



KGETLENGRIVIER LOCAL MUNICIPALITY

CONTRACT NO: KRLMCOR/BID: 02/2021-2022

**APPOINTMENT OF SERVICE PROVIDER FOR SECURITY AND ACCESS CONTROL
SERVICES FOR A PERIOD OF 36 MONTHS**

15 JULY 2021

NAME OF BIDDER:

BID PRICE: (Vat Incl)

Prepared by:

KGETLENGRIVIER
LOCAL MUNICIPALITY

P O Box 66

KOSTER

0348

Tel/Fax (014) 543 2004/5/6

BID CLOSES

26 AUGUST 2021 @12H00

BID NOTICE

APPOINTMENT OF SERVICE PROVIDER FOR SECURITY AND ACCESS CONTROL SERVICES FOR A PERIOD OF 36 MONTHS



TENDER NOTICE AND INVITATION TO TENDER DEPARTMENT: CORPORATE SERVICE

Kgetlengrivier Local municipality invites tenders from suitably qualified service providers for the following tender:

NAME OF TENDER	TENDER NUMBER	CONTACT PERSON / ENQUIRIES	Compulsory Briefing Sessions	Evaluation Criteria	Functionality	Closing Date
APPOINTMENT OF A SERVICE PROVIDER FOR SECURITY AND ACCESS CONTROL SERVICES FOR A PERIOD 36 MONTHS	KRLMCOR/BI D:02/ 2021-22	Mr Linda Langa mekgwel@kgetlengrivier.gov.za Tel Number:014 543 2004/5/6	04 August 2021 @ Koster Town Hall at 11h00	80/20 in line with Preferential Procurement Regulation 2017; 80/20 80 Points = Price 20 Points = B-BBEE	ANNEXTURE A	26 August 2021 @ 12h00

Bid documents containing of tenders as well as pre-qualification criteria and administrative requirements will be available from **15 July 2021** from **07h30 to 15h00 (Mondays to Fridays)** at the offices of Kgetlengrivier Local Municipality Cashier, corner Smuts and De Wet street, Koster

A non-refundable deposit of **R1000.00** will be charged for each set of documents issued. All payments and deposits are to be made in the currency of the Republic of South Africa. Cash or bank guaranteed cheques made out of **Kgetlengrivier Local Municipality** will be accepted. Tender deposit, must be paid in at cashier of the Municipality quoting tender number as indicated above or the payment must be deposited to Kgetlengrivier Local Municipality bank account number :1700000032 Absa Bank or can be downloaded on the E-Tender portal for free.

Duly completed bids and supporting documents must be deposited in the bid box situated at the Kgetlengrivier Local Municipality office, corner Smuts and De Wet Street, Koster, not later than the stipulated time and dates, whereby tenders will be opened in public.

Queries relating to the issue of tender documents may be addressed to Ms Sonto Ntshangase, e-mail ntshangases@kgetlengrivier.gov.za or Tel Number: 014 543 2004/5/6.

The Kgetlengrivier Local Municipality is not compelled to accept the lowest or any tender.

No late, faxed, e-mail or telephonic tenders will be accepted.

NOTE: Successful bidders will be subjected to Security Check.

ANNEXTURE A: FUNCTIONALITY CRITERIA

APPOINTMENT OF SERVICE PROVIDER FOR SECURITY AND ACCESS CONTROL SERVICES FOR A PERIOD OF 36 MONTHS

The following Functionality Criteria will apply to this bid:

Only those bidders who score a minimum score of 80% in respect of the following functionality criteria will be recommended for short listing. 100 points are allocated for functionality.

Description of functionality criteria and sub-criteria	Maximum number of bid evaluation points
Approach paper which responds to the proposed scope of work and outlines proposed approach / methodology and work plan complete with time frame	50
Experience of the key staff (assigned personnel) in relation to the scope of work: <ul style="list-style-type: none">• 1-3 Years-5 Points• 4-5 Years-15 Points• 6 years or more-20 Points	20
Previous experience with respect to specific aspects of the project / comparable projects(Reference letters to be attached): <ul style="list-style-type: none">• 1-3 Years-10 Points• 4-5 Years-20 Points	30

• 6 years or more-30 Points	
Total evaluation points for functionality (W_Q)	100

MR A Pholose
ACTING MUNICIPAL MANAGER

TERMS OF REFERENCE (SPECIFICATIONS)

APPOINTMENT OF SERVICE PROVIDER FOR SECURITY AND ACCESS CONTROL SERVICES FOR A PERIOD OF 36 MONTHS

HEAD OFFICE: KOSTER

P.O. Box 66, Koster, 0348

Tel/ Fax: (014) 543 2004/5/6

Our Ref:



All correspondents must be addressed to:
"The Municipal Manager"

12 MAY 2021

**BID NAME: APPOINTMENT OF SERVICE PROVIDER FOR SECURITY AND ACCESS
CONTROL SERVICES FOR A PERIOD OF 36 MONTHS**

The purpose of this letter is to present the specification presented to the Bid Specification Committee Meeting held on 11 May 2021 to the Accounting Officer for approval.

TERMS OF REFERENCE

PART A

1. PURPOSE:

1. The purpose of this report is to finalise the specifications for the above-mentioned bid for final approval by the accounting office prior to advertisement

2. TASK DIRECTIVE:

Invitation to bid for the 24-hour security services to patrol, guard and provide security access control to the reception areas of Kgetlengrivier Local Municipality, as well as motor gate entrances of Kgetlengrivier Municipality properties.

3. SPECIFIC REQUIREMENTS:

Submissions should indicate whether the company is able to meet the following requirements.

- 3.1 To provide service for a period of (3) years **commencing on 1 July 2021 to 30 June 2024.**

- 3.2 To enter into a service level agreement and sign the Declaration of Secrecy, after the bid has been awarded.
- 3.3 The Service Provider must be registered in terms of Section 20 of the Private Security Industry Regulation Act, 2001 (Act 56 of 2001).
- 3.4 The Service Provider must, at its own expense, take out sufficient insurance against any claims, costs, loss and/or damage ensuing from its obligations and shall ensure that such insurance remains operative for the duration of this agreement
- 3.5 All security officers in the employ of the company must be registered as security service providers in terms of Section 20 of the Private Security Industry Regulation Act.
- 3.6 Security officers supplied by the Service Provider must at least be paid the minimum wage according to the Wage Determination Act. KRLM will have no responsibility for wage negotiation of contract security officers. All security officials need to receive a payslip where the following information is clearly identified with regards to his/ her salary.
 - 3.6.1. Grade of security officer
 - 3.6.2. Pay rate
 - 3.6.3. Normal hours worked
 - 3.6.4. Sunday pay
 - 3.6.5. Night shift allowance
 - 3.6.6. Overtime hours
 - 3.6.7. Sunday hours
 - 3.6.8. Holiday hours
 - 3.6.9. Deductions with regards to:
 - 3.6.9.1. UIF
 - 3.6.9.2. SIRA
 - 3.6.9.3. Unions
 - 3.6.9.4. Provident fund
- 3.7 The Service Provider must allocate specific security officers to the department in order to ensure continuity of the security service to be rendered, (allocated officers only to be changed with prior consent of the security manager at KRLM)
- 3.8 Security officers are to be provided with uniforms and name tags by the Service Provider to ensure that they are easily identifiable.
- 3.9 While on site, security officers shall always be in neat uniform and act professionally in executing their tasks.

- 3.10 In instances where the posted security officer/officers do not comply, KRLM reserves the right that security officers/officer be replaced immediately.
- 3.11 The Service Provider will establish and equip a 24-hour security control room (control room to be inspected by KRLM SM).
- 3.12 The Service Provider must have an operational / project manager immediately available on a 24-hour basis to react in the event of emergencies.
- 3.13 The service provider must ensure that each security official have job description as well as personal development plan(PDP), this will enable the project manager to identify skills development requirements and agree to steps that should be taken to address those gaps.
- 3.14 The service provider must ensure that security officers receive training on firefighting and first aid.
- 3.15 Security officers must receive 13th cheque.
- 3.16 A total of 64 security officers that is required for KRLM, this include night and day shifts plus relievers

The successful bidder should also be in a position to provide backup staff in events organised by KRLM.

The breakdown of the total posting of officers required is indicated below

Day Shift

Twenty-seven (27) Security Officers at Grade C
One (1) Supervisor at Grade B

Night Shift

THIRTY Four (34) Security Officers at Grade C
One (1) Supervisor at Grade B

This includes nightshift and dayshift.

The minimum level of education in the case of Grade C security officers must be Grade 12 (standard 10) with proof of security training.

The minimum level of education in the case of Grade B security officers (supervisors) must be Grade 12 (standard 10). Supervisors need to have security training and at least two years' relevant work experiences. All security officers must also be registered as security service providers in terms of Section 20 of the Private Security Industry Regulation Act.

- 2.17. The Service Provider should be willing to undergo security clearance by the State Security Agency.
- 2.18 Service Provider should provide a list of all the necessary communication aid available to its disposal.

3. INFORMATION TO BE SUBMITTED BY ALL BIDDERS

- 3.1 The location of the head office of the company.
- 3.2 The location of the regional office, which will service KRLM
- 3.3 Name, identity number and street address of all partners within the bidding Service Provider.
- 3.5 Service Provider should indicate whether it is a South African company or not.
- 3.6 A list of contactable references where similar service was provided must be submitted. The list should include the type of service rendered, period service was/is rendered and a contact number of the referee from the institution where the service was /is rendered.
- 3.7 An Operational Manager **must** be assigned to KRLM for the duration of the contract. The operational manager must be available on a 24 hours standby and respond immediately when needed.
- 3.8 An Operational Manager must be available for weekly Security meeting and must provide weekly report.
- 3.9 **Compulsory Site inspection** to be conducted on:
Date : 04 August 2021
Time : 11h00
Venue: Koster Town
Hall

**Kgetlengrivier Local Municipality
Cnr of Dewit and Smuts street**

Bidders who fail to attend Compulsory Site Inspection will be disqualified.

The Bid will close on **26 August 2021 @ 12h00**

- 3.10 The Service Provider **must**, at its own expense, take out sufficient insurance against any claims, costs, loss and/or damage ensuing from its obligations and shall ensure that such insurance remains operative for the duration of this agreement.

Proof of such an insurance contract **must** be handed in with bid proposal. Proof that the insurance is still active must be provided

4. THE FOLLOWING DOCUMENTS MUST BE SUBMITTED

- 4.1 Completed and signed bid documents
- 4.2 A detailed company profile. This should include detailed information on the experience of the Service Provider in rendering security service
- 4.3 Detailed information on the representatives of the management structure of the Service Provider.
- 4.4 The following set of documents / certificates (this must be attached together in sequence)
 - 4.4.1 Certified copy of a valid registration certification with Private Security Industry Regulatory Authority
 - 4.4.2 Certified copy of Compensation Commissioners
 - 4.4.3 Unemployment Insurance Fund registration (UIF)
 - 4.4.4 Copy of proof of insurance contract taken with a reputable company and proof that it is still active
 - 4.4.5 Proof of provident fund must be handed in with bid proposal. Proof that the provident fund is still active and paid up to date must be provided. The details of the institution where the money is deposited must be provided.
 - 4.4.6 An original TAX clearance certificate.

(All bidders that do not submit the above documents listed on paragraph 4 will be deemed non-compliant).

PART B

2. PROJECT SCOPE

The project scope of the service shall include and will cover but not limited to the following key areas:

- a) Councillors and Employees of the municipality
- b) Contractors and Consultants including their employees who may interact with the municipality
- c) Temporary employees of the municipality
- d) Information assets of the municipality
- e) Intellectual property of the municipality
- f) Fixed property that is owned or leased by the municipality
- g) Moveable property that is owned or leased by the municipality

Furthermore, the scope of the service will cover six elements of the security programme namely:

- a) Security organization
- b) Security administration
- c) Information security
- d) Physical security
- e) Personnel security
- f) Information and Communication Technology (ICT) security

The list of specifications is as follows but not limited to:

- a) Surveillance cameras on municipal premises
- b) Metal detectors at key entrances to municipal buildings
- c) Panic buttons and sirens at premises
- d) Access for permitted vehicles
- e) Armed response and armed guards (danger areas)
- f) Visitors access permits to be issued
- g) Recording system for vehicles & pedestrian's entrances
- h) Day and night patrols on premises
- i) Installation of alarm systems
- j) Alarm control centre
- k) Two-way radio communication

- l) Detector for bags and briefcases
- m) Filing system for trip authorizations and permission slips
- n) Defence weapons for security personnel inside offices eg (paper spray, baton stick, etc.)
- o) Safekeeping of fire – arms for visitors
- p) Patrol Vehicle
- q) Uniform e.g. (combat, formal for events, etc)

2.1 SPECIAL DISQUALIFICATION CRITERIA

Non submission of the following documents will results on the bidders not being able to go to the next stage:

- Non submission of Central Supplier Database (CSD).
- Non Attendance of Compulsory Briefing Session
- Non submission of Annual Audited Financial Statements
- The Service Provider must provide proof of registration with the following:
 - PSIRA certificate
 - UIF certificate
 - Compensation of Occupational Injuries & Diseases Act of 1993
 - Skills Development Level and Competency Certificate
 - Fire-arm Licence
 - Public Liability Cover

FUNCTIONALITY CRITERIA

The following Functionality Criteria will apply to this bid:

Only those bidders who score a minimum score of 80% in respect of the following functionality criteria will be recommended for short listing. 100 points are allocated for functionality.

Description of functionality criteria and sub-criteria	Maximum number of bid evaluation points
--	---

Approach paper which responds to the proposed scope of work and outlines proposed approach / methodology and work plan complete with time frame	50
Experience of the key staff (assigned personnel) in relation to the scope of work <ul style="list-style-type: none"> • 1-3 Years-5 Points • 4-5 Years-15 Points • 6 years or more-20 Points 	20
Previous experience with respect to specific aspects of the project / comparable projects(Reference letters to be attached): <ul style="list-style-type: none"> • 1-3 Years-10 Points • 4-5 Years-20 Points • 6 years or more-30 Points 	30
Total evaluation points for functionality (W_q)	100

2.2 COMPULSORY BRIEFING SESSION

The compulsory briefing session will be held at Koster Town Hall on the 04th August 2021 at 11h00.

2.3 SCORING FORMULA

Bids will be evaluated on 80/20 Preferential Procurement Points System.

- 80 points for price
- 20 points for B-BBEE status (service provider to submit the certified copy of the B-BBEE level rating certificate)

The following formula must be used to calculate the points for price:

$$P_s = 80 (1 - (P_t - P_{min})/P_{min})$$

Where

P_s = Points scored for comparative price of tender or offer under Consideration;

P_t = Comparative price of tender or offer under consideration; and

P_{min} = Comparative price of lowest acceptable tender or offer

Maximum of 20 points may be awarded to a tenderer for attaining the B-BBEE Status level of contributor in accordance with the table below.

B-BBEE Status Level of Contributor	Number of Points
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

2.4 VALIDITY PERIOD

The Validity period for the tender after closure will be 90 days.

TENDER ADVERT:

KRLMCOR/BID: 02/2021-22

AND FOR WHICH PERIOD THE BID WILL BE ADVERTISED

The bid will be advertised on Local & National Newspapers, Notice Board, Website and E-tender portal for a period of (30) thirty working days.

APPROVAL OF TERMS OF REFERENCE BY:

MR R.J MOGALE
MUNICIPAL MANAGER

BID PROCESS CRITERIA LIST

APPOINTMENT OF SERVICE PROVIDER FOR SECURITY AND ACCESS CONTROL SERVICES FOR A PERIOD OF 36 MONTHS

VERY IMPORTANT NOTICE ON TENDER PROCESS:

A bid not complying with the peremptory requirements stated hereunder will be regarded as not being an “Acceptable bid”, and as such will be rejected.

“Acceptable bid” means any bid which, in all respects, complies with the conditions of bid and specifications as set out in the bid documents, including conditions as specified in the Preferential Procurement Policy Framework Act (Act 5 of 2000) and related legislation as published in Government Gazette number 22549, dated 10 August 2001, in terms of which provision is made for this policy.

1. If any pages have been removed from the bid document, and have therefore not been submitted, or a copy of the original bid document has been submitted.
2. If the bid document is completed using a pencil. Only black ink must be used to complete the bid document.
3. **THE BID HAS NOT BEEN PROPERLY SIGNED BY A PARTY HAVING THE AUTHORITY TO DO SO ACCORDING TO THE EXAMPLE OF “AUTHORITY FOR SIGNATORY”**
4. No authority for signatory submitted (printed on bidder’s letter head) – See example, where it is stated that a duly signed and dated original copy of the company’s relevant resolution (for each specific bid) of their members or their board of directors, must be submitted.
5. The bidder attempts to influence, or has in fact influenced the evaluation and/or awarding of the contract.
6. The bid has been submitted after the relevant closing date and time.
7. If any bidder who during the last five years has failed to perform satisfactorily on a previous contract with the municipality, municipal entity or any other organ of state after written notice was given to that bidder that performance was unsatisfactory.
8. The accounting officer must ensure that irrespective of the procurement process followed, no award may be given to a person –
 - (a) who is in the service of the state, or;
 - (b) if that person is not a natural person, of which any director, manager, principal shareholder or stakeholder, is a person in the service of the state; or;

(c) Who is an advisor or consultant contracted with the municipality in respect of contract that would cause a conflict of interest.

9. Bid offers will be rejected if the bidder or any of his directors is listed on the Register of Bid Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector
10. Bid offers will be rejected if the bidder has abused the Kgetlengrivier Local municipality's Supply Chain Management System.
11. Failure to attach a copy of a valid signed Joint Venture/Consortium agreement (if applicable) to the bid document.
12. Failure to complete and sign the certificate of independent determination or disclosing of wrong information.
13. An updated record of payment of rates and taxes (three months) and services to the relevant Municipality must be attached. Failure to do so will invalidate the tender submitted. In case where a bidder is leasing a property, lease agreement and signed or letter from the landlord or landlady should be attached. Bidders that are residing in Traditional lands must attach an updated letter from the Tribal Authority falling within the bid period. If payment arrangement has been made to relevant municipality, proof must be attached.
14. None attachment of CK/CM Certificate
15. **Non submission of the following documents will result in the bidders not being able to go to the functionality stage:**
 - Non submission of proof of registration on the Central Supplier Database (Full report to be attached)
 - Non Attendance of Compulsory Briefing Session
 - Non Submission of Audited Annual Financial Statements

BIDDER

AUTHORITY FOR SIGNATORY

APPOINTMENT OF SERVICE PROVIDER FOR SECURITY AND ACCESS CONTROL SERVICES FOR A PERIOD OF 36 MONTHS

CERTIFICATE OF AUTHORITY FOR SIGNATORY

Status of concern submitting tender (delete which ever is not applicable.)

COMPANY /PARTNERSHIP /ONE-PERSON BUSINESS / CLOSE CORPORATION/
JOINT VENTURE

A. COMPANIES

If the bidder is a company, a certified copy of the resolution of the Board of Directors, personally signed by the chairperson of the board, authorizing the person to signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid or contract on behalf of the company must be submitted with this Bid.

An example is shown below:

By resolution of the board of Directors on20....., Mr. / Mshas
been duly authorized to sign all documents in connection with BID NO.

SIGNED ON BEHALF OF THE COMPANY:

IN HIS CAPACITY AS:

DATE:

SIGNATURE OF SIGNATORY:.....

WITNESSES: 1.

2.

B. PARTNERSHIP

The following particulars in respect of every partner must be furnished and signed by every partner:

Full name of partner	Residential address	Signature
.....
.....
.....

We, the undersigned partners in the business trading as,.....

Hereby authorize to sign this bid as well s any contract resulting from the bid and any other documents and correspondence in connection with this bid / or contract on our behalf.

.....
Signature	Signature	Signature
.....
Date	Date	Date

C. ONE-PERSON BUSINESS

I, the undersignhereby confirm that I am the sole owner of the business trading as

.....
Signature	date

D. CLOSE CORPORATION

If the case of a close corporation submitting a bid, a certified copy of the founding Statement of such corporation shall be included with the Bid, together with a resolution by its members authorizing a member or other official of the corporation to sign the documents and correspondence in connection with this bid or contract on behalf of the company must be submitted with this Bid.

An example is shown below:

By resolution of the members at the meeting on the200.....at
.....Mr. / Mswhose signature appear below, has been
duly authorized to sign all documents in connection with BID NO.
.....

SIGNED ON BEHALF OF THE CLOSE CORPORATION:

IN HIS / HER CAPACITY AS:.....

DATE:

SIGNATURE OF SIGNATORY:.....

WITNESSES: 1.

2.....

Certificate of Authority for Joint Ventures

This Returnable Schedule is to be completed by joint ventures.

We, the undersigned, are submitting this bid offer in Joint Venture and hereby authorize Mr./Ms , authorized signatory of the company
. . . , acting in the capacity of lead partner, to sign all documents in connection with the bid offer and any contract resulting from it on our behalf.

NAME OF FIRM	ADDRESS	DULY AUTHORIZED SIGNATORY
Lead partner		Signature. Name Designation
		Signature. Name Designation
		Signature. Name Designation
		Signature. Name Designation

LIST OF RETURNABLE DOCUMENTS

APPOINTMENT OF SERVICE PROVIDER FOR SECURITY AND ACCESS CONTROL SERVICES FOR A PERIOD OF 36 MONTHS

LIST OF RETURNABLE DOCUMENTS THAT SHOULD FORM PART OF THE BID DOCUMENT.

1. Form MBD 1 : Invitation to bid
2. Form MBD 2 : Tax clearance certificate
3. Form MBD 3.1: Price schedule – Firm prices
4. Form MBD 4 : Declaration of Interest
5. Form MBD 6.1: Preference points claimed form
6. Form MBD 6.2: Declaration Certificate For Local Production And Content For Designated Sectors
7. Form MBD 7.1 Contract form : - Purchase of goods/ services
8. MBD 8: Certificate of bid independent determination
9. MBD 9 : Declaration of bidders past supply chain management practices
10. COMPANY REGISTRATION CERTIFICATE
11. Rate & Taxes
12. Valid Tax Clearance Certificate
13. BBBEE valid certificate (from approved authority)
14. Central Supplier Database Full Report

NB FAILURE TO COMPLETE OR SIGN THIS DOCUMENT WILL RESULT IN YOUR BID NOT BEING CONSIDERED.

BID CHECKLIST

This list is aimed at assisting all bidders to submit complete bid
Bidders are to check the following points before the submission of their tender and to complete YES/NO next to each item as indication that the bidder has complied with the provision of the item concerned.

BIDDER CHECK LIST		MARK WITH YES/NO
1.	The B-BEE valid certificate from approved authority has been submitted. Consolidated if joint venture	
2.	All pages of the bid documents have been read by the bidder and the form confirming familiarity with the whole tender document is signed.	
3.	All pages requiring information have been completed in full and in black ink.	
4.	An original tax clearance certificate has been submitted.	
5.	A copy of the resolution of your Board of Directors, similar to the attached specimen, authorising the signatory to sign the tender and the subsequent contract has been signed.(It must be on Company's Letter Head)	
6.	The bidder has complied with all the bid prerequisites.	
7.	Company registration certificate has been submitted.	
8.	Municipality rates and taxes current invoice has been submitted.	
9.	The tender document is to be submitted before 12:00 on the due date at the designated tender box of the KGETLENGRIVIER LOCAL Municipality.	
10.	Submission of proof of registration on the Central Supplier Database (Full report to be attached)	
11	Audited Annual Financial Statements	

FAILURE TO COMPLETE OR SIGN THIS DOCUMENT WILL RESULT IN YOUR BID NOT BEING CONSIDERED

I, the undersigned, hereby acknowledge that the bid check-list as completed above is the true reflection of what have been submitted and that the bid was fully complied with.

FULL NAME: BIDDER

SIGNATURE: BIDDER

DATE

MUNICIPAL BIDDING DOCUMENTS

APPOINTMENT OF SERVICE PROVIDER FOR SECURITY AND ACCESS CONTROL SERVICES FOR A PERIOD OF 36 MONTHS

MBD 1 INVITATION TO BID

APPOINTMENT OF SERVICE PROVIDER FOR SECURITY AND ACCESS CONTROL SERVICES FOR A PERIOD OF 36 MONTHS

MBD 1

INVITATION TO BID

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

BID NUMBER: KRLMCOR/BID: 02/2021-2022

DATE: 26 AUGUST 2021 CLOSING TIME: 12H00

DESCRIPTION: APPOINTMENT OF A SERVICE PROVIDER FOR SECURITY AND ACCESS CONTROL SERVICES FOR A PERIOD OF 36 MONTHS

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

DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

**Kgelengrivier Local Municipality
Cnr Smuts and De Wet Street
Koster
0348**

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

The bid box is generally open 8hours a day, 5 days a week.

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

THIS BID IS SUBJECT TO THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

THIS BID WILL BE EVALUATED AND ADJUDICATED ACCORDING TO THE FOLLOWING CRITERIA:

- 1.Relevant specifications
- 2.Value for money
- 3.Capability to execute the contract
- 4.PPPFA & associated regulations

..... [insert any other criteria]

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

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

NAME OF BIDDER

POSTAL ADDRESS

STREET ADDRESS

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

CELLPHONE NUMBER

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

VAT REGISTRATION NUMBER.....

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

ARE YOU THE ACCREDITED REPRESENTATIVE
IN SOUTH AFRICA FOR THE GOODS/SERVICES OFFERED BY YOU? YES/NO
(IF YES ENCLOSE PROOF)

SIGNATURE OF BIDDER

DATE.....

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

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

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Municipality / Municipal Entity: Kgetlengrivier Local Municipality

Department: Budget & Treasury Office

Contact Person: Supply Chain Management Unit

Tel: 014 543 2004/5

Fax: 014 593 2480

ANY ENQUIRIES REGARDING THE TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact Person: Mr Linda Langa

Tel/Fax: 014 543 2004/5/6

MBD 2 TAX CLEARANCE REQUIREMENTS

**APPOINTMENT OF SERVICE PROVIDER
FOR SECURITY AND ACCESS CONTROL
SERVICES FOR A PERIOD OF 36 MONTHS**

TAX CLEARANCE REQUIREMENTS

IT IS A CONDITION OF BIDDING THAT -

1. The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.
2. The attached form “Application for Tax Clearance Certificate (in respect of bidders)”, must be completed in all respects and submitted to the Receiver of Revenue where the bidder is registered for tax purposes. The Receiver of Revenue will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of twelve (12) months from date of issue. This Tax Clearance Certificate must be submitted in the original together with the bid. Failure to submit the original and valid Tax Clearance Certificate may invalidate the bid.
3. In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificates are available at any Receiver’s Office.

MBD2/ Application for tax Certificate . . .

APPLICATION FOR TAX CLEARANCE CERTIFICATE

(IN RESPECT OF BIDDERS)

1. Name of taxpayer / bidder:

2. Trade name:

3. Identification number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

4. Company / Close Corporation registration number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

5. Income tax reference number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

6. VAT registration number (if applicable):

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

7. PAYE employer's registration number (if applicable):

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Signature of contact person requiring Tax Clearance Certificate

Name:

Telephone number: Code:..... Number:

Address:

.....

.....

DATE: 20____ / ____ / ____

PLEASE NOTE THAT THE COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE (SARS) WILL NOT EXERCISE HIS DISCRETIONARY POWERS IN FAVOUR OF ANY PERSON WITH REGARD TO ANY INTEREST, PENALTIES AND / OR ADDITIONAL TAX LEVIABLE DUE TO THE LATE- OR UNDERPAYMENT OF TAXES, DUTIES OR LEVIES OR THE RENDITION RETURNS BY ANY PERSON AS A RESULT OF ANY SYSTEM NOT BEING YEAR 2000 COMPLIANT.

MBD 3.1 PRICING SCHEDULE

APPOINTMENT OF SERVICE PROVIDER FOR SECURITY AND ACCESS CONTROL SERVICES FOR A PERIOD OF 36 MONTHS

MBD 3.1

PRICING SCHEDULE – FIRM PRICES (PURCHASES)

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

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

Name of Bidder.....	Bid Number.....
Closing Time 12:00	Closing Date 26 AUGUST 2021

OFFER TO BE VALID FOR 07 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY (INCLUDING VAT)
-	Required by:	
-	At:	
-	Brand and Model	
-	Country of Origin	
-	Does offer comply with specification?		*YES/NO
-	If not to specification, indicate deviation(s)	
-	Period required for delivery	
			*Delivery: Firm/not firm

- **Delivery basis (all delivery costs must be included in the bid price)**

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

**MBD 4
DECLARATION OF INTEREST**

**APPOINTMENT OF SERVICE PROVIDER
FOR SECURITY AND ACCESS CONTROL
SERVICES FOR A PERIOD OF 36
MONTHS**

MBD 4

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state*.
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 and/or take an oath declaring his/her interest.

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

3.1 Full Name:

3.2 Identity Number:

3.3 Company Registration Number:

3.4 Tax Reference Number:

3.5 VAT Registration Number:

3.6 Are you presently in the service of the state* **YES / NO**

3.6.1 If so, furnish particulars.

.....

.....

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

3.7.1 If so, furnish particulars.

* 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.

.....

.....

3.8 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

3.8.1 If so, furnish particulars.

.....

.....

3.9 Are you, aware of any relationship (family, friend, other) between a 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

3.9.1 If so, furnish particulars

.....

.....

3.10 Are any of the company's directors, managers, principle shareholders or stakeholders in service of the state?

YES / NO

3.10.1 If so, furnish particulars.

.....

.....

3.11 Are any spouse, child or parent of the company's directors, managers, principle shareholders or stakeholders in service of the state?

YES / NO

3.11.1 If so, furnish particulars.

.....

.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)

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

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

.....

Signature

.....

Date

.....

...

Position

.....

Name of Bidder

MBD 6.1
PREFERENCE POINTS CLAIM FORM

**APPOINTMENT OF SERVICE PROVIDER
FOR SECURITY AND ACCESS CONTROL
SERVICES FOR A PERIOD OF 36
MONTHS**

MBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

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

1.3 Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

or

90/10

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

Where

Ps = Points scored for price of bid under consideration
 Pt = Price of bid under consideration
 Pmin = Price of lowest acceptable bid

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

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

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

5. BID DECLARATION

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

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

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

7. SUB-CONTRACTING

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

(*Tick applicable box*)

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

- 7.1.1 If yes, indicate:

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

(Tick applicable box)

YES		NO	
-----	--	----	--

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

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....
.....
8.6 COMPANY CLASSIFICATION

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

8.7 MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account Number:

Stand Number:.....

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

8.9 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 7.1

CONTRACT FORM - PURCHASE OF GOODS/WORKS

APPOINTMENT OF SERVICE PROVIDER FOR SECURITY AND ACCESS CONTROL SERVICES FOR A PERIOD OF 36 MONTHS

CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)..... in accordance with the requirements and specifications stipulated in bid number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.

2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid
 - Tax clearance certificate
 - Pricing schedule(s)
 - Technical Specification(s)
 - Preference claims in terms of the Preferential Procurement Regulations 2001
 - Declaration of interest
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)

3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due 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.

— — —

MBD 7.1

CONTRACT FORM - PURCHASE OF GOODS/WORKS

PART 2 (TO BE FILLED IN BY THE PURCHASER)

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

ITEM NO.	PRICE (VAT INCL)	BRAND	DELIVERY PERIOD	POINTS CLAIMED FOR HDI'S	POINTS CLAIMED FOR RDP GOALS

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

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1.
....

2.

MBD 8

DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES

APPOINTMENT OF SERVICE PROVIDER FOR SECURITY AND ACCESS CONTROL SERVICES FOR A PERIOD OF 36 MONTHS

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	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

Js367bW

MBD 9
CERTIFICATE OF INDEPENDENT BID
DETERMINATION

APPOINTMENT OF SERVICE PROVIDER
FOR SECURITY AND ACCESS CONTROL
SERVICES FOR A PERIOD OF 36
MONTHS

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)
in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

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

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

MBD 9

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.

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