

**AMAJUBA DISTRICT MUNICIPALITY
INVITATION TO BID**

BID No.: T2019/04

WATER METER READING SERVICES: 36 MONTHS CONTRACT

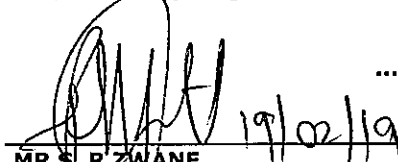
Bids are hereby invited from experienced service providers registered on Central Supplier Database to submit bids for the provision of water meter reading services for the period of thirty-six (36) months. Bid documents with detailed information are obtainable from Amajuba District Municipality Offices during normal working hours, B9356, Amajuba Building, Section 1, Madadeni, 2951; or can be downloaded from the website www.amajuba.gov.za / e-tender website

NB: This bid will be evaluated on price and functionality in terms of the 80/20 preference point system as prescribed in the Preferential Procurement Policy Framework Act (No 5 of 2000) and for this purpose the enclosed forms must be scrutinized, completed and submitted together with your bid. The bid validity period is 90 days after closing date.

Bidders are required to submit original tax clearance certificate/ Tax Compliance Status Pin or CSD number and valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their bids, to substantiate their B-BBEE rating claims. Failure to submit the proof of B-BBEE Certificate will result in forfeiting the points.

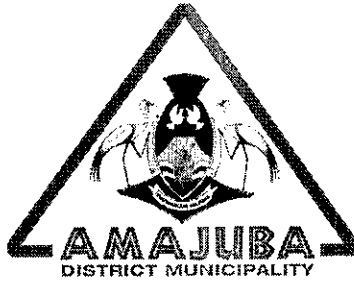
Completed bid documents in sealed envelopes endorsed "**Bid number: T2019/04-Water Meter Reading Services**" must be deposited in the Municipality's tender box located in the Reception of the Amajuba District Municipality on or before the closing date, whereby bids will be opened in public. Bid envelopes that are not sealed and numbered will not be considered. Late bids will not be accepted. The Amajuba DM is not obliged to award the lowest or any bid.

All technical enquiries should be directed to **Mr. Glen Petzer** on 034 329 7200 or by email: glenp@amajuba.gov.za and regarding the bidding procedures, kindly contact **Mrs. Nokwazi Nzimande** on 034 329 7200 or by email: nokwazin@amajuba.gov.za.


19/02/19
MR S. R. ZWANE
MUNICIPAL MANAGER

.....
Closing date: Friday, 30 March 2019 @12h00 noon





TERMS OF REFERENCE FOR WATER METER READING SERVICES: 36 MONTHS CONTRACT

1. BACKGROUND

The Amajuba District Municipality requires the services of experienced service provider for the provision of water meter reading services for a period thirty-six (36) months.

2 SCOPE OF WORK

Amajuba District Municipality covers the area from Emadlangeni (Utrecht) to Dannhauser local municipalities with approximately ± 3 435 meters spread over the area, which must be read on a monthly basis.

2.1 Data Interface

The water meter readings data is expected to be interfaced into the consumer billing system electronically without manual capturing at all. Amajuba District Municipality is currently using SEBATA EMS financial system for consumer billings.

2.2 Water Meters Distribution

The following is the breakdown of water meter distribution in areas of Amajuba District Municipality water supply to consumers.

2.2.1 EMadlangeni (Utrecht) municipality area

The water meters are located in Utrecht town, White City, Waterval Prison, and nearby schools, and mines. The total water meters in the whole area currently is One thousand one hundred and eighty-nine (1 189)

2.2.2 Dannhauser, Durnacol, Emafusini areas

The water meters are as follows:

- Dannhauser: Seven hundred and forty seven (747)
- Durnacol: Five hundred and eighty three (583).
- Emafusini: Five hundred (500)

2.2.3 Hattingspruit

- There are Seventy three (73) water meters including mainly household and few businesses.

2.2.4 Emfundweni

- There are Three hundred and forty three (343) water meters mainly for households

2.3 Water Meter Reports

The service provider will be expected to submit monthly reports on faulty, damaged, submerged water meters.

2.4 New Connections and Illegal Water Connections

The service provider will be expected to record new water applications/reconnection requests. Illegal connections report will be submitted monthly together with water meter readings data.

2.5 Accuracy of readings

For the purposes of this contract the service provider will be provided with a total number of meters to be read each month and must ensure that a minimum of 100% of these meters are read. If the service provider fails to maintain this minimum percentage for two consecutive months, without acceptable reasons, this may result in the termination of the contract.

2.6 Equipment, tools and apparatus

- The Service provider shall provide his/her own tools, equipment and apparatus to carry out the work required and all maintenance and insurance on this equipment will be for the account of the tenderer.
- The service provider will be required to have, but not limited to the following: -
 1. Electronic handheld meter reading device.
 2. Computers with emails, excel and ability to electronically receive and submit meter reading files.
 3. Vehicles.
 4. Equipment to capture GPS co-ordinates.
 5. Camera.
- The preferred bidder may be required to make a presentation to the Municipality

2.7 GPS Co-ordinates

The Service provider shall provide verify, update, and correct GPS co-ordinates where need be. **Updating and Maintenance of Water Meters (GIS requirements)**

The following must be adhered in undertaking updating and maintenance pertaining to water meters:

- GPS coordinates must be provided for each water meter in a decimal degree's format.
- The spatial data must contain attribute data which must be returned in a Microsoft Excel format.
- The table below indicates the fields that must be utilized for the capture of attribute data which is considered as compulsory when the data is returned.

ACCOUNT NUMBER	SG 21 DIGIT CODE	ERF NUMBER	OWNER	STREET ADDRESS	STREET NAME	LONGITUDE	LATITUDE	METER NUMBER
111507	NOHS0221000039000001	1/39	H.SMITH	4	PARK LANE	30.4567	-27.898	ADM100

- Account Number: The account number assigned by the municipality.

- SG_21 Digit_Code: Surveyor General unique 21-digit code for cadastral as per GIS dataset.
 - Erf_Number: Property Erf Number as per valuation roll.
 - Owner: The registered owner of the property as per Valuation roll.
 - Street Address: The street address number as per valuation roll.
 - Street Name: The name of the street as per valuation roll.
 - Longitude: X (GPS Location) in a decimal degree format.
 - Latitude: Y (GPS Location) in a decimal degree format.
 - Meter Number: The water meter asset number as appearing on the meter.
- The format of delivery of the spatial data shall be in ArcMap 10.2, Shape File format, the Municipality is currently using ArcGIS 10.2 . The data must be 100% clean and free of any undershoots overshoots and duplicate entities. All lines must intersect with zero tolerance should the data be line data. All polygon data-sets shall be free of sliver polygons.
 - The coordinate system utilized is that of the WGS84 ellipsoid using the Hartebeeshoek '94 datum thus it is expected that the spatial data to be delivered conforms to this coordinate system.
 - The spatial dataset must have completed metadata.

2.8 Photo's

Water meter photographs must accompany all water meter readings as well as faulty water meters. Water meter photographs must be at least 5 megapixels or more and must clearly show water meter number and meter reading.

2.9 COMPLIANCE WITH SAFETY LEGISLATION

All work to be undertaken on this contract shall be carried out in accordance with the Occupational Health & Safety Act and Regulations. The Service provider will be responsible for his own and the safety of his staff.

3 TRAINING OF METER READERS

The successful bidder will be responsible for the training of meter readers in their employment.

4 TRANSPORT

The Service provider shall be responsible for transporting his/her Meter Readers to and from sites. Under no circumstances will Amajuba District Municipality's vehicles be utilized for this purpose.

5 ACCIDENTS / INCIDENTS

5.1 REPORTS

While executing his/her duties under this contract, the Service provider shall report to the Amajuba District Municipality, any accidents within 48 hours of the occurrence, whether or not such accidents are in respect of damage to works, persons or property.

The report shall be in writing, containing full details of the occurrence. The Municipality shall have the right to make enquiries on site or elsewhere, in order to determine the cause of the accident. The Service provider shall provide all applicable information to carry out such enquiry.

6 COMMUNICATIONS

The Service provider's supervisory staff shall have a cellular phone available for communication with Municipality as and when required.

7 STANDARD DRESS CODE

The Service provider will provide his/her Meter Readers with uniform/clothing approved by the Municipality prior to the commencement of the contract. The approved uniform/clothing must be of such a nature that the person is easily identifiable as a Meter Reader and must be worn whilst on duty.

7.1 All protective clothing shall be provided by the Service provider.

The Service provider must issue the meter readers with identity cards and meter readers shall produce such identity cards when requested by customers.

8 CODE OF CONDUCT

8.1 Service provider's staff will be required to comply with the Municipality's Code of Conduct when dealing with customers.

8.2 Any Service provider or member of his/her staff who is guilty of accepting bribes of any kind from customers, or who conducts himself/herself in an unacceptable manner shall be withdrawn from performing the service immediately.

8.3 Any revisions or additions to the Standard Code of Conduct, Municipal By-Laws and Health Safety Rules from time to time will also be applicable to this Contract.

8.4 Under no circumstances may the Service provider or any of his employees accept or receive monies from consumers in respect of payment intended for the Municipality.

9 THE SERVICE PROVIDER WILL REQUIRED TO:

9.1 Maintained meter reading routes in the same operational sequence as supplied by the Municipality.

9.2 Do meter readings during daylight hours from Monday to Sunday.

9.3 Provide reasons where unable to obtain a meter reading, a notification to the effect must be left at the property of the customer.

9.4 Indicate the date of reading;

9.5 Indicate the reason for not obtaining a reading.

9.6 Verify meter readings as and when required by Amajuba District Municipality.

9.6.1 **In addition to the water meter readings, the Service provider shall report and take a photo of any of the following:**

9.6.2 Tampering of meters

9.6.3 No entrance

9.6.4 Indicate the correct position of the water meter within the route

9.6.5 Illegal connections

10 PERFORMANCE CLAUSES

Amajuba District Municipality reserves a right to impose penalties to the provider in cases where non-performance is evident. The following performance indicators will be monitored.

10.1 Water Meters Reading Frequency

All meters must be identified and read on a monthly basis. Meter readings should be strictly submitted in line with the billing cycle. The Service provider will not be paid for any unread meters, provided photographic evidence is attached. If the route is incomplete, the Service provider must return to the remaining unread meters.

10.2 Throughout the engagement term the service provider shall grant Amajuba District Municipality, free and unfettered use and access to the Administrative Records.

11 PRICING INSTRUCTIONS

11.1 Provide the service for water meter reading for a period of Thirty-Six (36) months

The water meter reading rates per water meter for different areas is as follows:

AREA	Number of Water Meters	Rate per meter Year 1	Year 1 Amount per Area	Rate per meter Year 2	Year 2 Amount per Area	Rate per meter Year 3	Year 3 Amount per Area
Emadlangeni (Utrecht)	1 189						
Dannhauser	747						
Durnacol	583						
Emafusini	500						
Hattingspruit	73						
Emfundweni	343						
TOTALS EXC VAT							
VAT							
TOTALS INC VAT							
TOTAL BID PRICE (FOR 36 MONTHS)							

12 SPECIAL CONDITIONS OF CONTRACT

12.1 INSURANCE

The Service Provider shall, at its own expense take out sufficient insurance against any claim, costs, loss and/or damage ensuing from its obligations and shall ensure that such insurance remains operative for the duration of this contract, a copy of such insurance contract shall be handed to the Municipality on commencement of this contract and the Service Provider shall be under no obligation to furnish the Municipality with quarterly evidence that such insurance premiums have indeed been paid.

12.2 STANDARD DRESS CODE

The Service provider will provide his/her Meter Readers with uniform/clothing approved by the Municipality prior to the commencement of the contract. The approved uniform/clothing must be of such a nature that the person is easily identifiable as a Meter Reader and must be worn whilst on duty.

12.2.1 All protective clothing shall be provided by the Service provider.

12.2.2 The Service provider must issue the meter readers with identity cards and meter readers shall produce such identity cards when requested by customers

12.3 MINIMUM NUMBER OF METER READERS

A minimum number of two meter readers are required per meter reading cycle.

13 GENERAL CONDITIONS OF CONTRACT

THIS BID IS SUBJECT TO THE GENERAL CONDITIONS OF CONTRACT (GCC), documents are available from the Municipalities web site, AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

14 BID EVALUATION

Bids will be evaluated on both price and functionality using 80/20 preference point system as prescribed in the Amajuba District Municipality supply chain management policy and related legislation (MFMA, Act 56 of 2003).

14.1 Functionality Evaluation

Functionality evaluation is based on the relevant experience, traceable references to be included in the bid proposal as detailed in the table below.

Relevant experience means experience on the similar projects in the past. Traceable references should include the client, contact person, contact details, project period, and project value etc.

14.2 Functionality evaluation criteria and weights are as follows:

14.2.1 Relevant projects experience [10]

Similar projects experience	Total Score	Score breakdown
1. Six or more relevant projects (proof of appointment letters to be submitted which is not older than 10 years)	10	10
2. Three to Five relevant projects (proof of appointment letters to be submitted which is not older than 10 years)		8

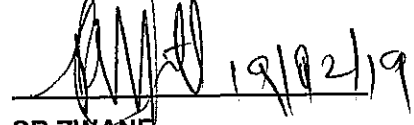
3. One to Two relevant project (proof of appointment letters to be submitted which is not older than 10 years)		3
4. No project experience provided		0

not

The bid scoring less than 8 points on functionality will be regarded as non-responsive and will be further evaluated.

~~not~~

TERMS OF REFERENCE APPROVED/NOT APPROVED BY

 19/02/19

SR ZWANE
MUNICIPAL MANAGER



**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF AMAJUBA DISTRICT MUNICIPALITY					
BID NUMBER:	T2019/04	CLOSING DATE:	30 MARCH 2019	CLOSING TIME:	12h00 NOON
DESCRIPTION	WATER METER READING SERVICES – 36 MONTHS CONTRACT				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS) RECEPTION AREA AT B9356, MADADENI					
B9356 AMAJUBA DISTRICT MUNICIPALITY BUILDING, SECTION 1, MADADENI, 2951					
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 [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]	
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE	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		CONTACT PERSON	GLEN PETZER	
CONTACT PERSON	NOKWAZI NZIMANDE		TELEPHONE NUMBER	034 329 7200	
TELEPHONE NUMBER	034 329 7200		FACSIMILE NUMBER	034 314 3785	
FACSIMILE NUMBER	034 314 3785		E-MAIL ADDRESS	glenp@amajuba.gov.za	
E-MAIL ADDRESS	nokwazin@amajuba.gov.za				

**PART B
TERMS AND CONDITIONS FOR BIDDING**

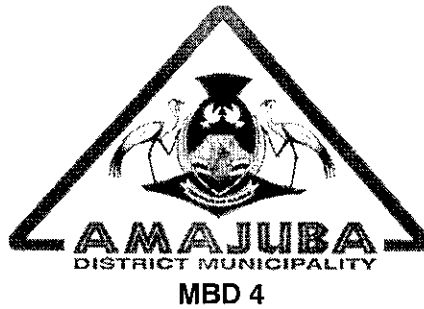
1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, 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)? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> 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.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:



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, hareholder²):.....

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.

(Please Tick /Mark the correct option in the following questions)

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.

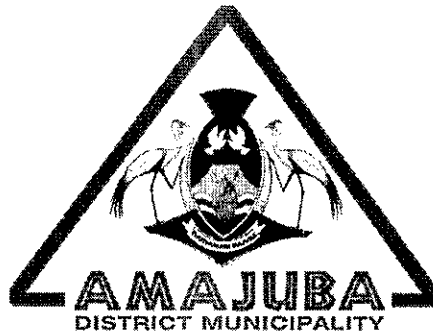
Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder



MBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2001

PURCHASES

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

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

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value up to R50 000 000; and

1.2 The value of this bid is estimated not to exceed R50 000 000 and therefore the 80/20 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

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

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

Separate Preference Points Claim Forms will be used for the promotion of the specific goals for which points have been allocated in paragraph 1.3.1.2 (b) above.

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or

a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

2.

DEFINITIONS

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

- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

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

4. POINTS AWARDED FOR PRICE

4.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

- P_s = Points scored for comparative price of bid under consideration
- P_t = Comparative price of bid under consideration
- P_{\min} = Comparative price of lowest acceptable bid

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

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

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

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

6. BID DECLARATION

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

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

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

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

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

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

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of 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 Total number of years the company/firm has been in business?

9.8 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 contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution

WITNESSES:

1.

<p>..... SIGNATURE(S) OF BIDDER(S)</p>
--

2.

DATE:.....

ADDRESS:.....

.....

.....



DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	<p>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?</p> <p>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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

CERTIFICATION

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

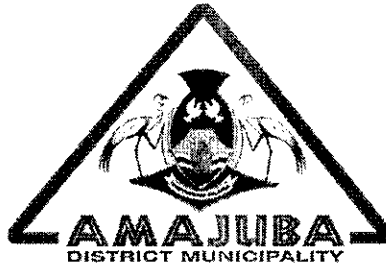
**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION
MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE
FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder



MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD9) 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.

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

T2019/04

WATER METER READING SERVICES FOR A PERIOD OF 3 YEARS

(Bid Number and Description)

in response to the invitation for the bid made by:

AMAJUBA DISTRICT 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)

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.

MBD 9

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