered non-responsive. A bidder that qualified in accordance with the pre-qualification criteria, will thereafter be evaluated in terms of the technical proposal.

#### 7.2 Technical Approach

A scoring of at least 70% should be obtained by a bidder to qualify for the Points awarded for Price as stipulated in the tender document.

Technical Approach Plan:

- a) Scope of Work
- b) Approach / Methodology
- c) Time frames & Cash Flow Projections
- d) Project Deliverables

The bidder is required to submit the tender approach plan as per the separate headings as stipulated above. This technical approach plan must be clearly indicated in the index of the bid document.

#### 7.3 Scoring of functionality (to be done by Municipal officials)

The following criteria will be evaluated and a minimum score of 70% must be obtained for the technical approach plan:

#### **TECHNICAL APPROACH**

#### **SCORE APPLICABLE**

Scoring scale	Description	Evaluation scoring
Poor (SCORE 40)	The technical approach and / or methodology is poor / is unlikely to satisfy project objectives or requirements. The tenderer has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project. The approach is generic and not tailored to address the specific project objectives and methodology. The approach does not adequately deal with the critical characteristics of the project. The quality plan, manner in which risk is to be managed etc. is too generic.	

Scoring scale	Description	Evaluation scoring
Satisfactory (SCORE 70)	The approach is specifically tailored to address the specific project objectives and methodology and is sufficiently flexible to accommodate changes that may occur during execution. The quality plan and approach to managing risk etc is specifically tailored to the critical characteristics of the project.	
Good (SCORE 90)	Besides meeting the "satisfactory" rating, the important issues are approached in an innovative and efficient way, indicating that the tenderer has knowledge of national best practice approaches. The approach paper details ways to improve the project outcomes and the quality of the outputs.	
Very Good (SCORE 100)	Besides meeting the "good" rating, the important issues are approached in an innovative and efficient way, indicating that the tenderer has outstanding knowledge of international state-of-the- art/smart city approaches. The approach paper details ways to improve the project outcomes and the quality of the outputs.	

#### 8. COST IMPLICATIONS

The service provider must provide the Municipality with a detailed project costs <u>inclusive</u> <u>of VAT</u>, and clearly indicate milestones for the overall project. Please complete the pricing schedule below:

#### **INFORMATION:**

**Specifications:** Lester van Stavel, 021 808 8462; email: <u>lester.vanstavel@stellenbosch.gov.za</u>
Shaun October, 021 808 8756; email: shaun.october@stellenbosch.gov.za

SCM Requirements: Office hours for collection; 08h00-15h30

Sealed quotations, with "TRAFFIC IMPACT ASSESSMENT ON ERF 81/2 AND ERF 81/9, STELLENBOSCH", clearly endorsed on the envelope, and must be deposited in the Tender box at the offices of the Stellenbosch Municipality, Plein Street, Stellenbosch. The Tender box is accessible 24 hours a day and Tenders must be accompanied by the <u>completed</u> Tender documents. Tenders not accompanied by a complete Tender document, will not be considered.

<u>Note</u> :	It should be noted that the service will commence in 20	020/2021 financial year.
	ndersigned, for and on behalf of the bidder, hereby cored above and that I/we will comply with all of the above	
Name (	(print)	Signature
Capacit	ty	Date

In the event of any deviation from the minimum specifications, the bidder must attach details thereof to this bid document.

## **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

Name	e of bidder: Quotation	number:		
Closing Time: Closing Date:				
OFFER TO BE VALID FOR 60 DAYS FROM THE CLOSING DATE OF BID.				
Servi	ces description:	Price		
		**(ALL APPLICABLE TAXES INCUDED)		
Comp	olete study to undertake a Traffic Impact Assessment stu	ldy and reporting.		
Sub-Total Sub-Total		R		
15% VAT		R		
Total	including VAT	R		
NB: Note:	Stellenbosch Municipality reserve the right to dow required to stay within its budget, R200 000 threshold.  All cost must be included in price, and prices must be the above-mentioned threshold.	d applicable.		
	pplicable taxes" includes value- added tax, pay as you earn, ir utions and skills development levies.	come tax, unemployment insurance fund		
-	Does offer comply with specification?	*YES/NO		
-	If not to specification, indicate deviation(s)			
-	Is price firm for duration of contract	*YES/NO		
-	Period required for service delivery			
VALUE	ADDED TAX			

The amended Value-Added Tax Act requires that a Tax Invoice for supplies in excess of R3 000 should, in addition to the other required information, also disclose the VAT registration number of the recipient, with effect from 1 March 2005.

The VAT registration number of the Stellenbosch Municipality is 4700102181

## **CHECK LIST FOR COMPLETENESS OF BID DOCUMENT**

The bidder is required to complete the following checklist in order to ensure that the necessary documentation, as required, is attached to this bid document and that all declarations are signed by the bidder:

(\*Mark with "X" where applicable)

Items to be checked		Yes	No	Comments
1.	Completed and signed MBD 1			
2.	Authority to sign bid			
3.	Completed the pricing schedule (MBD 3.1)			
4.	Completed and signed declaration of interest (MBD 4)			
5.	Completed and signed declaration in order to claim preference points (MBD 6.1) and attached a certified copy or original B-BBEE certificate			
6.	Completed and signed declaration of bidder's past supply chain management practices (MBD 8)			
7.	Completed and signed certificate of independent bid determination (MBD 9)			
8.	Completed and signed certificate for municipal services and payments to service providers and attached a copy of your municipal account which is not older than 90 days			
9.	Signed declaration for understanding and complying with technical specifications			
10	. Bidder to initial every page of this bid document			

## **CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME)INFORMATION FURNISHED ON THIS CHECK LI	ST IS TRUE AND CORRECT.
Name (print)	Signature
Position	