



**KGETLENGRIVIER LOCAL MUNICIPALITY**

**CONTRACT NO: KRLMCOR/BID: 01/2021-2022**

**APPOINTMENT OF INFORMATION COMMUNICATION TECHNOLOGY (ICT)  
SERVICE PROVIDER FOR A PERIOD OF 36 MONTHS**

**15 JULY 2021**

**NAME OF BIDDER: .....**

**BID PRICE: ..... (Vat Incl)**

Prepared by:

KGETLENGRIVIER  
LOCAL MUNICIPALITY  
PO Box 66  
KOSTER  
0348

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

**BID CLOSES**

**26 AUGUST 2021 @12H00**

# **BID NOTICE**

## **APPOINTMENT OF INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER 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 INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER FOR THE PERIOD OF 36 MONTHS	KRLMCOR/BI D:01/2021-22	Mr Sipho Kgwatisi  <a href="mailto:kgwatisis@kgetlengrivier.gov.za">kgwatisis@kgetlengrivier.gov.za</a>  Tel Number:014 543 2004/5/6	N/A	80/20 in line with Preferential Procurement Regulation 2017;  80/20 80 Points = Price 20 Points = B-BBEE	ANNEXTURE A	26 August 2021 At 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](mailto: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 INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER FOR THE PERIOD OF 36 MONTHS (3 YEARS)**

**The following Functionality Criteria will apply to this bid:**

Only those bidders who score a minimum score of 70% in respect of the following functionality criteria will be recommended for short listing. 100 points are allocated for functionality.

<b>EVALUATION CRITERIA</b>	<b>WEIGHT</b>
Bidder must demonstrate experience in successfully executing a similar project for the provision of ICT services. 1.The bidder must have demonstrable transaction experience with reference letters in successfully executing similar projects for providing ICT services for a medium to large organization: <ul style="list-style-type: none"><li>• Provided Five references: 25 Points</li><li>• Provided Three references: 10 Points</li><li>• Not provided reference: 0 Points</li></ul> 2.The bidders must submit, as part of its proposal, details of recent (In the last 3 years) projects the bidder has worked on provision of ICT services a medium to large organization: <ul style="list-style-type: none"><li>• Has submitted 2 recent projects = 25 Points</li></ul>	<b>50</b>

<ul style="list-style-type: none"> <li>• Has submitted 1 recent project = 15 Points</li> <li>• Has submitted 0 recent project = 0 Points</li> </ul>	
<p><b>Bidder's proposed Team and capacity of resources</b></p> <p>1. The bidder must have qualified personnel that has experience in ICT Services listed in the Scope of Work. The bidders must submit, as part of its proposal, the following: List of qualified experts that will be deployed in the project including their CV(s) depicting experience. Information and communications technology (ICT) professionals conduct research, plan, design, write, test, provide advice and improve information technology systems, hardware, software and related concepts for specific applications.</p> <ul style="list-style-type: none"> <li>• Submitted list with 5 experts: 30 Points</li> <li>• Submitted list with 3 experts: 15 Points</li> <li>• Submitted list with 1 expert: 10 Points</li> <li>• Submitted 0 experts: 0 Points</li> </ul>	<b>30</b>
<p><b>Bidders Technical Approach and Methodology</b></p> <p>1. Submit a detailed bidder profile demonstrating your value proposition to the Municipality that sets you apart.</p> <ul style="list-style-type: none"> <li>• Submitted a detailed project plan and bidder profile that will ensure that the Municipality achieves the best possible outcome as per the scope of work = 20 Points</li> <li>• Has not submitted a detailed project plan and bidder profile that will ensure that the Municipality achieves the best possible outcome as per the scope of work = 0 Points</li> </ul>	<b>20</b>

**MR A Pholose**  
**ACTING MUNICIPAL MANAGER**

# **TERMS OF REFERENCE (SPECIFICATIONS)**

## **APPOINTMENT OF INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER 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 INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER FOR THE 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. PROJECT SCOPE AND SCHEDULE OF WORKS**

**1.1 INTRODUCTION**

The Local Municipality of KGETLENGRIVIER's Facilities and Operations business provides information technology (IT) to the organization as a key enabler to promote an efficient working environment for all and has implanted strategies that moved the Municipality towards becoming a technology-driven entity. The trend is to bring in the best service providers to manage these and have stringent service level agreements in place to manage expectations, policies, procedures, and performance properly which is necessary for the Municipality to enable economic growth and sustain current industries and members of the public.

The Municipality invites reputable service providers who have vast experience in providing general Information Communication and Technologies (ICT) support services through the application of Information Technology Infrastructure Library (ITIL) service management practices, ISO 9001, ISO14001, OHSAS18001 Standard and Quality Management Systems in compliance with the requirements outlined in more detail below. The capability of providing services such as application and hardware hosting, data, client computing, ICT infrastructure, professional services, and connectivity, is a primary requirement for this tender.

The successful bidder will be required to provide the Municipality with the following services:

- i. ICT assessment
- ii. Corporate Governance of ICT
- iii. Infrastructure management,
  - a. Internet Connectivity
  - b. Network Installation and Management
  - c. Data Centre Management & Server Management
  - d. Telephony
  - e. Printing Services
- iv. Client Computing acquisition,
- v. Customer Relationship Management System,
- vi. Office 365 and Document Management,
- vii. Access Control and CCTV solution
- viii. Applications Support,
- ix. Generic Requirements

### **Scope of ICT Infrastructure Managed Service**

With only a few exceptions (noted below), the Municipality intends to source the following ICT services to an external “managed service” provider. The service provider is required to conduct and complete an audit of the existing



infrastructure, hardware and software, configuration, and process documentation for the service management alignment.

## **ICT ASSESMENT**

### **ASSESSMENT**

The Service Provider is required to conduct a complete assessment of the Municipality's ICT infrastructure and verify, amend and remove through a structured process including governance model.

The Assessment program includes an electronic and physical audit and verification of all items, software, and device configurations. It further extends into the connectivity infrastructures. The results to be provided in an electronic database for acceptance by the Municipality ICT management team.

### **TRANSITION**

The Service Provider must provide a complete Transition Program for the scope of services as per below. It must include but not limited to all the stakeholders, current service providers, services, 3rd party contractors for acceptance by the Municipality ICT management team. Where the Service Provider identifies 3rd party vendors, will the Transition Program include these as part of the integrated service management function?

## **CORPORATE GOVERNANCE OF ICT**

Information and Communication Technology (ICT) is playing an ever-increasing role as a strategic enabler of public service delivery. To enable Political and Strategic leadership to embrace ICT as an enabler of business, the DPSA developed the Corporate Governance of ICT Policy Framework, herein called the Framework. Cabinet adopted the Framework on 21 November 2012.

An Implementation Guideline was developed to support departments with the implementation of the Framework. The DPSA collaborated with the Government Information Technology Officer Council (GITOC) on the development of the Framework and this Implementation Guideline. The Framework requires departments to implement the corporate governance of ICT (CGICT) and

Governance of ICT (GICT) as an integral part of its corporate governance arrangements.

The service provider will be required to assist the Municipality with CGICT compliance.

## **INFRASTRUCTURE MANAGEMENT**

Infrastructure management covers all of the information and communications technology infrastructure management. It provides a general framework that is based on best practice guidance for the design and planning, deployment, operational management, and technical support of quality ICT services to meet the municipalities' needs in a cost-effective manner.

### **Internet Connectivity**

The Municipality makes use of several technologies for data connectivity. The Service Provider must monitor and manage the capacity in accordance with requirements, actuals, and 3rd parties where applicable. The Municipality plans to upgrade the current connection to a minimum capacity to cater to additional growth requirements. The successful bidder will be responsible for this requirement.

- 50Mbps Dedicated, Uncapped, uncontended, unshaped,
- Managed Router
- Security Firewall
- Managed Proxy Services
- 10 Public IP addresses
- Perimeter Security with Web Content Filtering
- WAN Monitoring

## **Network Management**

Tracking network resources (switches, routers, and servers). It also includes performance monitoring and software updates. Network operation tasks include monitoring of activities on the network, as well as proactively identifying and remediating issues.

The management of network hardware and software support and maintenance; network security management; LAN Administration, network installations and de-installations, upgrades, etc. managed network technologies will include LAN, WAN, Wireless/Wi-Fi, Optic Fibre, Microwave, and already supplied by another third party (e.g. VSAT, MPLS, ISP, etc.).

### **LAN/WAN Maintenance**

- Provide consulting services on advanced WAN / LAN support.
- Network architecture redesign where necessary.
- Proactive Maintenance of the Local Area Network and Wide Area Network across all the sites.
- Ensure the LAN switches are securely configured.
- Indoor WiFi Access Points.
- IMACD for all the Network Cabling Requirements.

## **Server Management**

This component covers the provision of and management of standard configurations for the server infrastructure. The management of both the virtual infrastructure and the physical infrastructure. The installation and management

of selected software, anti-virus, and the distribution of security updates, patches, and new releases.

The component replacement on failure, systems monitoring, and housekeeping in real-time. The management of storage subsystems and capacity planning, backup and recovery, monitoring the upkeep of critical systems for business continuity and disaster recovery.

### **Client Computing Provision, Support, and Maintenance**

This component covers the provision of user end-user devices and the management of standard configurations for client computing images. This including all back-office software, anti-virus, distribution of updates, patches, and new releases. Component replacement on the failure of end-user devices (smartphones, tablets, laptops, desktops, and Thin Clients) asset management; and user training and inductions.

### **Corporate Messaging Collaboration**

This component covers all aspects of the Municipality's internal and external email and corporate messaging systems, including cloud services that will synchronize to mobile devices, collaborative, corporate communication, and social networking tools.

### **Service Desk & Remote Management**

This section covers the Service Provider setting up the municipality's remote management solution for handling user support and providing suitably experienced on-site resources to provide support to end-users locally and at remote sites.

In addition, the Service Provider to provide a Service Desk Incident Management System where calls can be logged by appointed municipality resources or the on-

site resources managed against an agreed SLA, to service completion, and reported on.

## **Disaster Recovery Plan and Business Continuity**

Disasters happen all over the world and when disaster strikes, life as we know it is disrupted. It is the municipality's mandate to mitigate those risks. The municipality must protect its system and remain operational during a disaster.

A disaster plan and business continuity procedures must be developed to keep the municipality operational. The municipality requires a Disaster Recovery Plan and Business Continuity to be deployed. The solution must ensure 99.999% system upkeep and failover to the remote sites in case of a disaster.

## **Cloud Infrastructure**

- Infrastructure as a Service (IaaS). IaaS provides users access to raw computing resources such as processing power, data storage capacity, and networking, in the context of a secure data center.
- Platform as a Service (PaaS). Geared toward software development teams, PaaS offerings provide computing and storage infrastructure and also a development platform layer, with components such as web servers, database management systems, and software development kits (SDKs) for various programming languages.
- Software as a Service (SaaS). SaaS providers offer application-level services tailored to a wide variety of business needs, such as customer relationship management (CRM), marketing automation, or business analytics.

## **Website hosting**

- Hosting Services
- Public DNS services

## **Server support**

- Proactive Management of the Entire Server Infrastructure
- Procurement, Installation, and Configuration of Servers
- Backup and Restore Services
- E-mail continuity
- E-mail Archiving
- Data Loss Prevention
- Large File Sending
- Anti-spam

Advanced Threat Protection

## **TELEPHONY (HOSTED IP PBX and VoIP)**

- Hosted/Cloud based VoIP Telephone System
- VOIP functionality between all sites
- High (99.9%) availability
- Port existing numbers
- Fully secured cloud-based VoIP telephone system
- Include cloud switchboard
- Soft-Phone (Desktop & Mobile App)
- Free Inter-branch calling
- Music on hold
- Voice Mail

- Voice Recording
- Telephone Management System (Including Reports)
- Call Forwarding and Transfer
- Auto Attendant
- Teleconferencing
- Park Calls
- PC Dialling capability
- Pin Codes per user
- Call Pick-up
- Contacts Directory
- Cloud Telephone Management System (TMS) -Reporting, Web Portal

### **PRINT MANAGEMENT SERVICE**

The service provider will be required to supply printers and print management services.

### **CLIENT COMPUTING ACQUISITION**

The standard Municipality desktop computer is running mostly Windows 10 and Microsoft Office 2013. The Municipality uses the following systems:

- HR and Payroll – SAGE VIP Software Systems
- Financial Management System
- MS Exchange 2016

- Symantec Protection Suite
- Hyper-V

## COMPUTER SUPPLY/LEASE

- All in one Desktop
- Laptops
- Tablets
- Accessories

## **CUSTOMER RELATIONSHIP MANAGEMENT SYSTEM**

Constituent Relationship Management (CRM) systems help local governments provide service and improve citizen engagement without increasing staff workload. When a government CRM is based in the cloud, it improves efficiency, cuts costs, and helps everything run smoother.

There are four key areas where the municipality seeks to drive critical improvements:

- Task automation
- Procurement
- Citizen engagement
- Employee recruitment and retention

## **OFFICE 365 AND DOCUMENT MANAGEMENT**

Microsoft 365 Business Premium Licensing for XXX USERS, the configuration of Active Directory, SharePoint, and OneDrive for document management.

## **ACCESS CONTROL AND CCTV SOLUTION**



The service provider will be required to do an assessment of the access control and CCTV solution and develop a solution.

## **APPLICATIONS SUPPORT**

Support of IT services delivered to users within an organization, enabling the required operational processes needed for the business to be successful. Application Support enables people to execute their responsibilities within the relevant business processes.

The service provider will be required to support all unsupported municipal applications.

### **Out of scope infrastructure services**

Not all aspects of the Municipality's ICT Infrastructure are listed within the scope of this RFP. The additional products, services, and solutions required will be provided on a per proposal basis to the successful bidder.

## **2. THE MUNICIPALITY'S ICT INFRASTRUCTURE LANDSCAPE**

The Municipality is in the process of refreshing its ICT landscape and it is looking for a single provider to manage and maintain the existing services (LAN, WAN, printing, cabling, etc.) replacing the services that have reached the end of life.

The following points reflect the current solution and will also provide the starting points for the transformation of the environment process. The service provider may choose to provide a solution based on the current vendors or use and/or propose another vendor as long as the value provided to the KGETLENGRIVIER Local Municipality meets the existing standard of services or surpasses them.

The current ICT landscape for the Municipality consists of +- 120 users equipped with HP desktop and/or HP Notebooks running Windows 10. The majority of

devices are leased on a month-to-month contract that includes a support and maintenance program. The 100 users are spread around the sites across the district of which the sizes of these sites vary with the main site being in Koster.

**Note:** The datacentre at the main office hosts the local user applications (MS exchange, payroll, financial applications, and other business suites) whereas the majority of the servers and storage form part of an HP infrastructure. The servers run versions of Windows Server 2012 and Server 2016. The current support agreement is 3 years next business day repair. The payroll and financial applications are supported by third parties over the internet on a temporary per escalation basis.

The main office hosts the connectivity to the internet service provider. The Municipality expects the service provider to propose and agree on the replacement of the desktop and notebooks environment that have reached the end of life. Further must the service provider would also recommend a refresh plan for the server and storage infrastructure where required. The support will include not only the main office but also the other sites around the municipality requirements as per priority. Maintenance and support of existing applications (financial and payroll) remain in place and the service provider will work, facilitate and manage collectively with the existing service providers' deliverables.

## **2.1 High-level Infrastructure**

The Koster office is the main office, it has two core switches and remote connections using the internet Radio links and other wireless methods to connect some of the remote sites.

**Network Diagram is attached to this document as Annexure "A"**

## **2.2 Server Room**

The server room in the main office building hosts the local user applications such as mail, financial, and payroll applications. The storage and server racks are located within this server room. The server room infrastructure has raised floors,

cooling and fire extinguisher provided. The network equipment, LAN and WAN, is also hosted in this server room where the telco equipment terminates. Future changes to the environment will also need to host services in this room.

**The list of equipment is attached as Annexure “B”**

The service provider will replace the servers that have reached the end of life and thereafter providing support and maintenance on the new items.

### **2.3 WAN, LAN, and Network Management**

The Municipality operates a diverse network. The Local Area Network (LAN) components of this network are already running under separate managed services contracts and are included in the scope.

As discussed before the LAN devices deployed across the network are HP switches.

The wireless access points are also Ubiquiti AP and they are installed in the different buildings across the municipality.

The existing cabling infrastructure runs on CAT6 UTP cabling and mostly single-mode fiber.

The service provider will need to maintain and support the existing infrastructure and replace it as and where identified and agreed.

### **2.4 Server, Storage, Disaster Recovery and Business Continuity**

The server environment is located and hosted at the municipal main building with services configured in High Availability. The Municipality uses HP's Data Protector Product for backups.

The chosen provider will need to put forward a solution that will address the Municipalities' high availability requirements and will also be able flexible enough to adapt to the future DR requirement.

The principle of the server environment with shared storage is to create a Pool of Resources and storage that can be shared by the ICT Server requirements, in the case of the Municipality, the application servers that are required for the daily operations onsite are installed on the clustered environment in Virtual Machines (VM's), these VM's do not sit on one physical server but on a shared pool of resources made up of the Physical Server units within the Cluster.

This solution is the first level of redundancy within the municipality's ICT environment, to mitigate the risk of a hardware failure and to allow the business to continue.

As the second level of redundancy for the Municipality's ICT Environment, a Remote / Separate Server solution must be implemented and configured so that in the event of a total failure of the Onsite ICT environment, the municipality can after a period, continue business as usual once the environment is brought up.

The successful bidder will be expected to work with those companies required to ensure a smooth integration of all services.

Currently, KGETLENGRIVIER Local Municipality utilizes a variety of WAN services. The Municipality plans to upgrade the current connection to an agreed Mbps, with an appropriate service level agreement with guaranteed Quality of Services, to cater for additional growth requirements. The successful bidder will be responsible for this requirement. This will be dedicated to internal business requirements.

The most important being the Internet link. Satellite sites are linked to the Head office using an ISP connection.

The service provider should be able to manage the Municipalities network edge routers and deal with the WAN providers if necessary.

## **2.5 Service Desk and Software Tools**

The service provider must be able to offer an escalation point for the municipality where depending on the severity of the incident the call will be actioned. Integration of systems is not required, as long as the provider's system and

service Centre is able to track the logged call. A portal linked to the E-mail address or telephone number can be used to log the requests which will then be tracked on the service provider's incident management system. The Municipality currently uses Spiceworks.

## **2.6 Facilities and Cabling Infrastructure**

The Municipality utilizes mostly external contractors for the CAT6 UTP cabling with Single and Multi-Mode fiber as the standard for aggregation. The service provider must incorporate and provide the cabling infrastructure and take full responsibility, migrating the infrastructure through upgrade projects to the agreed latest standard, as these are adopted across other environments.

## **2.7 Virtual Infrastructure**

**The municipality is looking into implementing true virtual solutions. The cost-saving that's associated with infrastructure virtualization is beneficial for the municipality. The municipality is required to reduce operating costs and virtualization of servers, desktops, and LAN is the solution.**

**The municipality is running Microsoft Hyper-V in the environment. The successful bidder will have to design and implement a virtual solution for the network, data storage, and server infrastructure.**

# **1. SCOPE OF SERVICE – ASSESSMENT PROGRAM**

## **1. Acquisition Services**

The Service Provider shall provide suitable hardware and software products, OEM support, and warranties with resources as a service to the Municipality as and when required based on business requirements.

## **2. Software Tools**

The Service Provider must provide where required and use the management tools that are already established within the Municipality. The Municipality requires the following as a minimum:

- Central Service Desk
- Remote Management Suite
- Patch Manager
- Others

### **3. Support**

The solution must be able to connect and interrogate workstations for various purposes (support, software deployment, software, and hardware inventorying) either with agents deployed or for agent-less. The ability for the server to connect to the workstations must be independent of the File and Print sharing service on the workstations.

- The support and maintenance will be for all servers, LAN services, network equipment, and Service Desk; and include the Municipality satellite offices. Ensuring availability for LAN.
- Hardware and software setup and configuration as it pertains to servers and network equipment when required.
- All equipment, applications, and infrastructure set out in the document will be regarded as being in scope, with the exception of the specific hardware and applications described.
- Provide quarterly maintenance reports as it pertains to the network infrastructure and equipment listed in the table below.
- The Service Desk must provide a single point of contact and intelligent management reports.

### **4. Service Desk Support**

- Provide 1st line support.
- Respond to a phone call within 30 seconds.
- Provide response to logged calls within 30 minutes.

- Resources should be knowledgeable about the product or service in question (logged call).
- It is the responsibility of the Service Provider to ensure that their staff are trained with the latest technology at the Municipality,
- Penalties may be implemented for non-performance according to the agreed service level agreements.
- If the required support is not forthcoming from the Service Provider, a method must be in place to resolve the issue timorously.

## **5. Reporting Requirements**

The following reports to be provided on a monthly basis:

- Server logs and fault reports, with resolutions or suggested fixes.
- System changes (updated system change documentations), if appropriate. Virus reports and user statistics.
- List of work performed.
- Summary of the month's Service desk support call logs that include the response time, resolution, and timeframes (i.e. reporting against the agreed SLA).
- Server availability or downtimes report.
- Monthly customer satisfaction report.
- Adhoc reports.

## SERVICES PRICING SCHEDULE

Pricing Requirements					
Re f	Task Description		Year 1	Year 2	Year 3
1.	ICT ASSESMENT & CGICT				
	1.1.	Internet Connectivity			
	1.2.	Network Services			
	1.3.	Data Centre and Server Management			
	1.4.	Telephony			
	1.5.	Printing Services			
2.	CLIENT COMPUTING ACQUISITION				
	2.1.	Desktops			
	2.2.	Laptops			
	2.3.	Tablets			
3.	CRM System				
4.	Office 365 and Document Management				
5.	Access Control and CCTV				
6.	Application Support				
SUB-TOTAL 1 (Monthly Services)inclusive of all applicable overheads and taxes					



## **FUNCTIONALITY CRITERIA**

The following Functionality Criteria will apply to this bid:

Only those bidders who score a minimum score of 70% in respect of the following functionality criteria will be recommended for short listing. 100 points are allocated for functionality.

<b>EVALUATION CRITERIA</b>	<b>WEIGHT</b>
<p><b>Bidder must demonstrate experience in successfully executing a similar project for the provision of ICT services.</b></p> <p><b>1.The bidder must have demonstrable transaction experience with reference letters in successfully executing similar projects for providing ICT services for a medium to large organization.</b></p> <ul style="list-style-type: none"><li>● <b>Provided Five references: 25 Points</b></li><li>● <b>Provided Three references: 10 Points</b></li><li>● <b>Not provided reference: 0 Points</b></li></ul> <p><b>2.The bidders must submit, as part of its proposal, details of recent (In the last 3 years) projects the bidder has worked on provision of ICT services a medium to large organization.</b></p> <ul style="list-style-type: none"><li>● <b>Has submitted 2 recent projects = 25 Points</b></li><li>● <b>Has submitted 1 recent project = 15 Points</b></li><li>● <b>Has submitted 0 recent project = 0 Points</b></li></ul>	<b>50</b>
<p><b>Bidder's proposed Team and capacity of resources</b></p> <p><b>1. The bidder must have qualified personnel that has experience in ICT Services listed in the Scope of Work.</b></p> <p><b>The bidders must submit, as part of its proposal, the following:</b></p> <p><b>List of qualified experts that will be deployed in the project including their CV(s) depicting experience. Information and communications technology (ICT) professionals conduct</b></p>	<b>30</b>

<p>research, plan, design, write, test, provide advice and improve information technology systems, hardware, software and related concepts for specific applications.</p> <ul style="list-style-type: none"> <li>• Submitted list with 5 experts: 30 Points</li> <li>• Submitted list with 3 experts: 15 Points</li> <li>• Submitted list with 1 expert: 10 Points</li> <li>• Submitted 0 experts: 0 Points</li> </ul>	
<p><b>Bidders Technical Approach and Methodology</b></p> <p><b>1. Submit a detailed bidder profile demonstrating your value proposition to the Municipality that sets you apart.</b></p> <ul style="list-style-type: none"> <li>• Submitted a detailed project plan and bidder profile that will ensure that the Municipality achieves the best possible outcome as per the scope of work = 20 Points</li> <li>• Has not submitted a detailed project plan and bidder profile that will ensure that the Municipality achieves the best possible outcome as per the scope of work = 0 Points</li> </ul>	<b>20</b>

]

\

## **Annexure A**

### **Servers (10) HP ProLiant DL 380Gen 9**

Windows Server 2012 R2 Standard

Intel® Xeon® CPU E5-2620 v4 @ 2.10GHz

32.0 GB Ram

64-bit Operating System, x64-based processor

### **Laptops (52) HP ProBook 450 G3**

Windows 10 Pro

Intel® Core™ i5-6200U CPU @ 2.30GHz 2.40 GHz

4.0 GB Ram

64-bit Operating System, x64-based processor

### **Desktops (40) HP Desktop 280 G1 MT**

Windows 10 Pro

Intel® Pentium® CPU G3250 @ 3.20GHz 3.20GHz

4.0 GB Ram

64-bit Operating System, x64-based processor

## **PART B**

### **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 Database (CSD).
- Non submission of Audited Annual Financial Statements
- Bidders must have an ICASA electronics communications network services (ECNS) valid license (Provide certified ECNS certificate copy)
- Bidders must provide OEM accreditation letters for computer supply
- The Service Provider must be a Firm providing ICT and Telecommunication services. It must have a minimum of five (5) years of experience in the ICT industry
- The Service Provider must provide proof of presence or co-location at a Data Centre.

### **2.2 COMPULSORY BRIEFING SESSION**

N/A

### **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:

$$Ps = 80 (1 - (Pt - Pmin)/Pmin)$$

Where

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

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

Pmin = 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>B-BBEE Status Level of Contributor</b>	<b>Number of Points</b>
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.

#### **2.5 TENDER ADVERT**

KRLMCOR/BID: 01/2021-22

#### **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 INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER 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 Submission of Audited Annual Financial Statements

-----

## **BIDDER**



# **AUTHORITY FOR SIGNATORY**

## **APPOINTMENT OF INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER 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 on .....20....., Mr. / Ms .....has  
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 undersign .....hereby 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 the .....200.....at  
.....Mr. / Ms .....whose 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 AUTHORISED SIGNATORY
Lead partner		Signature. . . . . Name ..... Designation
		Signature. . . . . Name ..... Designation
		Signature. . . . . Name ..... Designation
		Signature. . . . . Name ..... Designation

# **LIST OF RETURNABLE DOCUMENTS**

## **APPOINTMENT OF INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER 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 INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER FOR A PERIOD OF 36 MONTHS**

# **MBD 1 INVITATION TO BID**

## **APPOINTMENT OF INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER 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: 01/2021-2022

DATE: 26 AUGUST 2021 CLOSING TIME: 12H00

DESCRIPTION: APPOINTMENT OF INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER 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 Sipho Kgwatisi

**Tel/Fax:** 014 543 2004/5/6

## **MBD 2 TAX CLEARANCE REQUIREMENTS**

### **APPOINTMENT OF INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER 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 INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER 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?		<b>*YES/NO</b>
-	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 INFORMATION  
COMMUNICATION TECHNOLOGY (ICT)  
SERVICE PROVIDER 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.

.....

.....

---

\* 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.

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

3.7.1 If so, furnish particulars.

.....  
.....

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 INFORMATION  
COMMUNICATION TECHNOLOGY (ICT)  
SERVICE PROVIDER 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		
<b>OR</b>		
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 6.2**  
**DECLARATION CERTIFICATE FOR LOCAL**  
**PRODUCTION AND CONTENT FOR DESIGNATED**  
**SECTORS**

**APPOINTMENT OF INFORMATION**  
**COMMUNICATION TECHNOLOGY (ICT)**  
**SERVICE PROVIDER FOR A PERIOD OF 36**  
**MONTHS**

## **DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS**

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

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

### **1. General Conditions**

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

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

Where

x is the imported content in Rand

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

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

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

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

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

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

**3. Does any portion of the goods or services offered have any imported content?**

*(Tick applicable box)*

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

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

The relevant rates of exchange information is accessible on [www.reservebank.co.za](http://www.reservebank.co.za)

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

<b>Currency</b>	<b>Rates of exchange</b>
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

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



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

**IN RESPECT OF BID NO. ....**

**ISSUED BY:** (Procurement Authority / Name of Institution):

.....  
NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thdti.gov.za/industrialdevelopment/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

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

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
  - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

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

**If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.**

**The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.**

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

**SIGNATURE:** \_\_\_\_\_

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

**WITNESS No. 1** \_\_\_\_\_

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

**WITNESS No. 2** \_\_\_\_\_

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





## Annex E

## Local Content Declaration - Supporting Schedule to Annex C

(E1)	Tender No.	
(E2)	Tender description:	
(E3)	Designated products:	
(E4)	Tender Authority:	
(E5)	Tendering Entity name:	

Note: VAT to be excluded from all calculations

Local Products (Goods, Services and Works)	Description of items purchased	Local suppliers	Value
	(E6)	(E7)	(E8)
	(E9) Total local products (Goods, Services and Works)		R O

(E10) **Manpower costs** (Tenderer's manpower cost) R O

(E11) **Factory overheads** (Rental, depreciation & amortisation, utility costs, consumables etc.) R O

(E12) **Administration overheads and mark-up** (Marketing, insurance, financing, interest etc.) R O

(E13) Total local content R O

This total must correspond with Annex C - C24

Signature of tenderer from Annex B

Date: \_\_\_\_\_

# **MBD 7.1**

## **CONTRACT FORM - PURCHASE OF GOODS/WORKS**

### **APPOINTMENT OF INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER 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)	.....	<b>WITNESSES</b>  1. ....  2. ....  - - -
CAPACITY	.....	
SIGNATURE	.....	
NAME OF FIRM	.....	
DATE	.....	

**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 number .....dated.....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 AT .....ON.....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

WITNESSES

1. ....  
....

2. ....

## **MBD 8**

### **DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

### **APPOINTMENT OF INFORMATION COMMUNICATION TECHNOLOGY (ICT) SERVICE PROVIDER 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?  <b>(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).</b>	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, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> , 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:		
<b>Item</b>	<b>Question</b>	<b>Yes</b>	<b>No</b>
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 INFORMATION**  
**COMMUNICATION TECHNOLOGY (ICT)**  
**SERVICE PROVIDER FOR A PERIOD OF 36**  
**MONTHS**

# CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> 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:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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 consortium<sup>3</sup> 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