

CALL FOR BIDS

BID NUMBER	DESCRIPTION	EVALUATION CRITERIA	WHERE TO FIND BID DOCUMENTS	MINIMUM REQUIREMENTS			CONTACT PERSON (TECHNICAL)	CLOSING DATE & TIME
				LETTER OF GOOD STANDING	PROOF OF REGISTRATION WITH CSD	PROOF OF ISO 9001 ACCREDITATION		
CD40/2022	CENTLEC (SOC) Ltd (herein referred to as CENTLEC) hereby invite bidders to bid for the supply and delivery of smart prepaid electrical meters with split customer interface units and concentrators as detailed in the specification below for a period of thirty-six (36) months..	90/10	www.centlec.co.za www.etenders.gov.za	N/A	Yes	Yes	Kenneth.Mohlakane@centlec.co.za	16 August 2022 at 11:00am

MINIMUM REQUIREMENTS

1. Bidders must submit the TAX compliance verification pin on a SARS letterhead. **2.** In the case of the Joint venture, Tax compliance verification pins of all parties must be attached. **3.** Copy of JV agreement (in case of JV) must be attached. **4.** Municipal bills (Water, Sanitation, Rates and Electricity) / Taxes Clearance Certificate not owing more than 30 days or a valid lease agreement with municipal bill of account not owing more than 30 days for municipal services that the lessee (bidder) is responsible for. **5.** All supplementary / compulsory MBD forms contained in the bid document must be completed and signed in full. **6.** Failure to comply with point 5 will invalidate your bid. **7.** Bidders must attach an Original BBBEE Verification Certificate or a Valid Copy of BBBEE Verification Certificate, in case of Joint Venture bidders must submit consolidated BBBEE certificate. **8.** Bidders must be registered on the National Treasury Centralized

Suppliers Database and must submit their registration summary report. **9.** Bidders must quote on all the items required on the pricing schedule and adhere to all the requirements as stipulated in the specification (**failure to quote on all items will invalidate your proposal/bid**). **10.** Bidders must neatly bind their bid/proposal documents (**Loose documents will be disqualified**).

PLEASE NOTE

- 1 Section 217 of the constitution of the Republic of South Africa requires an organ of state to contract for goods and services in accordance with a system which is fair, equitable, transparent, competitive, and cost effective.
 - 1.1 No bid(s) will be accepted from a person in the service of the state.
 - 1.2 No telegraphic, telefax and late bids will be accepted. (***Please sign bid submission register upon submission***)
 - 1.3 The lowest bid / proposal will not necessarily be accepted, and the Municipality reserves the right to accept where applicable a part or portion of any bid or where possible accepts bids or proposals from multiple bidders.
 - 1.4 Municipal Supply Chain Management policy and Preferential Procurement Policy Framework Act No 5 of 2000 (Revised 2017) and its regulations will be applied.

Bids are to be submitted to the following address:

CENTLEC Supply Chain Offices
30 Rhodes Avenue
Oranjesig
Bloemfontein
9301

For Supply Chain related enquiries please use the following contact details: Palesa.Makhele@centlec.co.za 051 412 2753



CD 40/2022

**SUPPLY AND DELIVERY OF SMART PREPAID
ELECTRICAL METERS WITH SPLIT CUSTOMER
INTERFACE UNITS AND CONCENTRATORS**

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1. INVITATION

CENTLEC (SOC) Ltd (herein referred to as CENTLEC) hereby invite bidders to bid for the supply and delivery of smart prepaid electrical meters with spilt customer interface units and concentrators as detailed in the specification below for a period of thirty-six (36) months.

The CENTLEC areas of supply, where these meters would be installed, include the Greater Mangaung area (Bloemfontein, Botshabelo, Thaba Nchu, Dewetsdorp, Wepener and Van Stadensrus), Kopanong and Mohokare, as well as any other Municipality that may be added as part of the SDA.

2. MINIMUM SUBMISSION REQUIREMENTS

Any omission of the listed items would render an automatic disqualification

- 2.1 Supply unique security personal identification number (PIN) and/or original TAX Clearance Certificate for TAX compliant status.
- 2.2 Supply municipal services (water, sanitation, rates and electricity) clearance certificate or Lease Agreement with a current Bill and rates clearances, or Current Bill of Account not owing more than 30 days. In a case where the services are paid for by the Landlord, the lease agreement must be signed by the applicable stakeholders.
 - 2.2.1 In an event that the Bidder utilizes prepaid services (e.g. water and or electricity) a valid municipal clearance certificate(s) must still be provided.
 - 2.2.2 Bidders that are CENTLEC (SOC) Ltd customers are also expected to attach a valid electricity clearance certificate.
- 2.3 Submit proof of registration on the National Treasury Centralized Supplier's Database
- 2.4 Submit proof of ISO 9001 accreditation for the manufacturer of the goods.

3. LOCAL CONTENT PRE-QUALIFICATION

Preferential Procurement Regulations 2017 section 8 (Local production and content) states that:

(2) An organ of state must, in the case of a designated sector, advertise the invitation to tender with a specific condition that only locally produced goods or locally manufactured goods, meeting the stipulated minimum threshold for local production and content, will be considered.

(5) A tender that fails to meet the minimum stipulated threshold for local production and content is an unacceptable tender.

NB!!! Bidders are required to complete Annexure C, D & E for declaration of Local Content %.

These designated sectors include the following (But are not limited) with the minimum threshold:

Designated Sector	Minimum Threshold
(Smart) Prepaid Electricity Meters	70%

4. SCOPE OF WORK

The scope of this bid document includes the following requirements and services relating to the delivery and supply of Smart Prepaid Meters, CIU's and Concentrators:

This specification sets the required minimum level of functionality for meters that are required to manage residential and commercial consumption in the areas currently supplied by CENTLEC. At present, residential and commercial customers are supplied by means of single and three phase kWh meters while Bulk customers are supplied by means of three phase quadrant meters. Single and three phase kWh meters should be configurable in credit or in pre-paid mode.

The meters shall allow for the monitoring, remote meter reading, control and reporting on electricity consumption via a two-way communication system from a centralized computerized existing CENTLEC master station. The system master station includes facilities for remote disconnection of kWh meters as well as two auxiliary switched outputs to enable geyser and appliance control for all kWh meters.

The meter must have open protocol to integrate with the current Smart Metering system CENTLEC currently employs, the meter software system can be stand-

alone but should be able access all the data as specified at all time.

5. NORMATIVE REFERENCES

Document	Title
Standards containing prescriptive references	
SANS/IEC 62052-31	Electricity metering equipment (a.c) – General requirements, tests and test conditions – Part 31: Metering equipment.
SANS/IEC 62052-21	Electricity metering equipment (a.c.) – General requirements, tests and test conditions – Part 21: Tariff and load control equipment
SANS/IEC 62052-21	Electricity metering equipment (a.c) – Particular requirements: Static meters for active energy (classes 1 and 2)
SANS/IEC 62053-23	Electricity metering equipment (a.c) – Particular requirements – Part 23: Static meters for reactive energy (classes 2 and 3).
SANS/IEC 62055-41	Electricity metering – Payment systems – Part 41: Standard transfer specification (STS) – Application layer protocol for one-way token carrier systems.
SANS/IEC 62055-51	Electricity metering – Payment systems – Part 51: Standard transfer specification (STS) – Physical layer protocol for one-way numeric and magnetic card token carriers
SANS/IEC 62055-52	Electricity metering – Payment systems – Part 52: Standard transfer specification (STS) – Physical layer protocol for two-way virtual token carrier for direct local connection
SANS/IEC 62056-21	Electricity metering – Data exchange for meter reading, tariff and load control – Part 21: Direct local data exchange.
NRS 096-1	Electricity metering – Ancillary specifications – Part 1: The sealing of electricity meters.
IEEE 802.16	Broadband wireless Metropolitan Area Networks (MANs)
SANS/IEC 62051	Electricity metering – Glossary of terms.
SANS 164-1	Plug and socket-outlet systems for household and similar purposes for use in South Africa – Part 1: Conventional system, 16 A 250 V a.c.
SANS 474 (NRS 057)	Code of practice for electricity metering.
SANS 1524-1	Electricity payment systems – Part 1: Prepayment meters.
SANS/IEC 61334	Distribution automation using distribution line carrier

Document	Title
Standards containing prescriptive references	
	systems – Parts 1,3,4,5 and 6
SANS/IEC 62054-21	Electricity metering (a.c.) – Tariff and load control – Part 21: Particular requirements for time switches.
SANS/IEC 62058-31	Electricity metering equipment (a.c) – Acceptance inspection – Part 31: Particular requirements for static meters for active energy (class 0,5; 1 and 2). (Replacing IEC 6135)
SANS/IEC 60529	Degrees of protection provided by enclosures (IP Code).

6. TECHNICAL SPECIFICATIONS

6.1 ELECTRICAL ENERGY METERS

6.1.1 Single-Phase PLC

(i) Physical characteristics

The meter shall be manufactured in accordance with the BS standard foot-print for single phase meters. To prevent tampering, the meters shall be manufactured in such a way that the active unit, connections and breaker/contact switch shall be covered and sealed with plastic seals, lead seals or sealing wire. Breaking of these seals and opening of the meter shall result in immediate tamper detection (indication with tamper flag) and the automatic internal disconnection of the meter. Resetting of the tamper disconnection should only be done by means of an engineering code. Provision shall be made to prevent insect infestation (IP53 rating).

(ii) General Characteristics

The meter shall disconnect the supply in the event of:

- (a) Expiry of credit
- (b) Current exceeding the requested rated current
- (c) Any attempt at tampering or breaking the seals

The meter shall be of a design measuring kWh consumed. The rated current of the single phase meter shall be programmed for 60 amps although specified as 80 Amps and the minimum rated current of the three-phase meter at least 100 Amps per phase.

The meters shall comply in full respect to the latest STS standards as prescribed in NRS 009 and SANS 1524. All the meters shall be programmed

with preloaded eight (8) units.

THE METER SHALL BE OF A DESIGN AND MANUFACTURED TO INCLUDE THE FOLLOWING:

- (a) Programmable load limiting (Power limit in Amps)
- (b) Front panel tamper indication
- (c) Automatic keypad and trip test facility
- (d) Tamper indication
- (e) Remaining credit in kWh
- (f) Total energy used in kWh
- (g) Number of transactions
- (h) Breaker status (On/Off)
- (i) Meter number and software version number

Remote reset of split meter (tripped due to no credit) when crediting an input of energy (kWh)

Each consignment of meters shall be supplied with acceptable test certificates clearly stating the percentage error of each meter in the consignment. No consignment will be accepted unless it is accompanied by test certificates.

The successful bidder shall also submit details of the standards authority against which the test equipment has been calibrated thereby confirming the accuracy of the test certificates.

Single-Phase PLC	
Phase	Single
Voltage range	220 - 240V (L-N)
Current range	20 - 80A
Frequency	50Hz
IEC approvals - Accuracy	IEC 62053-21:2003, 62053-23:2003
IEC approvals - Ingress protection	IEC 60529:1989 (IP53 rating)
Product Life	15 years (10 years Certified)
Maximum (Voltage)	120 % of the maximum voltage.
Maximum (Current)	120 % of the maximum current.
Insulation	4kV RMS 50Hz
Impulse withstand	12kV 1.2/50µs, 40ohm source
Temperature - Operational	-40°C to +55°C
Temperature - Storage	-40°C to +85°C

The meter shall operate from the phase voltage (no external auxiliary supply requirement).

Meter ports

P1: Main communication port to main server via communications module (CM).

P2: Local meter optical port for meter reading, setup and configuration

P3: Meter port to communicate with In-house display module

P4: Meter port to communicate with disconnect devices

Communication links

L1: Main communications link between Smart Meter server and communications node/ concentrators:

- I. Physical medium: Fibre optic links, Wimax, GPRS, internet link
- II. Communication protocols TCP/IP
- III. Metering protocol DLMS/COSEM

L2: Links between meters and concentrator/ communication node

- I. Physical medium: RF mesh, PLC, cable
- II. Communication protocol: relevant open standard e.g. IEEE 802.12.5
- III. Metering protocol DLMS/COSEM

L3: Link between meter and in-house display module

- I. PLC or RF
- II. Protocol: Open standard

L4: link between meter load control outputs and disconnect devices in customer house

- I. RF or PLC
- II. Protocol: Open standard

L5: Any form of communication between the server and the meter will be acceptable.

6.1.2 Three-Phase PLC

(i) Physical characteristics

The meter shall be manufactured in accordance with the BSS foot-print for single phase meters. To prevent tampering, the meters shall be manufactured in such a way that the active unit, connections and breaker/contact switch shall be covered and sealed with plastic seals, lead seals or sealing wire. Breaking of these seals and opening of the meter shall result in immediate tamper detection (indication with tamper flag) and the automatic internal disconnection of the meter. Resetting of the tamper disconnection should only be done by means of an engineering code. Provision shall be made to prevent insect infestation (IP53 rating).

(ii) General Characteristics

The meter shall disconnect the supply in the event of:

- (a) Expiry of credit
- (b) Current exceeding the requested rated current
- (c) Any attempt at tampering or breaking the seals

The meter shall be of a design measuring kWh consumed. The rated current of the single phase meter shall be programmed for 60 amps although specified as 80 Amps and the minimum rated current of the three-phase meter at least 100 Amps per phase.

The meters shall comply in full respect to the STS standards as prescribed in NRS 009 and SANS 1524. All the meters shall be programmed with preloaded eight (8) units.

THE METER SHALL BE OF A DESIGN AND MANUFACTURED TO INCLUDE THE FOLLOWING:

- (a) Programmable load limiting (Power limit in Amps)
- (b) Front panel tamper indication
- (c) Automatic keypad and trip test facility
- (d) Tamper indication
- (e) Remaining credit in kWh
- (f) Total energy used in kWh
- (g) Number of transactions
- (h) Breaker status (On/Off)
- (i) Meter number and software version number

Remote reset of split meter (tripped due to no credit) when crediting an input of energy (kWh)

Each consignment of meters shall be supplied with acceptable test certificates clearly stating the percentage error of each meter in the consignment. No consignment will be accepted unless it is accompanied by test certificates.

The successful tenderer shall also submit details of the standards authority against which the test equipment has been calibrated thereby confirming the accuracy of the test certificates.

Three-Phase PLC	
Phase	Three
Voltage range	220 - 240V (L-N) / 380 - 415V (L-L)
Current range	20 -100A and 20 - 160A
Frequency	50Hz
IEC approvals - Accuracy	IEC 62053-21:2003, 62053-23:2003
IEC approvals - Ingress protection	IEC 60529:1989 (IP53 rating)
Product Life	15 years (10 years Certified)
Maximum (Voltage)	120 % of the maximum voltage.
Maximum (Current)	120 % of the maximum current.
Temperature - Operational	-40°C to +55°C
Temperature - Storage	-40°C to +85°C

Meter ports

P1: Main communication port to main server via communications module (CM).

P2: Local meter optical port for meter reading, setup and configuration

P3: Meter port to communicate with In-house display module

P4: Meter port to communicate with disconnect devices

Communication links

L1: Main communications link between Smart Meter server and communications node/ concentrators:

- I. Physical medium: Fibre optic links, Wimax, GPRS, internet link
- II. Communication protocols TCP/IP
- III. Metering protocol DLMS/COSEM

L2: Links between meters and concentrator/ communication node

- I. Physical medium: RF mesh, PLC, cable
- II. Communication protocol: relevant open standard e.g. IEEE 802.12.5
- III. Metering protocol DLMS/COSEM

L3: Link between meter and in-house display module

- I. PLC or RF
- II. Protocol: Open standard

L4: link between meter load control outputs and disconnect devices in customer house

- I. RF or PLC
- II. Protocol: Open standard

L5: Any form of communication between the server and the meter will be accepted

6.1.3 Operational Requirements of meters

All the meters should be easily programmable to operate either as prepayment or post payment (Credit) meters

The following non-interval data shall be stored on the meter and it shall be able to be retrieved through remote communication

- Total energy;
- Energy per Time-of-use period;
- Status alarms to verify the integrity of the data.
- Event recording i.e. tokens entered
- Tamper detection;
- Supply outage
- Over and under voltage;
- The limit setting shall be configurable from $\pm 5\%$ to $\pm 15\%$ of nominal voltage, as a minimum;
- An event shall be recorded if over and under voltage is sustained for a pre-defined period. This period shall be settable from 1 to 3 600 seconds;
- The date and time of the beginning of the event, and the date and time of

the end of the event shall be stored;

- For each under-voltage event the minimum voltage that occurred during the period shall be recorded. For three phase meters, the phases affected shall also be recorded;
- Disconnect / reconnect;
- Master station appliance (load) control override; and Meter configuration change.

6.1.4 Communication

- a) The communication network will be a combination of the CENTLEC's Fibre Optic network from the Server (LAN)/Power Station to all the Distribution Centres (fibre optic communication) on the network.
- b) The system shall support different transmission networks for communicating with the meters and collecting data from them. The system shall support the following communication media:
 - GSM 900/GPRS (Global System for Mobile Communications)
 - GSM 1800/GPRS
 - GPRS/3G (General Packet Radio Service / 3G – video calls, browsing Internet)
 - GPRS/5G
 - TCP/IP (Transmission Control Protocol and Internet Protocol)
 - ADSL (Asymmetric digital subscriber line)
 - LTE (Long Term Evolution, 4G mobile communication standards)
- c) The system shall communicate with meters using internationally recognized standards and communication protocols, such as:
 - DLMS/COSEM (IEC 62056) - mandatory (Device Language Message Specification / Companion Specification for energy metering) Standard for electricity metering data exchange
 - IEC 1107 (EN61107) – mandatory
 - SCTM – optional
 - FNP – optional
 - IEC 870-5-102 – optional
 - Mod Bus RTU
 - DNP3

6.1.5 Customer Interface Unit (CIU) - Requirements

- 6.1.5.1 The CIU should be Plug & Play and inter-changeable with other meters (1-phase and 3-phase) of the same make, as well as with other brands within CENTLEC infrastructure. Current brand names include Unique Mbane, Shanghai Xieling, Hexing, Inhemeter and Sangxing.
- 6.1.5.2 The graphical display shall be able to display messages of 255 characters.
- 6.1.5.3 The customer interface unit shall incorporate coloured indicators to indicate the active tariff rate.
- 6.1.5.4 Buttons shall be provided for to allow for navigation of the information (Buttons must be rugged-made of silicon rubber)
- 6.1.5.5 The customer interface unit shall allow for a communication/setup interface to configure the display with the correct meter information.
- 6.1.5.6 The digits of the values must be at least 4mm in height.
- 6.1.5.7 It is preferable that the CIU display be capable of being read in the dark (Back lights).
- 6.1.5.8 The display unit shall be capable of functioning after the meter has disconnected with the electricity supply.
- 6.1.5.9 The communication between the meter and the customer interface unit shall be via power line or communication wire.
- 6.1.5.10 The unit shall display the appliance switching status of the meter. The unit shall be capable to graphically display consumption and cost graphs for daily, weekly and monthly values.
- 6.1.5.11 CIU's must have a two (2) years manufacturers guarantee delivered with each batch. Failure of CIU in the guarantee period will constitute replacement by the supplier at no cost to CENTLEC.
- 6.1.5.12 CIU's must comply with at least IP53 rating.

6.1.6 Display Information on CIU

Display information	Meter display	Customer interface unit
Meter identification number (serial number)	Yes	Yes
Date and time	Yes	Yes
Off peak kWh (import)	Yes	Yes
Peak kWh (import)	Yes	Yes
Total kWh (import)	Yes	Yes
Off peak kWh (export)	Yes	Yes
Peak kWh (export)	Yes	Yes
Total kWh (export)	Yes	Yes
kVArh quadrant 1	Yes	Yes
kVArh quadrant 2	Yes	Yes

kVArh quadrant 3	Yes	Yes
kVArh quadrant 4	Yes	Yes
Current demand (kW)	Yes	Yes
Interval energy consumption (kWh)	No	Yes
Current tariff period	Yes	Yes
Energy cost (current billing month)	No	Yes
Energy cost (previous interval)	No	Yes

6.1.7 Concentrators

Voltage	
Reference Voltage	3 x 230/400V
Voltage range	0.8.....1.15U
Frequency	
	50Hz ±5%
Power consumption	
In voltage Circuit	≤ 10VA
In current Circuit	≤ 2.5VA
Communication Interface	
Optical interface (IR)	To IEC 62056-21
RS485 interface	To ISO-8482
PLC interface	To read meter data
Protocol	DL/T 645-2007
GPRS Interface	To main station
LAN (option)	To main station
Radio Frequency	To main station
RS232 interface	For service on site
USB interface	
	For download software
Other Data	
Weight	Approx.3.3kg
Dimension (L×W×D)	290x180x95mm
Surface mounted	

6.1.8 Concentrator - Requirements

- 6.1.8.1 The Concentrator should be able to connect, communicate and interrogate data from meters (1-phase and 3-phase) of the same make, as well as with other brands within CENTLEC infrastructure. Current brand names include Unique Mbane, Shanghai Xieling, Hexing, Inhemeter and Sangxing.
- 6.1.8.2 The graphical display shall be able to display messages of 255 characters.
- 6.1.8.3 The customer interface unit shall incorporate coloured indicators to indicate the connectivity status.

- 6.1.8.4 Buttons shall be provided for to allow for navigation of the information (Buttons must be rugged-made of silicon rubber)
- 6.1.8.5 The digits of the values must be at least 4mm in height.
- 6.1.8.6 It is preferable that the Concentrator display be capable of being read in the dark (Back lights).
- 6.1.8.7 The display unit shall be capable of functioning after the Concentrator has disconnected with the electricity supply.
- 6.1.8.8 The communication between the meter and the Concentrator shall be via power line.
- 6.1.8.9 The communication between the Concentrator and the Back-end System will be as per the mentioned communication modes under item 6.1.4 above.
- 6.1.8.10 Concentrators must have a two (2) years manufacturers guarantee delivered with each batch. Failure of Concentrator in the guarantee period will constitute replacement by the supplier at no cost to CENTLEC.
- 6.1.8.11 Concentrators must comply with at least IP53 rating.

General Information

	DESCRIPTION	ITEM 6.1.1 & 6.1.2	ITEM 6.1.5	ITEM 6.1.7
1.1	Manufacturer	_____	_____	_____
1.2	Country of origin	_____	_____	_____
1.3	Type of Meter	_____	_____	_____
1.4	Number of similar sold in the last five (5) years in South Africa	_____	_____	_____
1.5	List of other local authorities and Municipalities with similar in use (specified separately)	_____	_____	_____
1.6	ESKOM approved (Yes/No) Certificate No.	_____	_____	_____
1.7	SANS approved (Yes/No) Certificate No.	_____	_____	_____
1.8	Protocol supported by meter (e.g., FLAG, Chirps, DLMS, COSEM, etc.)	_____	_____	_____
		_____	_____	_____

7. SPECIAL CONDITIONS

- 7.1 Warranties of a minimum of one (1) year on all meter-related equipment including communication modules, concentrators, keypads, etc.
- 7.2 Suppliers must provide CENTLEC with a stand-alone software system that has the ability to read the prepaid meter memory even when the display is broken or damaged, and full access to interrogate the meter and any other readings from the meter via an optical eye cable.
- 7.3 Certification of the meters.
- 7.4 Provide initial training, with training manuals, for all new products and assist technically with the modem setup and comms modules particularly for Concentrators.
- 7.5 Specified delivery times on an order, 4 to 6 weeks from placing the order.
- 7.6 The supplier must be able to provide proof of the latest accuracy of a meter installed if the need arises, maybe as an extra service, by physically testing the installation.
- 7.7 **Full access to the protocol as and when needed for integration purposes. This clause shall be part of the SLA between CENTLEC and the successful bidder.**

8. EVALUATION CRITERIA

All proposals submitted will be evaluated in accordance with the criteria set out in the policy of Supply Chain Management of the Entity.

The most suitable candidate will then be selected. Please take note that CENTLEC (SOC) Ltd is not bound to select any of the firms submitting proposals.

Furthermore, technical competence is the principal selection criteria, CENTLEC (SOC) Ltd will evaluate the technical criteria first, and will only look at the price and BBEE level of contribution if it is satisfied with the technical evaluation. As a result of this, CENTLEC (SOC) Ltd does not bind itself in **any way** to select the firm offering the lowest price.

The relative technical weighting of the criteria is as follows:

8.1 EVALUATION TABLE

No.	Criteria	Description	Points
1.	Track record and experience	Have they provided these services in the last four years? A maximum of 3 reference letters of confirmation is required. a. Two (2) letter = 10 points b. Three (3) letters = 20 points	20
2.	Local (Mangaung) operational capability and economic investment	Does the bidder have a local office with operational capability and will they use local resources and procure from local businesses Or what is their plan to do this during the duration of this project? a. Existing and established local office (CENTLEC distribution area) = 15 points b. If not (Within South Africa)= 5 points	15
3.	Delivery times	a. Delivery within 4 weeks = 15 points b. Delivery within 5 weeks = 10 points c. Delivery after 6 weeks = 0 points	15
4.	Bidders should present and demonstrate the list of equipment	Samples to be supplied to CENTLEC evaluation committee to prove functionality as per the specified requirements: a. Single-Phase and Three-Phase PLC/RF/Wired prepaid meter = 10 points b. Data Concentrators = 10 points c. Software that reads the memory of the prepaid meter = 20 points d. CIU able to communicate with the meter when power is off = 10 points	50
	TOTAL		100

A bidder who gets a minimum of 75 points and above on will qualify to the next stage. Individual tenders would have to be evaluated according to the preferential point system. The bidder must score minimum points as follows:

- Item 1 – 10 points
- Item 2 – 5 points
- Item 3 – 10 points
- Item 4 – 50 points; in the Evaluation Criteria.

The point system applicable to this project will be: 90/10

8.2 PRICE AND REFERENTIAL POINTS SCORING – STAGE 2 (Price and B-BBEE status)

All Bidders that have passed the technical evaluation threshold of 75 points would also be scored based the 90/10 principle where 90 Points is for the Price and 10 points for B-BBEE as per the detail given below

Price and referential points scoring – (Stage 2)

A Maximum of 90 Points is allocated for price on the following basis:

$$Ps = 90 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

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

8.2.1 Points awarded for B-BBEE Status Level of Contribution

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

B-BBEE Status Level of Contributor	Number of Points (90/10 System)
1	10
2	9
3	6
4	5
5	4
6	3
7	2
8	1
Non-Compliant Contributor	0

9. PRICING

All bidders should develop their quotation using the following pricing schedule:

Table 1 – Price schedule

PRICE SCHEDULE FOR PREPAID METERS				
[all prices are per prepaid meter and exclusive of VAT]				
ITEM NO.	DESCRIPTION	Manufacturer and item code	Lead time for delivery (weeks)	COST PER ITEM (RANDS)
1	Single-Phase PLC and Wired Prepaid Meters			
2	Three-Phase PLC and Wired Prepaid Meters			
3	Directly connected Single-Phase kVA/kWh Smart Meter (5 to 100A)			
4	Directly connected Three-Phase kVA/kWh Smart Meter (5 to 100A)			
5	Directly connected Three-Phase kVA/kWh Smart Meter (5 to 160A)			
6	Concentrators			

10. CONTACT INFORMATION

10.1 For any further technical information regarding the document contents please contact Mr. K Mohlakane e-mail: Kenneth.Mohlakane@centlec.co.za. Such queries must be done in writing; the email address provided serves this purpose. The answer to one question will be sent to all the other prospective bidders that have bought the bid documents.

10.2 For Supply Chain related questions, please contact Ms. Palesa Makhele at 051 412 2753 or at Palesa.Makhele@centlec.co.za

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ENTITY)

BID NUMBER:

CLOSING DATE:

CLOSING TIME:

DESCRIPTION.....

The successful bidder will be required to fill in and sign a written Contract Form (MBD 7).

BID DOCUMENTS MAY BE POSTED TO:

.....

.....

OR

DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

.....

.....

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

The bid box is generally open 24 hours a day, 7 days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (as defined in Regulation 1 of the Local Government: Municipal Supply Chain Management Regulations)

**THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)**

NAME OF BIDDER

POSTAL ADDRESS

STREET ADDRESS

TELEPHONE NUMBER CODE.....NUMBER.....

CELLPHONE NUMBER

FACSIMILE NUMBER CODE.....NUMBER.....

E-MAIL ADDRESS

VAT REGISTRATION NUMBER

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN ATTACHED? (MBD 2) YES/NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (MBD 6.1) YES/NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) ☐

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN NATIONAL ACCREDITATION SYSTEM (SANAS) ☐

A REGISTERED AUDITOR ☐

(Tick applicable box)

(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE 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)

SIGNATURE OF BIDDER

DATE

CAPACITY UNDER WHICH THIS BID IS SIGNED

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS OFFERED

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Municipality / Municipal Entity:

Department:

Contact Person:

Tel:

Fax:

ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact Person:

Tel:

Fax:

TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

- 1 In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
- 2 SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
- 3 The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
- 4 In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
- 5 Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za.
- 6 Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of Bidder.....	Bid Number.....
Closing Time	Closing Date

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

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
----------	----------	-------------	--

- | | | | |
|---|--|--|--------------------------|
| - | Required by: |  | ..... |
| - | At: |  | ..... |
| | | | |
| - | Brand and Model |  | ..... |
| - | Country of Origin |  | ..... |
| - | Does the offer comply with the specification(s)? | | *YES/NO |
| - | If not to specification, indicate deviation(s) |  | ..... |
| - | Period required for delivery |  | ..... |
| | | | *Delivery: Firm/Not firm |
| - | Delivery basis |  | ..... |

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

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

***Delete if not applicable**

PRICING SCHEDULE – NON-FIRM PRICES (PURCHASES)

NOTE: PRICE ADJUSTMENTS WILL BE ALLOWED AT THE PERIODS AND TIMES SPECIFIED IN THE BIDDING DOCUMENTS.

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of Bidder.....	Bid number.....
Closing Time	Closing Date

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

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
----------	----------	-------------	--

- Required by:
- At:
- Brand and model
- Country of origin
- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s)
- Period required for delivery
- Delivery: *Firm/Not firm

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

***Delete if not applicable**

A NON-FIRM PRICES SUBJECT TO ESCALATION

- $$Pa = (1 - V)Pt \left(D1 \frac{R1t}{R1o} + D2 \frac{R2t}{R2o} + D3 \frac{R3t}{R3o} + D4 \frac{R4t}{R4o} \right) + VPt$$

P_a	=	The new escalated price to be calculated.
(1-V) P_t	=	85% of the original bid price. Note that P_t must always be the original bid price and not an escalated price.
D₁, D₂..	=	Each factor of the bid price eg. labour, transport, clothing, footwear, etc. The total of the various factors D ₁ ,D ₂ ...etc. must add up to 100%.
R_{1t}, R_{2t}.....	=	Index figure obtained from new index (depends on the number of factors used).
R_{1o}, R_{2o}	=	Index figure at time of bidding.
VP_t	=	15% of the original bid price. This portion of the bid price remains firm i.e. it is not subject to any price escalations.

- Index..... Dated..... Index..... Dated..... Index..... Dated.....
Index..... Dated..... Index..... Dated..... Index..... Dated.....

- [illegible]

B PRICES SUBJECT TO RATE OF EXCHANGE VARIATIONS

1. Please furnish full particulars of your financial institution, state the currencies used in the conversion of the prices of the items to South African currency, which portion of the price is subject to rate of exchange variations and the amounts remitted abroad.

PARTICULARS OF FINANCIAL INSTITUTION	ITEM NO	PRICE	CURRENCY	RATE	PORTION OF PRICE SUBJECT TO ROE	AMOUNT FOREIGN CURRENCY REMIT ABROAD
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		

2. Adjustments for rate of exchange variations during the contract period will be calculated by using the average monthly exchange rates as issued by your commercial bank for the periods indicated hereunder: (Proof from bank required)

AVERAGE MONTHLY EXCHANGE RATES FOR THE PERIOD:	DATE DOCUMENTATION MUST BE SUBMITTED TO THIS OFFICE	DATE FROM WHICH NEW CALCULATED PRICES WILL BECOME EFFECTIVE	DATE UNTIL WHICH CALCULATED PRICES WILL BE EFFECT

PRICING SCHEDULE
(Professional Services)

MBD 3.3

Name of Bidder: Bid Number:
Closing Time: Closing Date:

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

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
---------	-------------	--

1. The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION

HOURLY RATE

DAILY RATE

.....	R.....	.....
.....	R.....	.....
.....	R.....	.....
.....	R.....	.....
.....	R.....	.....

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

.....	R.....	..... days
.....	R.....	..... days
.....	R.....	..... days
.....	R.....	..... days

5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....
.....	R.....

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

- 5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....
.....	R.....
TOTAL R			

6. Period required for commencement with project after acceptance of bid
7. Estimated man-days for completion of project
8. Are the rates quoted firm for the full period of contract? *YES/ NO.
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.....

.....

.....

.....

*Delete if not applicable

MBD 4

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.

.....

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 Management Act, 1999 (Act No.1 of 1999);

(e) a member of the accounting authority of any national or provincial public entity; or

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

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

3.9 Have you been in the service of the state for the past twelve months? **YES / NO**

3.9.1 If yes, furnish particulars.....

.....

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

3.10.1 If yes, furnish particulars.

.....

.....

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

3.11.1 If yes, furnish particulars

.....

.....

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

3.12.1 If yes, furnish particulars.

.....

.....

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

3.13.1 If yes, furnish particulars.

.....

.....

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

3.14.1 If yes, furnish particulars:

.....

.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED)

For all procurement expected to exceed R10 million (all applicable taxes included), bidders must complete the following questionnaire:

1 Are you by law required to prepare annual financial statements for auditing?

1.1 If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.

***YES / NO**

.....

.....

2 Do you have any outstanding undisputed commitments for municipal services towards any municipality for more than three months or any other service provider in respect of which payment is overdue for more than 30 days?

2.1 If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards any municipality for more than three months or other service provider in respect of which payment is overdue for more than 30 days.

2.2 If yes, provide particulars.

.....

.....

.....

.....

* Delete if not applicable

***YES / NO**

3 Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of

such contract?

3.1 If yes, furnish particulars

.....

.....

***YES / NO**

4. Will any portion of goods or services be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic?

***YES / NO**

4.1 If yes, furnish particulars

.....

.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011 and the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as required in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

1.6. A bid may be disqualified if –

- (a) this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and
- (b) the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

2. Definitions

2.1. **“bid”** includes written price quotations, advertised competitive bids or proposals;

2.2. **“bid price”** price offered by the bidder, excluding value added tax (VAT);

2.3. **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;

2.4. **“designated sector”** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;

2.5. **“duly sign”** means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility (close corporation, partnership or individual).

2.6. **“imported content”** means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour and intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;

2.7. **“local content”** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;

2.8. **“stipulated minimum threshold”** means that portion of local production and content as determined by the Department of Trade and Industry; and

2.9. **“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.

3. **The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

Description of services, works or goods	Stipulated minimum threshold
---	------------------------------

	_____ %
	_____ %
	_____ %

4. Does any portion of the services, works or goods offered have any imported content?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

- 4.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by the SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za.

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

5. Were the Local Content Declaration Templates (Annex C, D and E) audited and certified as correct?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

- 5.1. If yes, provide the following particulars:

- (a) Full name of auditor:
- (b) Practice number:
- (c) Telephone and cell number:
- (d) Email address:

(Documentary proof regarding the declaration will, when required, be submitted to the satisfaction of the Accounting Officer / Accounting Authority)

6. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the Accounting Officer / Accounting Authority provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Municipality / Municipal Entity):
.....

NB

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thedti.gov.za/industrialdevelopment/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of (name of bidder
entity), the following:

(a) The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that

- (i)** the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (ii)** the declaration templates have been audited and certified to be correct.

(c) The local content percentages (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C;

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Municipality /Municipal Entity has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Municipal / Municipal Entity imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

**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 R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the Preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE 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 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) **"prices"** includes all applicable taxes less all unconditional discounts;
- (h) **"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;
- (i) **"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;
- (j) **"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. POINTS AWARDED FOR PRICE

3.1 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

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

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

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: =(maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.)

7. SUB-CONTRACTING

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

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

- What percentage of the contract will be subcontracted.....%
- The name of the sub-contractor.....
- The B-BBEE status level of the sub-contractor.....
- Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

- Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are youth	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are women	<input type="checkbox"/>	<input type="checkbox"/>
Black people with disabilities	<input type="checkbox"/>	<input type="checkbox"/>
Black people living in rural or underdeveloped areas or townships	<input type="checkbox"/>	<input type="checkbox"/>
Cooperative owned by black people	<input type="checkbox"/>	<input type="checkbox"/>

Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of
company/firm:.....

8.2 VAT registration
number:.....

8.3 Company registration
number:.....

8.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium
One person business/sole propriety
Close corporation
Company
(Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of 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 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.

WITNESSES	
1.	.....
2.	.....

.....	
SIGNATURE(S) OF BIDDERS(S)	
DATE:	.....
ADDRESS	.....

CONTRACT FORM - PURCHASE OF GOODS/WORKS

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SUCCESSFUL BIDDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SUCCESSFUL BIDDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)..... in accordance with the requirements and specifications stipulated in bid number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Technical Specification(s);
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

2.

DATE:

CONTRACT FORM - PURCHASE OF GOODS/WORKS
PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity as.....
accept your bid under reference numberdated.....for the supply of
goods/works indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions
of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	BRAND	DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorized to sign this contract.

SIGNED AT ON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1.

2.

DATE

CONTRACT FORM - RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of Bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

2

DATE:

CONTRACT FORM - RENDERING OF SERVICES**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I..... in my capacity as..... accept your bid under reference numberdated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

DATE:

CONTRACT FORM - SALE OF GOODS/WORKS

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SUCCESSFUL BIDDER (PART 1) AND THE SELLER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SUCCESSFUL BIDDER AND THE SELLER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to purchase all or any of the goods and/or works described in the attached bidding documents from (name of institution)..... in accordance with the requirements stipulated in (bid number)..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the seller during the validity period indicated and calculated from the closing time of bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Declaration of interest;
 - Declaration of Bidder's past SCM practices;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) cover all my obligations and I accept that any mistakes regarding price(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
5. I undertake to make payment for the goods/works as specified in the bidding documents.
6. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
7. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1.

2.

DATE:

CONTRACT FORM - SALE OF GOODS/WORKS
PART 2 (TO BE FILLED IN BY THE SELLER)

1. I..... in my capacity as.....
accept your bid under reference numberdated.....for the purchase of
goods/works indicated hereunder and/or further specified in the annexure(s).
2. I undertake to make the goods/works available in accordance with the terms and conditions of the
contract.

ITEM NO.	DESCRIPTION	PRICE (ALL APPLICABLE TAXES INCLUDED)		

4. I confirm that I am duly authorized to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1.

2.

DATE

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
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?	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>

4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)
CERTIFY THAT THE INFORMATION FURNISHED ON THIS
DECLARATION FORM TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION
PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js367bW

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.

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

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

- a. take all reasonable steps to prevent such abuse;
- b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
- c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

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

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

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: _____ that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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.

10. I am aware that, In addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js9141w 4

Arbitration Clause

This clause is part of this document to be compliant to regulation 50 of Supply Chain Management Regulations as published in Gen N 868 in Government Gazette 27636 of 30 May 2005.

Any dispute of whatsoever nature arising out of this contract concerning any of the rights and/ or obligations of any party thereto, either during the currency of the contract or after the completion thereof, including a dispute as to the validity of the contract, is hereby referred to the arbitration. The decision of a single arbitrator would be final and the parties agree to accept the award as final and binding upon them.

The arbitrator shall be:

-
- Selected by agreement between the parties, or failing such agreement,
- Appointed at the request of either party by the chairman for the time being of the Free State Council.
- A person with more than 10 years in the practice of law and a member of the arbitration foundation of Southern Africa.
- The costs associated with the arbitration action would be those prescribed by the Arbitration Association of South Africa

The cancellation of this contract by either party for whatever reason shall not affect the validity of this clause.

**Signature by tenderer of
acceptance**

Date

