



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Administrative enquiries: Janine Stanfield Tel: 021 808 8523 e-mail: janine.stanfield@ Stellenbosch.gov.za

Dear Sir / Madam

REQUEST FOR FORMAL WRITTEN PRICE QUOTATIONS: PNQ4 Library Books

Kindly furnish me with a written quotation for the service indicated above and as depicted in the document. The document is available on our website at www.stellenbosch.gov.za

The quotation must be submitted on the letterhead of your business and must be e-mailed to scm.quotes@ Stellenbosch.gov.za, by no later than **17 May 2021@14h00**.

The following conditions will apply:

- No quotations will be accepted from service providers who are not registered on the Centralised Supplier Database (CSD). For enquiries regarding registration on CSD, contact Nicolene Hamilton at Tel no: 021 808 8594 or nicolene.hamilton@ Stellenbosch.gov.za
- Price(s) quoted must be valid for at least ninety (90) days from closing date of this request.
- Price(s) quoted must be firm and must be inclusive of VAT.
- A firm delivery period must be indicated.
- All quotations must be accompanied by the enclosed MBD documents. The enclosed Declaration of interest (MBD 4), Preference points claim form in terms of the Preferential Procurement Regulations 2017 (MBD 6.1), Declaration of bidder's past Supply Chain Management practices (MBD 8) and Certificate of Independent Bid Determination (MBD 9), must be scrutinized, duly completed and submitted together with your quotation.
- Submit your B-BBEE status level verification certificate or sworn affidavit.
- Submit copies of all your Directors latest Municipal account.
- Bids will be evaluated in terms of the Preferential Procurement Framework Act and related regulations.
- The evaluation method (80/20) and preference points allocation applicable to this bid
- Late or faxed quotations will not be considered.
- The Municipality reserves the right to withdraw any invitation to quote and/or to re-advertise.
- The Municipality does not bind itself to accept the lowest quotation, part of a quotation or any quotation.
- **Where brands are mentioned – similar or equivalent will be considered, submit details**
- Quotations will be evaluated and awarded per line
- Quotations are based on supply and delivery
- Quotations are subject to the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract.

Failure to comply with these conditions may invalidate your offer.

NB: NO QUOTATIONS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (see definition on MBD 4 attached)

MSCM regulations: "in the service of the state" means must be -

- a) a Member of -
 - (i) any municipal Council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of province;
- 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) an executive member of the accounting authority of any national or provincial public entity; or
- f) an employee of Parliament or a provincial legislature.

DETAILS OF BIDDER (THE FOLLOWING PARTICULARS MUST BE FURNISHED)

Name of firm / entity / enterprise	
Trading as (if different from above)	
CSD number	MAAA.....
Postal address of enterprise / Business	Line 1 : _____ Line 2: _____ Town/City _____ Postal code: _____
Physical address of enterprise / Business	Line 1 : _____ Line 2: _____ Town/City _____
Contact details of the person signing the bid, being duly authorised to do so:	Name: _____ Telephone: _____ Cellular : _____ E-mail address: _____
Contact details of the person responsible for overseeing contract performance :	Name: _____ Telephone: _____ Cellular : _____ E-mail address: _____
Company income tax number	
Tax Compliance Status System PIN issued by SARS	
VAT registration number	
Company registration number	
Banking details	Name of account holder: _____ Name of bank: _____ Account number: _____ Branch code: _____

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. Validity offer			
2. Completed the pricing schedule (MBD 3.1)			
3. Completed and signed declaration of interest (MBD 4)			
4. Completed and signed declaration in order to claim preference points (MBD 6.1) and attached a certified copy or original B-BBEE certificate			
5. Completed and signed declaration of bidder's past supply chain management practices (MBD 8)			
6. Completed and signed certificate of independent bid determination (MBD 9)			
7. Attached copy /s of municipal account which is not older than 90 days			
8. CSD registration			
9. Tax complaint			
10. Local Content (where applicable) filled in and completed as per instruction sheets			

PLEASE NOTE

- **FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**
- **NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**
- **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.**

TECHNICAL SPECIFICATIONS

PLEASE TAKE NOTE:

- Price(s) quoted must be valid for at least ninety (90) days from closing date of this request.
- Price(s) quoted must be firm and must be inclusive of VAT.
- Quotations will be evaluated and awarded per line
- Delivery must be made within 7 days of receipt of official order; the municipality reserves the right to cancel any order which is not delivered within 7 days.
- Service providers must include at least 1 reference where similar goods/ services were rendered previously.
- Quotations are based on supply and delivery
- **Where brands are mentioned – similar or equivalent will be considered, submit details**
- **PLEASE COMPLETE BOTH PRICING SCHEDULES (PDF AND EXCEL). WHERE DISCREPENCIES ARE ENCOUNTERED, THE PRICING SCHEDULE IN THE PDF DOCUMENT WILL GOVERN.**

Author	Title	ISBN	QTY	UNIT 50% VAT INCL
	Focus on Life orientation Gr 11	9780636135291	X1	
	Marketing and social media	9781538142950	X1	
Adriaan Basson	Enemy of the people	9781868428182	X1	
Africa,C S	Kinders van die Hoorn	9781928515593	X1	
Anker,Willem	Skepsel	9780795802171	X1	
Botha,Phillips,Mark; Basson,Jurgens;Conrad	Mind action series: Mathematics Gr 10 textbook	9781776112111	X1	
Botha,Phillips,Mark; Basson,Jurgens;Conrad	Mind action series: Mathematics Gr 10 textbook	9781869219758	X1	
Botha,Phillips,Mark; Basson,Jurgens;Conrad	Mind action series: Mathematics Gr12 text book	9781869216818	X1	
Botha,Phillips,Mark; Basson,Jurgens;Conrad	Mind action series: Mathematics Geometry Gr 12	9781776111459	X1	
Bounds,M; Mailgee,R; Mayhew,W; Van Deventer,	Focus business studies: Gr 10 textbook	9780636127029	X1	
Bounds,M; Mailgee,R; Mayhew,L; Van Deventer,A; Zeeman	Focus business studies: Gr 11: Learner's book	9780636135277	X1	
Cantoni,Ina	Vergewe en vergeet	9781928515630	X1	
Cantoni,Ina	Bladsy uit my boek	9781928515326	X1	
Child,Lee	The Sentinel	9781787633629	X1	
Cook,Bruce	Prayers for cleansing ancestral bloodlines in the courts of heaven	9781939944528	X1	
Daniells,Liza	Van satynlakens tot teerstrate	9781928413615	X1	
Ferreira,Ansja	LA: 'n reis na die lig	9781485311478	X1	
Fourie,P.P	'n Hart is so groot soos 'n vuur	9780795710018	X1	
Gladwell,Malcolm	Talking to strangers	9780241351574	X1	
Greening,Rosie	Speelmaats: Eekhorning is hartseer	9780799388619	X3	
Henderson,Robert	Petitioning the courts of heaven during times of crisis	9780768456752	X1	
Jacobs,Jaco	Dieregrappe	9780799389586	X3	
Jacobs,Jaco	Vakansiegrappe	9780799393880	X3	
Jacobs,Jaco	Z is for Zack: a slimy surprise	9780799397567	X3	
Jacobs,Jaco	Z is for Zack: ready to race	9780799397550	X3	
Jacobs,Jaco	Z is for Zack: Tree house trouble	9780799397574	X3	
Jacobs,Jaco	Z is vir Zackie: die tent avontuur	9780799394856	X3	
James Patterson	Burn	9780099574057	X1	
James Patterson	Blindside	9781780899350	X1	
Jansen,Jonathan & N	Song for Sarah – Lessons from my mother	9781928257295	X1	
Jansen,Julian	Seuns sonder Pa's	9780796322098	X2	
Jansen,Julian	Seuns sonder Pa's	9780796322098		
Jephtas,Veronique	Soe rond ommie bos	9781485312246	X1	
Jodie Picoult	Change of the heart	9780340935828	X1	
Jodie Picoult	The book of two ways	9781473692411	X1	
John Grisham	A time for Mercy	9781529342338	X1	
Kapp,Sophia Van Rensburg,Leoni	Lyfskap	9780639605968	X1	
Kings,Sipho; Wild,Sarah	South Africa's survival guide to climate change	9781770106697	X1	
Kristin Hannah	The four Winds	9781529054576	X1	

Kuun,S & Nortje,S	Mind action series: Life sciences Gr 10	9781776116140	X1	
Le Roux,Mariel	Mieke	9780639606125	X1	
Lotter,Daniel	17 maal moord-’n grieselige reis	9781485312512	X2	
Maartens,Wendy	Die gans wat goue eiers kon lê	9780639600710	X3	
Maartens,Wendy	Jakkals en Wolf vang vis	9780639600666	X3	
Malcom X	The autobiography of Malcom X	9780141032726	X1	
Meyer,Deon	Donkerdrif	9780798181662	X1	
Michael Connelly	Fair warning	9781538736333	X1	
Neser,Christien	Vreesloos	9780639604176	X1	
Nirgin,Kiara	Youth revolution	9781776093564	X1	
Obama,Barack	A promised land	9780241491515	X1	
Palmer,Jose	Hallo Tippie	9780799363142	X3	
Palmer,Jose	Tippe en die bul	9780799377354	X3	
Palmer,Jose	Tippie and Fin swim	9780799397062	X3	
Palmer,Jose	Tippie and mum	9780799397031	X3	
Palmer,Jose	Tippie and the cat	9780799396997	X3	
Palmer,Jose	Tippie and the Fin jig	9780799397017	X3	
Palmer,Jose	Tippie and the frog	9780799397079	X3	
Palmer,Jose	Tippie and the hen	9780799397000	X3	
Palmer,Jose	Tippie en die bok	9780799363180	X3	
Palmer,Jose	Tippie en die by	9780799363210	X3	
Palmer,Jose	Tippie en die hen	9780799363159	X3	
Palmer,Jose	Tippie en die kam	9780799363197	X3	
Palmer,Jose	Tippie en die kat	9780799363173	X3	
Palmer,Jose	Tippie en die vis	9780799377347	X3	
Palmer,Jose	Tippie likes to rap	9780799397048	X3	
Palmer,Jose	Tippie se bal	9780799363203	X3	
Palmer,Jose	Tippie se jas	978079936166	X3	
Palmer,Jose	Tippie the cop	9780799397024	X3	
Palmer,Jose	Tippie the vet	9780799397055	X3	
Peterson,Jordan B	12 rules for life	9780141988511	X1	
Price,Chelsea	209 Big programming ideas for small budgets	9780838948118	X1	
Richards,Ria	Hande van ’n monster	9781928515067	X1	
Robb J.D	Faithless in death	9780349426280	X1	
Robert Ludlum	The Tredsone Resurrection	9781789546477	X1	
Robert Ludlum	The Tredsone Exile	9781789546552	X1	
Sachs,Albie	We,the people – insights of an activist judge	9781868149988	X1	
Sarah Pearse	The sanatorium	9781711242248	X1	
Seshoene,Mogau	The lazy Makoti’s guide to the kitchen	9781928429135	X1	
Shirer,Priscilla	Die standvastige vrou	9781431601783	X1	
Snow,Jess	Outreach services for Teens :a starter guide	9780838948156	X1	
Snyman,Maritha	Vertel my ’n grappie	9780799398106	X3	
Snyman,Maritha	Vertel my nog ’n grappie	9780639600628	X3	
Stals,Jeanette	Diep spoor	9781485904007	X1	
Stephen Leather	The hunting	9781529345216	X1	
Swart,Marilize	Die boek van Hoop	9781928513742	X1	
Tait,Melanie	Magriet die stadshoender	9780799398113	X3	
Tait,Melanie	Magriet hou konsert	9780799298908	X3	

Trantraal,Andrè	Keegan en Samier: Die sleutel speurders	9780799397666	X3	
Trantraal,Andrè	Keegan en Samier: Die sokker fiasco	9780799397680	X3	
Van den Berg,Jacobet	Tyd om te skaats	9780639601984	X1	
Van der Spuy,Carla	Gangster state	9780624090137	X2	
Van der Vyver,Marita	'n Baie lang brief aan my dogter	9780624090014	X2	
Van Rensburg,Rudi	Hartedief	9780795802416	X1	
Van Rooyen- Wessels,Christelle	Brandmerk	9781485904342	X1	
Viljoen,Fanie	Klein boek van fantastiese feite	9780799389340	X3	
Viljoen,Fanie	Klein boek van reuserekords	9780799384215	X3	
Wiener,Mandy	The Whistleblowers	9781770107045	X1	
Wilbur Smith	Call of the Raven	9781785767944	X1	
A wrinkle in time		10228926	X1	
Arthur Christmas		10225827	X1	
Ballerina		10227466	X1	
Cinderella		10227031	X1	
Iron Man 3		10222651	X1	
Men in Black 2		10225637	X1	
Miracles from heaven		10226602	X1	
Robin Hood		10227435	X1	
The curse of princess Ivy		10225806	X1	
The swan princess		10226966	X1	
Alpha match			X1	
Basic Lego blocks Base plate 25x25 cm			X1	
Basic Lego blocks plastic 1Kg bucket			X1	
Block set 50pc			X1	
Gogo wooden shape and colour sorter			X1	
Lamaze Classic discovery book			X1	
Play Go sort and learn stacking blocks			X1	
Who is my mother			X1	
Wood Memo – Lotto			X1	

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**
 - 3.1 Full Name of bidder or his or her representative:
 - 3.2 Identity Number:
 - 3.3 Position occupied in the Company (director, trustee, shareholder²):
 - 3.4 Company Registration Number:
 - 3.5 Tax Reference Number:
 - 3.6 VAT Registration Number:
 - 3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.
 - 3.8 Are you presently in the service of the state? **YES** ☐ / **NO** ☐
 - 3.8.1 If yes, furnish particulars.
.....
 - 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
.....

¹MSCM Regulations: "in the service of the state" means to be –

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;

- (b) a member of the board of directors of any municipal entity;

- (c) an official of any municipality or municipal entity;

- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Act, 1999 (Act No.1 of 1999);

Management

- (e) an executive member of the accounting authority of any national or provincial public entity; or

- (f) an employee of Parliament or a provincial legislature.

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

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

3.10.1 If yes, furnish particulars:

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

3.11.1 If yes, furnish particulars:

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

3.12.1 If yes, furnish particulars:

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

3.13.1 If yes, furnish particulars:

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

3.14.1 If yes, furnish particulars:

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

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

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.

3.1 The bidder obtaining the highest number of total points will be awarded the contract.

3.3 Points scored must be rounded off to the nearest 2 decimal places.

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.

4.1 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

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

Where

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.
- 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. 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? **YES / NO (delete which is not applicable)**

- 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:

WITNESSES

1.

2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Municipal Bidding Document must form part of all bids invited.
2. It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
3. The bid of any bidder may be rejected if that bidder, or any of its directors have:-
 - a) abused the municipality's/municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b) been convicted for fraud or corruption during the past five years;
 - c) willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - d) been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

ITEM	QUESTION	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database 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).	Yes	No
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (To access this Register enter the National Treasury's website, www.treasury.gov.za , 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:		
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:		

4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality/municipal entity, or to any other municipality/municipal entity, that is in arrears for more than three months	Yes	No ¹⁶
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)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT. I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME BY THE MUNICIPALITY SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
SIGNATURE

.....
DATE

.....
POSITION

.....
NAME OF BIDDER

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
3. Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
4. This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
5. In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:-

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by **Stellenbosch Municipality**

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)

6. 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. 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.
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.

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.

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 the Prevention and Combating of Corrupt Activities Act No. 12 of 2004 or any other applicable legislation.

.....
SIGNATURE

.....
DATE

.....
POSITION

.....
NAME OF BIDDER