PART A: INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE STELLENBOSCH MUNICIPALITY					
FQ NUMBER:	**49/25**	CLOSING DATE:	**12 September 2024**	CLOSING TIME:	**14:00**
DESCRIPTION	**Removal and disposal of Asbestos roof in Kayamandi**				
Compulsory briefing session will be held on Monday 09 September 2024 at 11:00am, on site at C143 Hostel, cnr Madala and Lamala street Kayamandi					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS)* **Stellenbosch Municipality, Town Hall Complex, Plein Street, Stellenbosch.**					

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		**OR**	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE OR ORIGINAL SWORN AFFIDAVIT [TICK APPLICABLE BOX]	☐ Yes ☐ No		CONTRIBUTOR FACTOR (1 – 20)		
LOCALITY [TICK APPLICABLE BOX]	☐ Yes ☐ No				

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE *IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?*	☐Yes ☐No [IF YES ENCLOSE PROOF]	***ARE YOU A FOREIGN BASED SUPPLIER FOR*** *THE GOODS /SERVICES /WORKS OFFERED?*	☐Yes ☐No [IF YES, ANSWER PART B:3]
CRS no	*TOTAL BID PRICE (Brought forward from MBD 3.1)*		**R**
SIGNATURE OF BIDDER	……	*DATE*	
CAPACITY UNDER WHICH THIS BID IS SIGNED			

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	FINANCE – SCM	DEPARTMENT	**PLANNING: HOUSING**
CONTACT PERSON	Lindsay Linders	CONTACT PERSON	**Thabisa Mnayingiza**
TELEPHONE NUMBER	021 808 8522	TELEPHONE NUMBER	**021 808 8358**
E-MAIL ADDRESS	Lindsay.Linders@stellenbosch.gov.za	E-MAIL ADDRESS	**Thabisa.mnayingiza@stellenbosch.gov.za**

PART B: TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.

1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE**

1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE STELLENBOSCH SUPPLY CHAIN MANAGEMENT POLICY, THE STELLENBOSCH PREFERENTIAL PROCUREMENT POLICY,THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

2. TAX COMPLIANCE REQUIREMENTS

2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.

2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.

2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.

2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH 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 ESTABLISHMENT 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

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.

NB: 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.

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....

DATE: .....

INDEX PAGE

PART A: REQUIREMENTS IN TERMS OF REGULATORY FRAMEWORK

1. Invitation to bid (MBD 1)
2. Quotation conditions
3. Authority to sign a bid
4. Declaration of interest (MBD 4)
5. Preference claim form in terms of the Preferential Procurement Regulations 2022 (MBD 6.1)
6. Declaration of bidder's past supply chain management practices (MBD 8)
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: 49 /25

REQUEST QUOTATION DESCRIPTION: Removal and disposal of Asbestos roof in Kayamandi

Compulsory briefing session will be held on Monday 09 September 2024 at 11:00am, on site at C143 Hostel, cnr Madala and Lamala street Kayamandi

CLOSING DATE: 12 September 2024

TIME: 14:00

Bid documents can be obtained from the Supply Chain Management Unit, 1ST 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 www.stellenbosch.gov.za 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	Lindsay Linders	021 808 8522	Lindsay.Linders@stellenbosch.gov.za
Technical enquiries	Thabisa Mnayingiza	021 808 8358	Thabisa.mnayingiza@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 1st 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 in terms of the Stellenbosch Preferential Procurement Policy effective from 16 January 2023 in accordance with the Preferential Procurement Regulations that was promulgated by the Minister of Finance on 04 November 2022 in Government Gazette No 47452

Prospective bidders must familiarise themselves with the content of Stellenbosch Municipality's Supply Chain Management Policy and must be registered on the **Central Supplier Database (CSD)** 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

SOLE PROPRIETOR (SINGLE OWNER BUSINESS) AND NATURAL PERSON

I, _____, the undersigned, hereby confirm that I am the sole owner of the business trading as _____.

OR

I, _____, the undersigned, hereby confirm that I am submitting this tender in my capacity as natural person.

SIGNATURE:		DATE:	
PRINT NAME:			
WITNESS 1:		WITNESS 2:	

COMPANIES AND CLOSE CORPORATIONS

If a Bidder is a COMPANY, a certified copy of the resolution by the board of directors, duly signed, authorising the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company must be submitted with this bid, that is, before the closing time and date of the bid

In the case of a CLOSE CORPORATION (CC) submitting a bid, a resolution by its members, authorizing a member or other official of the corporation to sign the documents on their behalf, shall be included with the bid.

PARTICULARS OF RESOLUTION BY BOARD OF DIRECTORS OF THE COMPANY/MEMBERS OF THE CC

Date Resolution was taken	
Resolution signed by (name and surname)	
Capacity	
Name and surname of delegated Authorised Signatory	
Capacity	
Specimen Signature	

Full name and surname of ALL Director(s) / Member (s)			

Is a CERTIFIED COPY of the resolution attached?	YES		NO	

SIGNED ON BEHALF OF COMPANY / CC:		DATE:	
PRINT NAME:			
WITNESS 1:		WITNESS 2:	

1. Taxes and duties

1.1. A foreign supplier shall be entirely responsible for all taxes, stamp duties, license fees, and other such levies imposed outside the purchaser's country.

1.2. A local supplier shall be entirely responsible for all taxes, duties, license fees, etc., incurred until delivery of the contracted goods to the purchaser.

1.3. No contract shall be concluded with any bidder whose tax matters are not in order. Prior to the award of a bid SARS must have certified that the tax matters of the preferred bidder are in order.

1.4. No contract shall be concluded with any bidder whose municipal rates and taxes and municipal services charges are in arrears.

2. Transfer of contracts

The contractor shall not abandon, transfer, cede, assign or sublet a contract or part thereof without the written permission of the purchaser.

3. Amendment of contracts

No agreement to amend or vary a contract or order or the conditions, stipulations or provisions thereof shall be valid and of any force unless such agreement to amend or vary is entered into in writing and signed by the contracting parties. Any waiver of the requirement that the agreement to amend or vary shall be in writing, shall also be in writing.

4. Prohibition of restrictive practices.

4.1. In terms of section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, an agreement between, or concerted practice by, firms, or a decision by an association of firms, is prohibited if it is between parties in a horizontal relationship and if a bidder(s) is / are or a contractor(s) was / were involved in collusive bidding.

4.2. If a bidder(s) or contractor(s) based on reasonable grounds or evidence obtained by the purchaser has / have engaged in the restrictive practice referred to above, the purchaser may refer the matter to the Competition Commission for investigation and possible imposition of administrative penalties as contemplated in section 59 of the Competition Act No 89 0f 1998.

4.3. If a bidder(s) or contractor(s) has / have been found guilty by the Competition Commission of the restrictive practice referred to above, the purchaser may, in addition and without prejudice to any other remedy provided for, invalidate the bid(s) for such item(s) offered, and / or terminate the contract in whole or part, and / or restrict the bidder(s) or contractor(s) from conducting business with the public sector for a period not exceeding ten (10) years and / or claim damages from the bidder(s) or contractor(s) concerned.

General Conditions of Contract (revised July 2010)

GENERAL CONDITIONS

1. Sealed FQ's, with the **"FQ Number and Title"** clearly endorsed on the envelope, must be deposited in the **tender box** at the offices of the Stellenbosch Municipality, Plein Street, Stellenbosch.

2. The tender must be lodged by the Tenderer in the tender box in the Main Hall Entrance, Stellenbosch Municipal Offices, Plein Street, Stellenbosch

PLEASE NOTE:

2.1. FQ's that are deposited in the incorrect box will not be considered.

2.2. Mailed, telegraphic or faxed FQ's will not be accepted.

2.3. Documents may only be completed in non-erasable ink.

2.4. The use of correction fluid/tape is not allowed.

2.4.1. In the event of a mistake having been made, it shall be crossed out in ink and be accompanied by an initial at each and every alteration.

2.4.2. Alterations or deletions not signed by the Tenderer may render the tender invalid.

2.5. All bids must be submitted in writing on the official forms supplied (not to be re-typed)

2.6. All prices shall be quoted in South African currency and be **INCLUSIVE of VAT.**

3.1 It is a requirement of this contract that the amount of value-added tax (VAT) must be shown clearly on each invoice.

3.2 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.**

3 Any FQ received after the appointed time for the closing of FQ's shall not be considered but shall be filed unopened with the other FQ's received or may be returned to the Tenderer at his request.

4 FQ's may not be telefaxed to the Municipality and therefore any FQ's received by fax will **not** be considered.

5 FQ's shall be opened in public at the Stellenbosch Municipal Offices as soon as possible after the closing time for the receipt of tenders.

6 The Municipality shall have the right to summarily disqualify any Tenderer who, either at the date of submission of this tender or at the date of its award, is indebted to the Municipality in respect of any rental, levies, rates and/or service charges; ALTERNATIVELY;

6.1 That an agreement be signed whereby the Tenderer agrees that a percentage or fixed amount at the discretion of the Municipality, be deducted from payments due to him for this tender, until the debt is paid in full.

6.2 The tenderer shall declare **all** the Municipal account numbers in the Stellenbosch Area for which the enterprise or the proprietors or directors in their personal capacity is/ are responsible or co-responsible.

7 This bid will be evaluated and adjudicated according to the following criteria:

7.1 Relevant specifications
7.2 Value for money
7.3 Capability to execute the contract
7.4 PPPFA & associated regulations
7.5 Stellenbosch Municipality Preferential Procurement Policy and SCM Policy

MBD 4

DECLARATION OF INTEREST

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

2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his or her representative: ……..

3.2 Identity Number: ……

3.3 Position occupied in the Company (director, trustee, shareholder[2]): ……..

3.4 Company Registration Number: ……

3.5 Tax Reference Number: ……

3.6 VAT Registration Number: ……

3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state? **YES ☐ / NO ☐**

3.8.1 If yes, furnish particulars. ……

……

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 _____

_____

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

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

(b) a member of the board of directors of any municipal entity;
(c) an official of any municipality or municipal entity;
(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
(e) 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 stakeholders in service of the state? **YES ☐ / NO ☐**

3.12.1 If yes, furnish particulars: ……
……

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

3.13.1 If yes, furnish particulars: ……
……

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

3.14.1 If yes, furnish particulars: ……
……

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

Full Name	Identity Number	State Employee Number

……. ……..
Signature **Date**

……. ……
Capacity **Name of Bidde**

MBD6.1 – PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 – PURCHASES/SERVICES 80/20

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, 2022 and the Stellenbosch Preferential Procurement Policy 2022/23

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 and any other applicable preference

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 R50 000 000 (all applicable taxes included); and

1.2

(a) The value of this bid is estimated to not exceed R300 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable

1.3 Points for this bid shall be awarded for:

(b) Price;

(c) B-BBEE Status Level of Contributor. and

(d) Locality of supplier

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

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	10
LOCALITY (See definitions)	10
Total points for Price and Preferences must not exceed	**100**

1.5 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.

1.6 Failure on the part of a bidder to submit proof of Locality together with the bid, will be interpreted to mean that preference points for Locality are not claimed.

1.7 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

(a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

(b) "**B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(c) **"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 goods or services, through price quotations, advertised competitive bidding processes or proposals;

(d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

(e) **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(f) **"functionality"** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.

(g) "**Locality**" means the local suppliers and/or service providers that business offices are within the Municipal area of Stellenbosch (WC024).

(h) **"price"** includes all applicable taxes less all unconditional discounts;

(i) **"proof of B-BBEE status level of contributor"** means:

1) B-BBEE Status level certificate issued by an authorized body or person;

2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;

3) Any other requirement prescribed in terms of the B-BBEE Act;

(j) **"QSE"** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(k) "**Specific goals**" means specific goals as contemplated in section 2(1)(d) of the Act which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 November 1994;

(l) **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

4. POINTS AWARDED FOR PRICE

4.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

4.2 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME-GENERATING PROCUREMENT

4.3 POINTS AWARDED FOR PRICE

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

80/20

$$Ps = 80\left(1 + \frac{Pt - P\,max}{P\,max}\right)$$

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmax = Price of highest acceptable bid

5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

5.1 In terms of Regulation 4 (2) and 5 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining a specific goal specified for the tender

5.2 The tendering conditions will stipulate the specific goals, as contemplated in section 2(1)(d)(ii) of the Preferential Procurement Act, be attained.

5.3 A maximum of 20 points (80/20 preference points system), must be allocated for specific goals. These goals are :

(a) contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender or disability;

(b) Promotion of enterprises located in the municipal area (WCO24)

5.4 Regarding par 5.3 (a) at least 50% of the 20 points must be allocated to promote this goal and points will be allocated in terms of the BBBEE scorecard as follows.

B-BBEE Status Level of Contributor	Number of Points for 80/20 Preference Points System
1	10
2	9
3	6
4	5
5	4
6	3
7	2
8	1
Non-compliant contributor	0

5.5 A tenderer must submit proof of its BBBEE status level contributor.

5.6 A tenderer failing to submit proof of BBBEE status level of contributor –

5.6.1 may only score in terms of the 80-point formula for price; and

5.6.2 scores 0 points out of 10/5 BBBEE status level of contributor, which is in line with section 2 (1) (d) (i) of the Act, where the supplier or service provider did not provide proof thereof.

5.7 Regarding par 5.3 (b) a maximum of 50% of the 20 points must be allocated to promote this goal. Maximum points will be allocated as follows.

Locality of supplier	Number of Points for 80/20 Preference Points System
Within the boundaries of the municipality	10
Outside of the boundaries of the municipality	0

The maximum will be proportionately adjusted depending on the number of points allocated for this goal. E.G., 40% will equate to 8 points.

6. BID DECLARATION

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

7. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

7.1 B-BBEE Status Level of Contributor: . = ……(maximum of 10 points)

(Points claimed in respect of paragraph 7.1 must be substantiated by relevant proof of B-BBEE status level of contributor.)

7.2 Within the boundaries of Stellenbosch Municipality (WC024)?

YES		NO	

Locality of supplier: = …… (10 points)

Address - ……

……

……

(Points claimed in respect of paragraph 7.2 must be substantiated by relevant proof that the business premises is situated in the Municipal area of Stellenbosch (WC024). A valid municipal account or proof of valid lease agreement must be attached)

8. SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted?

(***Tick applicable box***)

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 or QSE

(Tick applicable box)

YES		NO	

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise

Designated Group: An EME or QSE which is at last 51% owned by:	**EME** √	**QSE** √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

9. **DECLARATION WITH REGARD TO COMPANY/FIRM**

9.1 Name of company/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-BBEE status level of contributor indicated in paragraphs 1.4 and 6.1 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 paragraphs 1.4 and 6.1, 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 contributor/Locality points 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) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

SIGNATURE OF BIDDER(S):			
WITNESS 1:		WITNESS 2:	
DATE:			
ADDRESS:			

PLEASE COMPLETE IN FULL TO CLAIM POINTS

SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE – GENERAL (DRAFT EXAMPLE)

(DO NOT USE. USE NEW/APPLICABLE TEMPLATE)

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.

2. I am a Member / Director / Owner (**Select one**) of the following enterprise and am duly authorised to act on its behalf: NB!

Enterprise Name:	
Trading Name (If Applicable):	
Registration Number:	
Vat Number (If applicable)	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):	
Nature of Business:	
Definition of "Black People"	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – (a) who are citizens of the Republic of South Africa by birth or descent; or (b) who became citizens of the Republic of South Africa by naturalisation- i. before 27 April 1994; or ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"
Definition of "Black Designated Groups"	"Black Designated Groups means: (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (b) Black people who are youth as defined in the National YouthCommission Act of 1996; (c) Black people who are persons with disabilities as defined inthe Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (d) Black people living in rural and under developed areas; (e) Black military veterans who qualifies to be called a militaryveteran in terms of the Military Veterans Act 18 of 2011;"

3. I hereby declare under Oath that:

- The Enterprise is_____% Black Owned using the flow-through principle as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is_____% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is_____% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:

    - Black Youth % =_____%
    - Black Disabled % =_____%
    - Black Unemployed % =_____%
    - Black People living in Rural areas % =_____%
    - Black Military Veterans % =_____%

- Based on the Audited Financial Statements/Financial Statements and other information available on the latest financial year-end of_____(DD/MM/YYYY), the annua NB! Revenue was R10,000,000.00 (Ten Million Rands) or less
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

100% Black Owned	**Level One** (135% B-BBEE procurement recognitionlevel)	
At least 51% Black Owned	**Level Two** (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	**Level Four** (100% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the Owners of the Enterprise which I represent in this matter.

5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature:_____

Date :_____

NB! ORIGINALLY CERTIFIED/ NOT COPY

_____

Commissioner of Oaths

Signature & stamp

Date:

MBD 8

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**
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**

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

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Municipal Bidding Document (MBD) must form part of all bids[1] invited.

2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).[2] Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

3. Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:

   a. take all reasonable steps to prevent such abuse;

   b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and

   c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

4. This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

5. In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:-

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

_____
(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 consortium[3] 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**

RESPONSIVENESS AND EVALUATION CRITERIA

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) Enquiries regarding the above can be directed to:

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 of the B-BBEE Certificate issued by a Verification Agency accredited by SANAS or the

original Sworn Affidavit must be attached

(NB! BBBEE CERTIFICATES CAN BE VERIFIED WITH THE VERIFICATION AGENCY BUT A SWORN AFFIDAVIT MUST BE AN ORIGINAL AND NOT A COPY TO BE ELIGIBLE FOR BBBEE POINTS)

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) NO correction fluid/tape may be used
   e) 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.

19. **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, the Stellenbosch Preferential Procurement Policy of 2022/2023 in accordance with Preferential Procurement Regulations of 2022.

   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 bids received shall be evaluated in terms of the Municipal Supply Chain Management Regulations, the Preferential Procurement Policy Framework Act no 5 of 2000, the Stellenbosch Preferential Procurement Policy of 2022/2023 in accordance with Preferential Procurement Regulations of 2022

REMOVAL AND DISPOSAL OF ASBESTOS ROOF IN KAYAMANDI

1. DESCRIPTION OF WORKS

1.1 Introduction / Employer's Objectives

It is expected **that Type 2 asbestos work**, which constitutes the dismantling and safe removal and disposal of asbestos material and demolishing of building structure, Hostel C143, Cnr of Mdala and Lamla Street, Kayamandi from an accredited Asbestos Contractor. The removal and disposal of these hazardous materials will be gradually executed as per Employers instructions.

The approved Contractor is to safely deliver the service as per relevant regulatory requirements;

- National Environmental Management Act, (No. 107 of 1998)
- Asbestos Regulations, 2001
- Occupational Health and Safety Act, 85 of 1993
- The Hazardous Substances Act (Act 15 of 1973)
- The National Road Traffic Act 93 of 1996

The contractor is to advise the Employer with regards to all safety measures during execution of the works. It's the responsibility of the approved bidder to ensure full liaison with relevant Regulatory Authorities through the contract period and to obtain applicable authorizations for required services.

1.2 Background / Overview of works

The Hostel C143, Cnr of Mdala and Lamala Street, Kayamandi, Stellenbosch that was built in 1976 by a Plywood company to house migrant workers has been completely damaged by fire. The structure is made of wood and roof is asbestos.

The footprint building is measured at approximately 30m x 6m in total. All waste generated during the latter asbestos removal operations will be dumped at the City of Cape Town Waste Management Facility (Pty) Ltd, Vissershok Landfill Site, Frankdale Road, Vissershok or a registered landfill site that is approved to accept hazardous waste of this nature. To be confirmed on the appointment of the RAC.

The Asbestos Client (Stellenbosch Municipality) and the Registered Asbestos Contractor must submit an Asbestos Management Plan (as legally required) as commitment and acceptance of their duties respectively outlined in regulation 11(2) and (3) and regulation 12 of the Asbestos Abatement Regulations, 2020.

Furthermore, this Asbestos Management Plan directs the asbestos cement and related product removal operations and is a source of reference for the Registered Asbestos removal Contractor to ensure legal compliance. The Asbestos Management Plan is an active document and if any significant changes on site are necessary, it will be amended and the changes communicated to all relevant parties (e.g., the Asbestos Client, Registered Asbestos Contractor, etc.).)

The Employer intends to safely dispose these hazardous waste materials in accordance with Regulatory requirements through the appointment of an accredited Asbestos Service Provider.

1.3 Site Location

Location where asbestos work will be performed:

The intended asbestos removal and demolishing of building operations will be performed at the following address:

Hostel C143 Cnr of Mdala and Lamla Street, Kayamandi, Stellenbosch

Western Cape

Coordinates: 33°55'09.2"S 18°51'02.4"E

1.4 Electricity

There are no electricity wires that needs to be removed but any live wires fund on site must be reported to the client Stellenbosch Municipality.

1.5 Accommodation

Staff may not be housed on site. The Contractor must transport staff to and from the site.

1.6 Site Maintenance

During the progress of the works and upon completion thereof, the Site of the Works shall be kept in a clean and orderly condition. The Contractor shall store materials and equipment for which he is responsible in an orderly manner and shall keep the site free from debris and obstructions.

No offices or storage facilities are available on site for the use of the Contractor.

1.7 Treatment of Existing Services

The Contractor shall familiarise himself with all existing services and take care to protect existing services and infrastructure on site.

1.8 Damage to Services

The Contractor shall ensure that his employees do not interfere with, or cause damage to any existing services or activities that may or may not hinder the operations on site and he shall instruct them to refrain from entering areas where they are not required to carry out any work related to the contract.

1.9 Labour, Plant, Materials and Equipment

Only competent personnel that have been adequately trained by the Contractor shall execute work under this Contract. All tools, equipment and materials required shall be provided by the Contractor at his own cost. Equipment and tools used to carry out the works shall be SABS approved of high quality, in working order and comply with the Specifications. All plant, tools and equipment shall comply with the requirements as stipulated in the National Environmental Management Act 107 of 1998 and Occupational Health and Safety Act 85 of 1998 and the Construction Regulation 2014 issued in terms of the Act. The Contractor shall ensure compliance with these specifications and if requested by the Employer, shall prove compliance at his own cost

2. SCOPE OF WORKS

The scope of works requires to appoint a service provider/contractor/ Registered Asbestos Contractor (RAC) for the clearance of site with a (**registered to conduct type 2 asbestos work**) to undertake the Safe removal and disposal of asbestos products Vissershok waste disposal landfill site and and removal of debris.

3. PROJECT SPECIFICATIONS

Throughout the contract documents the terms Scope of Works and Project Specifications are synonymous. The works set out in the Specifications below shall apply and are to be allowed for in the Bill of Quantities. The specifications below must be complied with and clearly marked with an **"X"** in the **YES** column to serve as confirmation to the specification. If the bidder wants to deviate from the specification, it shall be marked in the **NO** column. The bidder shall supply a reason and include deviation details for not complying with the specification. Please note that a **"NO"** indication may have a negative effect on the evaluation of your offer, i.e. non-compliance

3.1 Minimum Requirements:		Please indicate with and "X" whether the offer complies with the requirements.		
		YES	NO	Comment
3.1.1	**Mandatory Compliance with all requirements of the Occupational Health and Safety Act (Act No 85 of 1993) Asbestos Regulations. 2001, shall apply, specifically: -**			
	a) All work shall be carried out by a Registered Asbestos Contractor as defined in the Regulations.			
	b) The service provider shall notify the Provincial Inspector in accordance with Asbestos Regulation 3.			
	c) The service provider shall provide (i) all persons exposed to asbestos with suitable protective clothing as per regulations 17 (1) and (ii) suitable respiratory protective equipment as per regulation 11(1)			
	d) The service provider shall submit proof of training for all employees as required in terms of Regulation 5.			
	e) The service provider shall ensure cleanliness of the site/premises that's to be services as set out in regulations 12.			

3.1 Minimum Requirements:		Please indicate with and "X" whether the offer complies with the requirements.		
		YES	NO	Comment
	f) Service provider shall submit a Plan of Work to the Employer and to an Approved Asbestos Inspection Authority (AIA) not less than 30 days prior to the intended date of commencement of the work as required by Regulation 21 (1) (a).			
	g) The service provider shall submit the approved Plan of Work to the Employer and to the Provincial Inspector not less than 14 days prior to commencement of the work as required by Regulation 21 (1) (a).			
	h) The services provider shall provide written confirmation to the Employer on completion of the work that all asbestos waste has been removed in accordance with Regulation 21 (1) (b).			
	i) The service provider shall provide the Employer with a Certificate of Safe Disposal issued by an approved disposal facility as contemplated in Regulation 20.			
	j) The service provider shall adhere to regulations 19 for collection and transportation of asbestos waste material.			
	k) Service provider shall provide all employees with Personal Protective Equipment (PPE) and manage the use and disposal of such PPE in accordance with the requirements of Regulation 17.			
	l) Proof of company accreditation in terms of OHS requirements to handle and dispose of hazardous asbestos materials shall also be submitted. (including Department of Labour Asbestos Certification).			

3.1 Minimum Requirements:		Please indicate with and "X" whether the offer complies with the requirements.		
		YES	NO	Comment
	a) The conditions for the operation and services provision are to minimise the risk of pollution and negative impact on the immediate environment.			
	b) Hazardous Waste must be securely contained during collection and transport to prevent risk to the environment.			
	c) The operation must be carried out so that pollution and degradation of the environment are avoided, or, where they cannot be altogether avoided, are minimised and remedied;			
	d) The conditions for the operation and service provision is to minimise the risk of pollution and negative impact on the immediate environment.			
	e) The removal and transport of hazardous waste must be of such a standard that odours, dust, flies, rodents and windblown contaminants and litter be effectively controlled and prevented.			
	f) To minimise the effect of windblown litter and dust, all filled containers are to be securely covered whether stationary or in transit.			
	g) Haulage loading vehicles for collection, transportation and disposal of hazardous waste shall be reliable registered and complies with relevant traffic regulations. (The National Road Traffic Act 93 of 1996).			
	h) When Hazardous Waste is transported, further labelling of bulk containers and placarding of the vehicle is also required. Labelling of hazardous substances must be done according to the SABS Code 0233.			

3.1 Minimum Requirements:		Please indicate with and "X" whether the offer complies with the requirements.		
		YES	NO	Comment
	i) Operational imperatives / laws / control measures to be adhered to for the transportation of hazardous waste are The Hazardous Substances Act (Act 15 of 1973), The Occupational, Health and Safety Act (Act 85 of 1993) and Asbestos Regulations 2001.			
Record Keeping:				
	a) The contractor shall keep accurate records of all trips, times and distances travelled, quantities of asbestos waste handled and dumped, (including volume, content, and category and registration details of each vehicle. b) The number of bins transported each day or as required/instructed. c) Records of accidents, breakdowns and stoppages during transportation.			
	d) The contractor shall provide and maintain files of work done for the duration of the Contract. All schedules, checklists, maintenance record, and monthly reports shall be filed, together with the information regarding jobcards, materials and equipment used for the works			
	a) State the various types of plant and equipment to be utilised and the size and description. Colour pictures of specific equipment must be attached/included in the bid.			
	b) Colour pictures and specifications of bins intended for supply under this contract must be submitted as part of the bid document.			
3.1.2	**Measurement and Payment:**			

3.1 Minimum Requirements:		Please indicate with and "X" whether the offer complies with the requirements.		
		YES	NO	Comment
	a) This Contract is a rate tender and rates as per the Pricing Schedule shall apply.			
	b) The quantity of hazardous waste disposed shall be as per the Safe Disposal Certificate. Disposal site weighbridge measurement slips.			
	c) Within one week of receipt of a payment certificate from the Services Provider the Employer will review and approve the certificate and upon approval, the Service Provider will be required to submit a tax invoice showing the amount due for payment equal to that stated in the approved Service provider's certificate.			
	d) The Service Provider is also required to submit a report with each invoice that states the following: • Number of bins/skips collected during that period • The dates of each collection and disposal • The weight of hazardous waste dumped • Name and details of landfill site used for disposal • Copy of disposal certificate			
	e) Approval of payment certificates will be subject to the Employer receiving a valid receipt or invoice for disposal of waste from the disposal facility.			
	f) The Contractor shall address the TAX invoice to: Stellenbosch Municipality and Include on each invoice the following information: • Name and address and contact details of the Service provider and Service Provider Manager • The contract number and contract title • The latest official order number issued for the contract • The Employer's VAT registration number • Service Provider's VAT registration number			

3.1 Minimum Requirements:		Please indicate with and "X" whether the offer complies with the requirements.		
		YES	NO	Comment
	• Description of services provided for each item invoiced based on the pricing schedule • A valid copy of the invoiced received for dumping at the appropriate landfill site • Total amount invoices excluding VAT. • Total amount invoiced including VAT (if applicable)			
3.1.3	**Penalties for Non-Removal of asbestos products:**			
	a) The contractor will remove the asbestos products within 3 days after receipt of instruction of waste removal from the Employer.			
	b) Failure to comply with the aforementioned time frames, will result in penalties that will be imposed by the client			

HEALTH AND SAFETY SPECIFICATION

PHS 01 DOCUMENT PURPOSE AND INTEND

The purpose of this document is to provide clear health and safety specifications as well as terms & conditions for the removal, transportation and disposal of hazardous asbestos from the Stellenbosch. This site is to be serviced to the applicable performance standards as well as works to comply with current regulatory requirements and standards of best practice that relates to the works during the contract term.

4.2.1 The specifications contained in this document relate to the health and safety requirements pertaining to the associated works of the aforementioned construction site, so as to ensure the health and safety of persons on all aspects of the work pertained to this contract.

4.2.2 Compliance to the Occupational Health and Safety Act (Act 85 of 1993) and the Regulations shall not be limited to the specifications and definitions contained in this document.

4.2.3 A comprehensive, documented Health &Safety Plan (H&S Plan) is to be drawn up based on the specifications provided and presented to the agent for approval prior to commencement of work / together with the tender documents.

4.2.4 Monitoring of compliance on site shall be to the requirements of the OHS Act and Regulations as well as the contents of the H&S Plan(s) of the Principal Service Provider and Service Providers.

PHS 02 APPLICATION AND INTERPRETATION

This document is to be read and understood in conjunction with the following, inter alia:

- Occupational Health and Safety Act (Act 85 of 1993).
- All regulations published in terms of the Occupational Health and Safety Act.
- Asbestos Regulations, 2001
- Contract Documents
- National Environmental Act (107 of 1998)
- Health and Safety Specification for the provision of construction services.
- Minimum requirements for the handling, classification and disposal of Hazardous Waste, DWAF, Second edition, 1998.

Definitions

The following definitions from the Occupational Health and Safety Act are listed as follows:

Chief Executive Officer

In relation to a body corporate or an enterprise conducted by the State, means the person who is responsible for the overall management and control of the business of such body corporate or enterprise.

Danger

Means anything which may cause injury or damage to persons or property.

Employee

Means, subject to the provisions of Subsection (2), any person who is employed by or works for any employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of an employer or any other person.

Employer

Means, subject to the provisions of Subsection (2), any person who employs or provides work for any person or remunerates that person or expressly or tacitly undertakes to remunerate him,

but excludes a labour broker as defined in Section 1(1) of the Labour Relations Act, 1953 (Act No. 28 of 1956).

Healthy

Means free from illness or injury attributable to occupational causes.

Machinery

Means any article or combination of articles assembled, arranged or connected and which Is used or intended to be used for converting any form of energy to performing work, or which is used or intended to be used, whether incidental thereto or not, for developing, receiving, storing, containing, confining, transforming, transmitting, transferring or controlling any form of energy.

Medical Surveillance

Means a planned programme of periodic examination (which may include clinical examinations, biological monitoring or medical tests) of employees by an occupational health practitioner or, in prescribed cases, by an occupational medicine practitioner.

Plant

Includes fixtures, fittings, implements, equipment, tools and appliances, and anything which is used for any purpose in connection with such plant.

Properly Used

Means used with reasonable care, and with due regard to any information, instruction or advice supplied by the designer, manufacturer, importer, seller or supplier.

User

In relation to plant or machinery, means the person who uses plant or machinery for his own benefit or who has the right of control over the use of plant or machinery, but does not include a lessor of, or any person employed in connection with, the plant or machinery.

Reasonably Practicable

Means practicable having regarded to:

(a) the severity and scope of the hazard or risk concerned,

(b) the state of knowledge reasonably available concerning that hazard or risk and of any means of removing or mitigating that hazard or risk.

(c) the availability and suitability of means to remove of mitigate that hazard or risk; and

(d) the cost of removing or mitigating that hazard or risk in relation to the benefits deriving there from.

Risk

Means the probability that injury or damage will occur.

Safe

Means free from any hazard.

Standard

Means any provision occurring:

(a) in a specification, compulsory specification, code of practice or standard method as defined in Section 1 of the Standards Act, 993 (Act No. 29 of 1993); OR

(b) In any specification, code or any other directive having standardization as its aim and issued by an institution or organization inside or outside the Republic which, whether generally or with respect to any particular article or matter and whether internationally or in any particular country or territory, seeks to promote standardization.

PHS 03 RISK ASSESSMENT

Risk assessments of all required activities shall form an integral part of the H&S Plan.

PHS 04 SAFE WORK PROCEDURES

The approved Contractor must prepare a Health & Safety Plan (H&SP) to address and manage all applicable sources of risks for service to be provided. The Contractor shall incorporate these risks into the H&SP for the execution of the entire contract works. Should any additional risks be identified in the course of the contacted work, such risks must be assessed and addressed in amended H&SP which must then be submitted to the Employer for approval.

The specifications relating to health and safety requirements are subject to the provisions of the Occupational Health and Safety Act (Act 85 of 1993) and the Regulations thereunder. The monitoring and compliance on site as well as during transportation shall be to the requirements of the Occupational Health and Safety Act. The Municipality reserves the right to itself to request the service provider to submit a detailed Health and Safety Plan should same be necessary.

The specifications relating to environmental management requirements are subject to the provisions of the National Environmental Management Act (Act 107 of 1998) and the Regulations thereunder. The Municipality reserves the right to itself to request the service provider to submit a detailed written submission setting out the method the service provider proposes using to carry out the activity set out in this tender with regard to materials handling, use, storage and transportation.

Safe Work Procedures for the following activities are to form part of the H&S Plan:

- Working at an active municipal depot and amongst the Employer's personnel, equipment and infrastructure.
- All health hazards that can be present during any of the above activities and should include individual dusts, gases, fumes, vapours, noise, extreme temperatures, illumination, vibration and ergonomic hazards.
- Procedures for compliance with all requirements of the OHS Act and other applicable legislations / acts / laws / policies.
- Undertaking and procedure to stop any work which endangers the safety or health of any person.
- Systems for recording and reporting of incidents.

The following table provides information on factors to be taken into account when the risk assessments and Safe Work Procedures are compiled:

Physical	**Chemical**	**Biological**	**Mechanical**	**Psycho-social**
Noise	Liquids	Insects	Posture	Stress
Vibration	Dusts	Fungi	Movement	Work pressure
Ionising radiation	Fumes	Bacteria	Repetitive tasks	Monotony
Non-ionizing radiation	Fibres	Viruses		Un-sociable hours
Health and cold	Mists			Ergonomically
Electricity	Gasses			
Pressure	Vapours			

System	**Stress/Agency**	**Illness/Disease**
Musculoskeletal	Lifting/loads	Muscular pain syndromes
	Repetitive strain	Ténosynovites
	Abnormal postures	Bursitis
	Whole body vibration	Osteoarthritis

Sensory	Noise	Hearing loss
Skin	Cement (chromates), rubber Thinners, epoxies Tar, pitch Solar radiation	Allergie contact dermatites Irritant contact dermatites Acne, Skin cancer Keratosis, Cancer
Respiratory	Silica Asbestos Spray-paints, woods, epoxies Irritant dusts, welding fumes	Silicosis, TB, Asbestosis, Cancer Asthma Bronchites
Psychosomatique	Physical stress Psychosocial stress	Head aches Dépression Fatigue Substance abuse
Nervous System	Lead Organic solvents	Peripheral and central neuropathy Headaches, Dizziness, Mood disorder, Dementia

PHS 05 AGENT HEA

LTH AND SAFETY INSTRUCTION REGISTER

5.1 The agent will keep on site an Health and Safety Instruction Register.

5.2 The Principal Service Provider shall be required to sign the register at the end of each day to acknowledge any instructions issued.

PHS 06 HAZARDOUS BIOLOGICAL AGENTS (HBA)

6.1 The conducting of Risk Assessments specifically aimed at exposure to HBA which shall include the following:

- Nature and dose of HBA
- Where HBA may be present and in what physical form
- The nature of work, process
- Steps in the event of failure of control measures
- The effects of the HBA
- The period of exposure
- Control measures

PRE-QUALIFICATION AND EVALUATION CRITERIA

PRE-QUALIFICATION SCORE SHEET

PRE-QUALIFICATION AND EVALUATION CRITERIA:

Bids will be evaluated in term of the Municipality's Supply Chain Management Policy.

Valid proof of Bidders Asbestos Accreditation Certificate or a sub-contractor with an Asbestos Accreditation Certificate is compulsory requirements and shall be submitted with this bid. Bidders who do not comply will be deemed non-Responsive and will not be considered for further evaluation.

ITEM	PRE-QUALIFICATION	CRITERIA	Compliance Yes/ No
1.	**Certification in terms of OHS and Asbestos Regulations**	Asbestos Accreditation Certificate / or sub-contract a company that is registered with an Asbestos Accreditation certificate	

INFORMATION TO BE PROVIDED BY THE TENDERER

The following information is to be provided by the tenderer for functionality scoring evaluation.

- Valid proof of Bidders/ Sub-contractors' Asbestos Accreditation Certificate shall be submitted with this bid. Bidders who are not Registered Asbestos Contractors or appoint a sub-contractor who is not Registered Asbestos Contractors, in good standing with the Department of Labour will be deemed non-responsive and will not be considered for further evaluation.

NONE COMPLIANCE TO SPECIFICATIONS WILL INVALIDATE YOUR OFFER

Note: It should be noted that the service will commence in 2024/2025 financial year.

Does your offer comply with these specifications? - Indicate YES or **NO**

1.1 Bidder's declaration

I, _____ (bidder's name) representative of _____(company name) hereby confirm reading and understanding above mentioned requirements of this tender and is in full agreement with these terms and conditions.

Signature: _____

Date: _____

RIGHTS OF THE MUNICIPALITY

The Municipality reserves the right to accept any quote or part thereof and may adjust the extent of the job.

The approved bidder must sign an indemnity form to accept the responsibility for any damages, loss of life, injuries or loss caused by his/their action to any municipal property, equipment or accessories. All insurances to cover the above mentioned, are for the contractors account. Successful contractors will indemnify the municipality against any claim that may arise from their operations.

Disclaimer: I hereby exempt Stellenbosch Municipality against any claim(s) for damages that may arise in the execution of thus formal quotation/tender/quotations in accordance with the Occupational Health and Safety (OHS) Act and its associated regulations.

Signed: ……

Date: ……

I, the undersigned, for and on behalf of the bidder, hereby confirm that I/we understand the information as stated above and that I/we will comply with all of the above.

…….. ……

Name (print) **Signature**

…….. ……..

Capacity **Date**

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

MBD 3.1

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 of bidder: ……	**Quotation number:** ……
Closing Time: ……	**Closing Date:** ……

OFFER TO BE VALID FOR 60 DAYS FROM THE CLOSING DATE OF BID.

NOTE:

1. Only firm prices will be accepted. Non-firm prices will not be considered.
2. All delivery costs MUST be included in the bid price, for delivery at the prescribed destination.
3. Document MUST be completed in non-erasable black ink.
4. NO correction fluid/tape may be used.
   a. In the event of a mistake having been made, it shall be crossed out in ink and be accompanied by an initial at each and every alteration.
5. The Bidder MUST indicate whether he/she/the entity is a registered VAT Vendor or not.
   a. In the case of the Bidder not being a registered VAT Vendor, both columns (amount/rate excluding AND including VAT) must reflect the same amount.

PRICING SCHEDULE

	unit	UNIT	QTY	RATE	TOTAL
1.	Safe removal of asbestos roof	m^2	159		
2.	Removal of rubble with asbestos.	m^3	10		
3.	AIA	Sum	Sum		
4.	Demolish existing structure. Nutec material, brick and motar. (25*m x 6m)*	m^2	150		
5.	Disposal of asbestos *(this includes the safe transporting and dumping of asbestos material to an approved dumping site)*	KM	100		
6.	Disposal of debris **(***Normal waste and debris to be dumped at Municipal dumping site*	KM	50		
Subtotal					
10% contingencies					
Add 15% Tax					
Total					

NB: Stellenbosch Municipality reserve the right to downward adjust the scope of work/ quantity required to stay within its budget, R300 000 threshold applicable.

Note: All cost must be included in price, and prices must be firm for the duration of the project within the above-mentioned threshold.

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

- **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 as well as proof of address to claim locality points Copy of the B-BBEE Certificate issued by a Verification Agency accredited by SANAS or the original Sworn Affidavit must be attached (NB! BBBEE CERTIFICATES CAN BE VERIFIED WITH THE VERIFICATION AGENCY BUT A SWORN AFFIDAVIT MUST BE AN ORIGINAL AND NOT A COPY TO BE ELIGIBLE FOR BBBEE POINTS)			
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)……CERTIFY THAT THE INFORMATION FURNISHED ON THIS CHECK LIST IS TRUE AND CORRECT.

……..
Name (print)

……
Signature

……
Position

……
Date