



**REQUEST FOR THE PROVISION OF OFFICE ACCOMMODATION/SPACE FOR THE UGU DISTRICT MUNICIPALITY BUDGET & TREASURY AND HUMAN RESOURCES UNITS FOR A PERIOD OF THIRTY-SIX 36 MONTHS**

**CONTRACT NO: UGU-05-1565-2020**

NAME OF BIDDER:

CONTACT PERSON:

TELEPHONE N° :

FAX N° /EMAIL ADD.:

ADDRESS :

BID SUM :

.....

.....

.....

.....

.....

.....

.....

.....

**TENDER CLOSES: 12H00 ON FRIDAY, 23 JULY 2021**

*Note: This bid document must NOT be separated:*

*Annexures are to be attached to the back of the document.*

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## RE-ADVERTISEMENT: BID NOTICE

REQUEST FOR THE PROVISION OF OFFICE ACCOMMODATION/SPACE FOR THE UGU DISTRICT MUNICIPALITY BUDGET & TREASURY AND HUMAN RESOURCES UNITS FOR A PERIOD OF THIRTY-SIX (36) MONTHS  
**CONTRACT NO: UGU-05-1565-2020**

Bids are hereby invited from relevant service providers for the Provision of Office Accommodation/Space for the Ugu District Municipality Budget & Treasury and Human Resources Units for a Period of Thirty-Six (36) Months.

Bid documents are obtainable from the Ugu District Municipality office in Port Shepstone at No. 28 Connor Street as from **Tuesday, 22 June 2021**, at a non-refundable payment of R250.00 (No cheques will be accepted). The Bid will also be advertised on the Ugu District Website and documents can be downloaded from the website free of charge.

Bids completed in accordance with the conditions indicated in documents, must be sealed and endorsed with the relevant contract number and be deposited in the official tender box at the foyer of Ugu District Municipality on 96 Marine Drive, Phase 2 Building, Oslo Beach not later than **12h00 on Friday, 23 July 2021**, at which time bids will be opened in public. Bids that are submitted late, incomplete, unsigned or by facsimile, electronically, couriered or not completed in black ink will be rejected and not accepted for further evaluation. Bids submitted must be valid for a period of **90 days**

A compulsory briefing session will be held at the **Ugu District Municipality Offices 96 Marine Drive, Oslo Beach, Phase 2 boardroom on Friday, 09 July 2021 at 10h00**. Bidders who fail to attend this compulsory meeting will not be considered for further evaluation. DUE TO COVID 19 REGULATIONS SOCIAL DISTANCING WILL BE OBSERVED AT ALL TIMES.

All bid enquiries are to be directed to **Shivani Maharaj, Registry and Auxiliary Officer, during office hours on (039) 688 5775** or emailed to [Shivani.Maharaj@ugu.gov.za](mailto:Shivani.Maharaj@ugu.gov.za)

Ugu District Municipality subscribes to the Preferential Procurement Regulations 2017, pertaining to the Preferential Procurement Policy Framework Act (PPPFA) principles whereby a bidder's submission will be evaluated according to the sum of the award of points in respect of the tender value and the B-BBEE status of the contributor.

**Functionality, Price and Preference will be used for evaluation. The 80/20 preferential point system will be applicable, with 80 points for price and 20 points for B-BBEE Status Level, in terms of revised Preferential Procurement Regulation in effect from 01 April 2017, Gazette Notice No. 40553 dated 20 January 2017.**

**Minimum points of 60% must be obtained for eligibility. Bids scoring less than 60% will not be evaluated further. The following, will form criteria utilised for functionality assessment:**

- Location of Office Space
- Proof of Ownership of Property or Letting Agent Authorization
- Property Inspection Report by the Municipality

Points to be allocated as follows:

B-BBEE Status Level of Contributor	Number of Points Awarded
1	20
2	18
3	14
4	12

**REQUEST FOR THE PROVISION OF OFFICE ACCOMMODATION /SPACE FOR THE UGU DISTRICT MUNICIPALITY BUDGET AND TREASURY AND HUMAN RESOURCES UNITS FOR A PERIOD OF THIRTY-SIX (36) MONTHS  
CONTRACT NO: UGU-05-1565-2020**

5	8
6	6
7	4
8	2
Non-Compliant Contributor	0

The Council reserves the right not to accept the lowest bid or any bid and reserves the right to accept the whole or part of the bid, or to reject all bids and cancel the notice to tender.

**Kindly note: Regulation 44 of Municipal Supply Chain Management Regulations states that the Municipality may not make any award to a person who is in the service of the state.**

SC SITHOLE  
ACTING MUNICIPAL MANAGER  
UGU DISTRICT MUNICIPALITY

MBD 1

PART A  
 INVITATION TO BID

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF UGU DISTRICT MUNICIPALITY</b>					
BID NUMBER:	UGU-05-1565-2020	CLOSING DATE:	23 July 2021	CLOSING TIME:	12H00
DESCRIPTION	REQUEST FOR PROVISION OF OFFICE ACCOMMODATION/SPACE FOR THE UGU DISTRICT MUNICIPALITY BUDGET & TREASURY AND HUMAN RESOURCES UNITS FOR A PERIOD OF THIRTY-SIX (36) MONTHS				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).</b>					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX  
 SITUATED AT (STREET ADDRESS)

<b>UGU DISTRICT MUNICIPALITY</b>					
<b>93 MARINE DRIVE</b>					
<b>PHASE 2 BUILDING</b>					
<b>OSLO BEACH</b>					
<b>SUPPLIER INFORMATION</b>					
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	
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS ISERVICES IWORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS ISERVICES IWORKS OFFERED?	Yes	No
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE	R	
SIGNATURE OF BIDDER	.....		DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>			<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>		
DEPARTMENT	SCM Unit		CONTACT PERSON	Shivani Maharaj	
CONTACT PERSON	Mr T Mafungwa		TELEPHONE NUMBER	039-688 5775	
TELEPHONE NUMBER	039-688 5743		FACSIMILE NUMBER	N/A	
FACSIMILE NUMBER	N/A		E-MAIL ADDRESS	<a href="mailto:shivani.maharaj@ugu.gov.za">shivani.maharaj@ugu.gov.za</a>	
E-MAIL ADDRESS	<a href="mailto:Tarulethu.Mafungwa@ugu.gov.za">Tarulethu.Mafungwa@ugu.gov.za</a>				

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>
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)  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.
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS AND ARE REQUIRED TO SUBMIT VALID TAX CLEARANCE CERTIFICATE.  2.2 IN BIDS WHERE CONSORTIA I JOINT VENTURES I SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

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: .....

Please attach copies of the following documents. Failure to provide the following duly completed and up to date documents and certified where applicable will lead to automatic disqualification.

- **Company registration documents.**
- **Tax Reference Number and Pin**
- **All Declarations Forms**
- **ID Document (for sole proprietors)**
- **Joint Venture Agreement (where applicable)**
- **Proof of payment for Municipal Services**
- **Central Supplier Database Registration**
- **Form of Offer**
- **Pricing Schedule**

**MBD 4**

**DECLARATION OF INTEREST**

(In case of Joint Ventures, separate form must be completed by each partner of the Joint Venture)

- 1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
- 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 positioning relation to the evaluating/adjudicating authority.
- 3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his or her representative: - - - - -

3.2 Identity Number: - - - - -

3.3 Position occupied in the Company (director, trustee/shareholder<sup>2</sup>): - - - - -

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 or any Directors/trustees/shareholders/ members presently in the service of the state? **YES / NO**

3.8.1 If yes, furnish particulars. - - - - -

<sup>1</sup>MSCM Regulations: "in the service of the state" means to be -

- (a) a member of -
  - (i) any municipal council;
  - (ii) any provincial legislature; or
  - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity; (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

<sup>2</sup> 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

\_ \_ \_ \_ \_  
\_ \_ \_ \_ \_

1. 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	Are you employed by National Provincial Local Government? YES/NO	If YES, please give details

5. I duly confirm that the above information is correct until otherwise advised in writing and the company undertakes to immediately, in writing on same day of appointment, advise the Ugu District Municipality immediately if any of its directors/trustees/ members/shareholders assumes appointment as an employee in national, provincial and/or local government and the company will deregister from the Ugu District Municipality Supplier Database and cease forthwith from doing business with the Ugu District Municipality and the company shall be subject to a penalty of forfeiting all payments for services rendered or products delivered or installed if it fails to immediately disclose in writing the employment of any of its directors/trustees/ members/shareholders in national, provincial and/or local government.

-----  
**Signature**

-----  
**Date**

-----  
**Capacity**

-----  
**Name of Bidder**

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

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

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

---

**1. GENERAL CONDITIONS**

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

- the 80/20 system for requirements with a Rand value of up to 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 not exceed R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable: or
- b) Either the 80/20 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	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

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:

B-BBEE Status level certificate issued by an authorized body or person; A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; 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 80120 OR 90110 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

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

Where

P<sub>s</sub> = Points scored for price of bid under consideration

P<sub>t</sub> = Price of bid under consideration

P<sub>min</sub> = 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 Contribution = \_ \_ \_ (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.

**6.2 SUB-CONTRACTING**

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

*(Tick applicable box)*

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

6.3.1 If yes, indicate:

i) What percentage of the contract will be subcontracted..... %

ii) The name of the sub-contractor \_ \_ \_ \_ \_

iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE

*(Tick applicable box)*

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

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017vi)

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

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

7.1 Name of company/firm: \_ \_ \_ \_ \_

7.2 VAT registration number: \_ \_ \_ \_ \_

7.3 Company registration number: \_ \_ \_ \_ \_

**7.4 TYPE OF COMPANY/ FIRM**

- Δ Partnership/Joint Venture / Consortium
  - Δ One person business/sole propriety
  - Δ Close corporation
  - Δ Company
  - Δ (Pty) Limited
- [TICK APPLICABLE BOX]

**7.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

\_ \_ \_ \_ \_  
 \_ \_ \_ \_ \_  
 \_ \_ \_ \_ \_  
 \_ \_ \_ \_ \_

**7.6 COMPANY CLASSIFICATION**

- Δ Manufacturer
  - Δ Supplier
  - Δ Professional service provider
  - Δ Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

**7.7 MUNICIPAL INFORMATION**

**Municipality where business is situated:** .....

**Registered Account Number:** .....

**Stand Number:** \_ \_ \_ \_ \_

7.8 Total number of years the company/firm has been in business: - - - - -

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

MBD 7

**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 I 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 number \_\_\_\_\_ dated \_\_\_\_\_ 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 \_\_\_\_\_

**DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

1. This Municipal Bidding Document must form part of all bids invited.

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><b>(Companies or persons who are listed on this database were informed in writing of this restriction by the Accounting Officer<sup>1</sup> Authority of the institution that imposed the restriction after the audit alteram partem rule was applied).</b></p> <p><b>The database of Restricted Suppliers now resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <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 Bid Defaulters in terms of section 29 of the Prevention and Combating of Corruption Activities Act (No 12 of 2004)?</p> <p><b>(The Register for Bid Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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 <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	<p>Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality municipal entity, or any other municipality municipal entity, that is in arrears for more than three months?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.5.1 If so, furnish particulars:

1. 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 to combat the abuse of the supply chain management system.
  
2. **The bid of any bidder may be rejected if the bidder, or any of its directors have:**
  - a) Abused the Municipality'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 or failed to comply with any government, municipal or public sector contract during the past five years; or
  - d) Been listed in the Register for Bid Defaulters in terms of section 29 of the Prevention and Combating of Corruption Activities Act (No 12 of 2004).
  
3. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME) ..... CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM TO BE 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**

**Certificate of Independent Bid Determination**

- 1 This Municipal Bidding Document (MBD) must form part of all bids' invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - a. take all reasonable steps to prevent such abuse;
  - 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 1 or services for purchasers who wish to acquire goods and 1 or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.**

**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.**

**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 I 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 consortium" 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.
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

**CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES  
DECLARATION IN TERMS OF CLAUSE 112(1) OF THE MUNICIPAL FINANCE MANAGEMENT ACT (NO.56**

**OF 2003)** - (To be signed in the presence of a Commissioner of Oaths)

**\*FAILURE TO SUBMIT ANY PROOF AS REQUIRED, WILL INVALIDATE THE TENDER**

I, \_\_\_\_\_, \_\_\_\_\_ (full name and ID no.), hereby acknowledge that according to SCM Regulation 38(1)(d)(i), the Municipality may reject the tender of the tenderer if any municipal rates and taxes or municipal service charges owed by the Tenderer or any of its directors/members/partners to Ugu District Municipality, or to any other municipality or municipal entity, are in arrears for more than 3 (three) months.

I declare that I am duly authorised to act on behalf of \_\_\_\_\_ (name of the firm) and hereby declare, that to the best of my personal knowledge, neither the firm nor any director/member/partner of said firm is in arrears on any of its municipal accounts with any municipality in the Republic of South Africa, for a period longer than 3 (three) months.

I further hereby certify that the information set out in this schedule and/or attachment(s) hereto is true and correct.

The Tenderer acknowledges that failure to properly and truthfully complete this schedule may result in the tender being disqualified.

Director / Shareholder / partner.....

Physical /residential address of the Director /shareholder / partner.....

Municipal Account number(s).....

Director / Shareholder / partner.....

Physical /residential address of the Director /shareholder / partner.....

Municipal Account number(s).....

Physical address of the Business.....

Municipal Account number(s).....

.....  
Signature Position Date

**NB: Bidders who reside/whose businesses are situated in the rural area and are not liable for any Municipal Payment for Services MUST submit an Affidavit (SAPS) in confirmation of their declaration.**

**NB: Bidders who are tenants and are not liable for any Municipal Payment for Services MUST submit a valid Lease Agreement**

**NB: Bidders who reside/operating their businesses in a property situated in an urban/ township area that they do not own or rent MUST submit the Municipal Account for the owner and an Affidavit from the owner confirming same.**

**COMMISSIONER OF OATHS**

Signed and sworn to before me at....., on this .....day of  
.....2021

by the Deponent, who has acknowledged that he/she knows and understands the contents of this Affidavit, it is true and correct to the best of his/her knowledge and that he/she has no objection to taking the prescribed oath, and that the prescribed oath will be binding on his/her conscience.

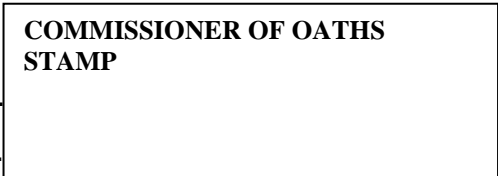
**COMMISSIONER OF OATHS:-**

**Name & Surname**.....

**Signature**.....

**Position:** .....

**Address:**.....





**ATTACH COPY OF THE LATEST MUNICIPAL ACCOUNT OR AFFIDAVIT OR LEASE AGREEMENT**

***[Failure of a Bidder to submit this will invalidate the bid]***

**FORM OF OFFER AND ACCEPTANCE**

**A. OFFER**

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract in respect of the following works:

**REQUEST FOR PROVISION OF OFFICE ACCOMMODATION/SPACE FOR UGU DISTRICT MUNICIPALITY BUDGET & TREASURY AND HUMAN RESOURCES UNITS FOR A PERIOD OF 36 MONTHS**

**Contract Number: UGU-05-1565-2020**

The Bidder, identified in the Offer Signature block below, has examined the documents listed in the Specifications and addenda thereto as listed in the Tender Schedules, and by submitting this Offer has accepted the Conditions of Bid.

By the representative of the Bidder, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance, the Bidder offers to perform all of the obligations and liabilities of the Contractor under the Contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the Conditions of Contract identified in the Contract Data.

The offered total of the prices inclusive of Value Added Tax is: R ..... )in figures).....(in words)

This Offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the Tender Data, whereupon the Tenderer becomes the party named as the Contractor in the Conditions of Contract identified in the Contract Data.

**Signature:** *(of person authorized to sign the bidder):*.....

**Name:** *(of signatory in capitals):*.....

**Capacity:** *(of Signatory):*.....

**Name of Bidder:** *(organisation):*.....

**Address:** .....

**Telephone number:** ..... **Fax number:** .....

**Witness**

**Signature:** .....

**Name:** *(in capitals):*.....

**Date:**.....

***[Failure of a Bidder to fully complete and sign this form will invalidate the bid]***

**B. ACCEPTANCE**

By signing this part of the Form of Offer and Acceptance, the Employer identified below accepts the Tenderer's Offer. In consideration thereof, the Employer shall pay the Contractor the amount due in accordance with the Conditions of Contract identified in the Contract Data. Acceptance of the Tenderer's Offer shall form an agreement between the Employer and the Tenderer upon the terms and conditions contained in this Agreement and in the Contract that is the subject of this Agreement.

The terms of the contract are contained in

Part 1 Agreement, and Specifications (Agreement to be finalised after award)

Part 2 Pricing Schedule

and the schedules, forms and documents or parts thereof, which may be incorporated by reference into Parts 1 to 4 above.

Deviations from and amendments to the documents listed in the Specifications and any addenda thereto listed in the Tender Schedules as well as any changes to the terms of the Offer agreed by the Tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Agreement. No amendments to or deviations from said documents are valid unless contained in this Schedule, which must be duly signed by the authorised representatives of both parties.

**Notwithstanding anything contained herein, this Agreement comes into effect on the date when the Tenderer receives one fully completed original copy of this document, including the Schedule of Deviations (if any). Unless the Tenderer (now Service Provider) within five days of the date of such receipt notifies the Employer in writing of any reason why he cannot accept the contents of this Agreement, this Agreement shall constitute a binding contract between the parties.**

Signature:.....

Name: *(in capitals)*.....

Capacity: .....

Name of Employer *(organisation)* .....

Address: .....

**Witness:**

Signature: .....

Name: .....

Date: .....

## **TERMS OF REFERENCE - REQUEST FOR THE PROVISION OF OFFICE ACCOMMODATION / OFFICE SPACE FOR THE UGU DISTRICT MUNICIPALITY BUDGET & TREASURY AND HUMAN RESOURCES UNITS**

### **1. BACKGROUND:**

This tender is to seek proposal from Owners of properties situated within the Port Shepstone CBD which is already approved for Commercial / Institutional use preferably on a single floor to accommodate the Human Resources Unit. In the case where space offered is on multiple floors, it should be on continuous floors with the provision for dedicated entry for movement between the floors. Evidence of appropriate approvals for commercial / institutional use of the property must be submitted with the Bid.

### **2. TERMS & CONDITIONS**

- 2.1 The space offered should be divided into office space to accommodate +/- seventy five (75) staff inclusive of parking space. In the case of space being offered on multiple floors, it should be on a continuous floors with the provision for dedicated entry for movement between the floors.
- 2.2 If the accommodation offered is in a multi-storey building, appropriate provisions for a lift should be available.
- 2.3 The location for the office space should be in the vicinity of the Port Shepstone CBD, however nothing shall prohibit the UGU District Municipality to accept the proposal for accommodation at a further distance than the CBD, if the terms and the facilities / features are found to be attractive and meeting the requirements herein.
- 2.4 Adequate space for parking should be available to park about 50-60 vehicles.
- 2.5 The offered property should have 24 hours electricity supply. The property offered should also have adequate space for installation of UPS/ units of split Air-conditioning etc...
- 2.6 The accommodation should have provision for 24hours running water supply for both drinking and utility facilities.
- 2.7 There should be enough arrangements for restroom facilities (toilets) for both male and female, separately.
- 2.8 The responsibility for payment of all taxes such as property tax, municipal rates etc in connection with the proposed property shall be for the Owner / Bidder and updated copies of all receipts should be attached to the bid.
- 2.9 The property offered should be well connected by public transport at a reasonable distance and should be easily accessible.

- 2.10 The property offered should have adequate security cover and fire safety measures installed as per the requirements of Fire Service.
- 2.11 Possession of the proposed accommodation will be handed over to the UGU District Municipality within 30 days from the award of the order and rent shall be payable from the date of possession.
- 2.12 The tender will be acceptable only from the original owner of the building / property.
- 2.13 No tender will be accepted by Fax, E-mail or any other such means. Tenders must be hand delivered and deposited in the tender box at **96 Marine Drive, Oslo Beach, Phase 2, Tender Box BEFORE 12:00 on the CLOSING DATE.**

### **3. PROPERTY INSPECTION CHECKLIST**

- 3.1 Number of Closed Offices
- 3.2 Number of Open Plan Offices
- 3.3 Number of Boardroom Facilities
- 3.4 Number of Parking Bays
- 3.5 Number of Disability Facilities
- 3.6 Electricity Supply and Backup Electricity Supply
- 3.7 Restroom Facilities
- 3.8 Distance to Public Transport
- 3.9 Security & Fire Safety
- 3.10 Air-conditioning Facilities
- 3.11 Number of Plug Points
- 3.12 Burglar Guards / Security

### **4. DURATION OF THE LEASE**

The lease will run for THREE (3) years, with the option to renew the lease for a further THREE (3) years.

### **5. CONTACT DETAILS**

The following person may be contacted for more information:-  
Ms Shivani Maharaj – OFFICER Registry & Auxiliary Services  
E-mail : [Shivani.Maharaj@ugu.gov.za](mailto:Shivani.Maharaj@ugu.gov.za)

### **6. MINIMUM SPECIFICATIONS**

These specifications are only minimum specifications. Any shortcomings in the specifications should be pointed out in the quote/bid and provided for in the price. Any additional costs incurred by the service provider because of shortcomings in the quote specifications will be for the service provider's own account.

## FUNCTIONALITY ASSESSMENT

All bids will be scored according to the following criteria, any bids received scoring below 60 will be invalid and not considered further.

<b>NO.</b>	<b>ITEM</b>	<b>EVIDENCE</b>
<b>1.</b>	<b>LOCATION</b>	In Port Shepstone CBD  +/- 6KM from Port Shepstone CBD  More than 6KM away from Port Shepstone CBD
<b>2.</b>	<b>PROOF OF PROPERTY OWNERSHIP/ LETTING AGENT AUTHORISATION</b>	Submission of Proof of Ownership / Proof of Letting Authorisation  No proof submitted
<b>3.</b>	<b>INSPECTION REPORT</b>	Property inspection report that will be conducted by the Municipality

*Ugu District Municipality reserves the right to investigate and verify all the information supplied by the bidder.*

**CONTACT DETAILS**

The following person may be contacted for more information:-

Ms S Maharaj

E-mail : [shivani.maharaj@ugu.gov.za](mailto:shivani.maharaj@ugu.gov.za) or [phumlani.sithole@ugu.gov.za](mailto:phumlani.sithole@ugu.gov.za)

Tel: 039 688 5775

**I/We hereby declare that all the information supplied is true and exact.**

\_\_\_\_\_  
SIGNATURE OWNER / MANAGER DIRECTOR

DATE: \_\_\_\_\_

WITNESS: \_\_\_\_\_(State occupation in company)

DATE: \_\_\_\_\_

*If it is found that any of the above-mentioned information provided is false, the Municipality reserves the right to terminate this contract with immediate effect. The Municipality may VET the successful bidder.*

**CERTIFIED CK DOCUMENTS / ID DOCUMENT**

*[Failure of a Bidder to submit this will invalidate the bid]*



**TAX REFERENCE NUMBER AND PIN**

*[Failure of a Bidder to submit this will invalidate the bid]*

**JOINT VENTURE AGREEMENT (WHERE APPLICABLE)**

*[Failure of a JOINT VENTURE Bidder to submit this will invalidate the bid]*

**CERTIFIED VALID BBBEE CERTIFICATE**

*[Bidder that does not submit this will not be awarded BBBEE points]*

## CENTRAL SUPPLIER DATABASE REGISTRATION

*[Failure of a Bidder to submit this will invalidate the bid]*

## LOCATION OF OFFICE SPACE

*[No points will be awarded if this is not submitted]*

**PROOF OF OWNESHIP OF PROPERTY/LETTING AGENT AUTHORIZATION**

*[No points will be awarded if this is not submitted]*

**PROPERTY INSPECTION REPORT BY THE MUNICIPALITY**

*[No points will be awarded if this is not submitted]*

## **PRICING SCHEDULE**

***[PLEASE ATTACH OWN DETAILED PRICING SCHEDULE]***

***PRICING SCHEDULE MUST INCLUDE YEAR 1, YEAR 2 AND YEAR 3 INCLUDING ESCALATIONS IF APPLICABLE***