

HARRY GWALA DISTRICT MUNICIPALITY



REQUEST FOR THE PROVISION OF SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS

CONTRACT NO: 752/HGDM/2021

**Harry Gwala District Municipality
40 Main Street
IXOPO
3276**

Contact Name : Mrs. TT Thiyane-Magaqa / Mr. SPT Mngadi

Telephone : 039 834 8700

Fax : 039 834 1701

NAME OF BIDDER	
ADDRESS OF BIDDER	
TELEPHONE	
FAX	
TENDER SUM	
TIME FOR COMPLETION	

TENDER CLOSING DATE: 08/09/2023 @12h00

Table of Contents

INVITATION TO BID	5
TERMS OF TERMS OF REFERENCE	6
INTRODUCTION OF THE PROJECT	6
AIM OF THE PROJECT	6
SCOPE OF WORK	6
KEY DELIVERIES	7
CONDITIONS OF THE CONTRACT	7
PROJECT TIMEFRAME	7
PROJECT BUDGET	7
EVALUATION CRITERIA	8
BILL OF QUANTITIES	11
CONDITIONS OF BID	12
CERTIFICATION OF CORRECTNESS ON INFORMATION SUPPLIED IN THIS DOCUMENT .	14
SPECIAL INSTRUCTIONS AND NOTICES TO SUPPLIERS REGARDING THE COMPLETION OF BID FORMS.....	14
REGISTRATION ON THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIERS DATABASE AND THE CENTRAL SUPPLIER DATABASE.....	17
TAX CLEARANCE CERTIFICATE.....	18
DECLARATION OF INTEREST MBD 4	20
PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017	22
DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES.....	28
CERTIFICATION.....	29
CERTIFICATE OF INDEPENDENT BID DETERMINATION	30
CERTIFICATE OF INDEPENDENT BID DETERMINATION	31
COMPULSORY TO COMPLETE!	33

ATTACHMENTS

MDB FORMS

CERTIFICATE FOR MUNICIPAL SERVICES

SPECIAL CONDITIONS OF CONTRACT

CONTRACT DATA



HARRY GWALA DISTRICT MUNICIPALITY
"Together We Deliver and Grow"

OFFICE OF THE MUNICIPAL MANAGER

40 Main Street, Private Bag X501, IXOPO 3276

Tel: (039) 834 8707 Fax: (039) 834 1701

E-mail: kunenes@harrygwaladm.gov.za

INVITATION TO BID

PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS
CONTRACT NO: 752/HGDM/2021

Harry Gwala District Municipality hereby requests proposals from suitably experienced Services Providers for the server room and data centre maintenance for Harry Gwala District Municipality. Service Providers are required to comply with normal business ethics and stipulate their agency fees on their proposal.

Invalid or non-submission of the following documents will lead to immediate disqualification of the tender:

- Utility bill: Municipal statement
- Joint Venture Agreement and Power of attorney in case of joint ventures
- Central Supplier Database Registration
- A signed MBD4 form must be submitted with all bids (available on our website or at reception)

The following conditions will apply:

- Valid tax certificate or SARS pin
- All tenders submitted must be valid for ninety (90) days after the tender closing date.
- Price(s) quoted must be firm and must be inclusive of VAT.
- A firm delivery period must be indicated.
- 80/20 Preference point system will be used in Evaluation. Functionality will be calculated first.

SPECIFIC GOALS

Specific Goals	Weight	80/20 PP	Verification
Ownership Goals			
1. Youth Development (Below 35 Years) Youth ownership \geq 51% Black	25%	5	ID Copies: Directors Co. Registration CSD Shareholders Certificate
2. Youth Development (Below 35 Years) Youth ownership <51% Black		3	ID Copies: Directors Co. Registration CSD Shareholders Certificate

RDP Goals			
1.The promotion of South African owned enterprises	50%	10	ID Copies: Directors Co. Registration CSD
If not South African owned enterprises		0	
2.SMME Development (EME and QSE)	25%	5	Sworn-Affidavit - QSE/EME General and Bank Confirmation Letter
If not SMME Development (EME and QSE)		0	

COLLECTION OF BID DOCUMENTS

Documents may be obtained at Harry Gwala District Municipality, Finance Department, Ixopo, from **14 AUGUST 2023 between 09h00 to 16h00**, upon payment of non-refundable deposit of **R500.00** per document or downloadable from Harry Gwala District Municipality Website www.harrygwalam.gov.za.

CLOSING DATE: 08 SEPTEMBER 2023 @ 12h00.

The closing date for the bidders in on **08 SEPTEMBER 2023 @ 12h00**. Bids must be enclosed in **SEALED ENVELOPES** and clearly labeled, "**PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS CONTRACT NO: 752/HGDM/2021**" on the outside of the envelopes addressed to **The Municipal Manager**.

Bids must be deposited in the Bid Box at the reception area of Harry Gwala District Municipality, 40 Main Street, Ixopo, before the closing date and time. Telegraphic, telexed or faxed bids will not be considered, and late bids will not be accepted.

Harry Gwala District Municipality does not bind itself to accept the lowest or any Bid and reserves the right to accept the whole or any part of the Bid.

BID ENQUIRIES:

All tender enquiries and all the matters shall be directed to the Executive Director: Corporate Services: **Mrs.TT.Thiyane-Magaqa** on 039 834 8705 during working hours.

.....

Mr. G.M. Sineke

Municipal Manager

TERMS OF REFERENCE

NAME OF THE PROJECT: PROVISION OF THE MAINTENANCE SERVICES FOR THE SERVER ROOM AND DATA CENTRE.

1. INTRODUCTION OF THE PROJECT

The Harry Gwala District Municipality has invested in the hardware and systems that require necessary protective maintenance services. It is important that in the event of any disaster occurrence, servers and network equipment are always protected.

The ICT Unit implemented controls for facilities containing data, information, and ICT assets, in accordance with the Municipality's assessment of risk: Issuing suitable access rights and related physical security credentials (Main Office Ixopo Server Room and Kokstad Site with proof of identity access biometrics).

The Harry Gwala District Municipality requires an outsourced support for maintaining essential environment controls used by the municipality on daily basis. The appointed Service Provider will be responsible to maintain all the server rooms' services and supply or replacement of ICT equipment where necessary. The contract will run for the period of three years (36 months).

2. AIM OF THE PROJECT

The aim of the project is to ensure the following:

1. Service Provider must maintain controls for facilities containing data and information, ICT assets, in accordance with the ICT Unit assessment of risk:
2. Protect power equipment and power cabling from damage and destruction.
3. Maintain and service a short-term uninterruptible power supply (UPS) to facilitate an orderly shutdown of critical information systems in the event of a primary power source loss.
4. Service and maintain fire detection and suppression devices/systems within the facility where the data, information and ICT assets reside, supported by an independent energy source.
5. Monitor and maintain within acceptable levels the temperature and humidity within the facility where data, information and ICT assets reside.
6. Transfer of skills to ICT Unit and training of ICT Unit employees when the need arises.

3. SCOPE OF WORK

The service provider will be required to provide maintenance services of the server room and data centre. The environmental control equipment is installed in both sites: server room (Ixopo Main office) and Data centre (Kokstad)

The server room (Ixopo Main Office) hosts all main servers (email server, file server, financial systems etc...) Core of network equipment (Telkom VPN routers, LAN

Switch, Firewall). The environmental equipment are as follows: Air Conditioners, Smoke detectors, Fire suppression with fire control panel, two (2) hour fire rated door, Panel of EATON 9155 Uninterruptable Power Supply (UPS), Fire Rated Door, Biometrics system access control unit (additional 3 biometrics access control unit in ICT Offices), Humidity temperature monitoring.

Data Centre (Kokstad) hosts server room for testing and implementation of DRP (Disaster Recovery Plan) and BCP (Business Continuity Plan). The environmental equipment are as follows: Biometrics Access Control Unit, Smoke detectors, 12000btu Carrier Air conditioners, 3Kva Axil RT Uninterruptable Power Supply (UPS), Fire rated door, Fire suppression with fire control panel.

- Installation of humidity temperature monitoring (Data Centre) of humidity temperature monitoring (Send real-time alerts)
- Installation of Video Camera Surveillance (Ixopo Main Office)
- Installation of Video Camera Surveillance (Data Centre)
- Installation of Biometrics Access System Control (Disaster Centre) linking with other devices at Ixopo Main Office & Data Centre.
- Inspection, supply, delivery, and installation of the equipment for both server room and data centre required.
- Both server room and data centre will be serviced once yearly and where necessary. Service is required on annual basis.

4. KEY DELIVERIES

1. Provision of maintenance services support
2. Supply of ICT Equipment
3. Supply of Software
4. Evidence of skill transfer

5. CONDITIONS OF THE CONTRACT

A three (3) year contract with service level agreement shall be signed with the appointed service provider covering the provision to maintain, supply, deliver and install the environmental equipment at the server room and data centre.

6. PROJECT TIMEFRAME

The project will be contracted over three-year period.

7. PROJECT BUDGET

The service provider shall be paid for service rendered and equipment supplied on presentation of original tax invoice.

8. EVALUATION CRITERIA

COMPLIANCE WITH THE PREFERENTIAL PROCUREMENT REGULATION, 2022. EVALUATION WILL BE DONE ON THE FOLLOWING STAGE PROCESS IN TERMS OF NATIONAL TREASURY CIRCULAR NO: 53:

Stage 1:

Assessment of Functionality. Only service providers who achieve a minimum of 60 points of the total available points will qualify for stage two of the Evaluation process. Functionality criteria is as follows:

Company Experience (50 points)

Certifications and Specialist Experience (50 points)

ITEM	Points allocation	Points Awarded	
STAGE 1 OF EVALUATION – FUNCTIONALITY			
Company with previous experience in the implementation of data centre /server room solutions.	Provide at least 8 or above referral letters/orders appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	50	50%
	Provide at least 5 to 7 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	30	
	Provide at least 1 to 4 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	20	
	Provide at least 0 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	0	
Specialist Experience & Qualifications	Specialist with 5 years or more experience and the following Qualifications: <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) Compulsory: Specialist MUST submit CV, with Certified Certifications.	15	15%

	<p>Specialist with 3 to 4 years' experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	10	
	<p>Specialist with 1 to 2 years' experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	5	
	<p>Specialist with 0-year experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	0	
Project Manager Qualifications	<p>Project Manager Qualification:</p> <ul style="list-style-type: none"> Fire Detection Certificate <p>Compulsory: Project Manager must submit certified copy of Fire Detection or Fire Protection Inspector Certificate</p>	10	10%
	<p>None submission of Project Manager Qualification:</p> <ul style="list-style-type: none"> Fire Detection Certificate 	0	
Certificate Accreditation	<p>Certificate accreditation (Must be certified by an authorized certifying officer): Company must be registered with the SANS for safety standards</p>	25	25 %
	<p>None submission of the Registered SANS certification</p>	0	
<p><i>CV's, letters of recommendation and copies of certified certificates must be attached to claim the points</i></p>			
<p>NB* Installation cost and data transfers cost must be included in the bid.</p>			

Stage 2:

PRICE AND PREFERENTIAL POINTS

The 80/20 preferential point system will be applied, where 80 points will be allocated for price and 20 points for specific goals that is on **Ownership and RDP Goals**. Bidders must submit the required documentation to claim preference points.

Specific Goals	Weight	80/20 PP	Verification
Ownership Goals			
1. Youth Development (Below 35 Years) Youth ownership \geq 51% Black	25%	5	ID Copies: Directors Co. Registration CSD Shareholders Certificate
2. Youth Development (Below 35 Years) Youth ownership <51% Black		3	ID Copies: Directors Co. Registration CSD Shareholders Certificate
RDP Goals			
1.The promotion of South African owned enterprises	50%	10	ID Copies: Directors Co. Registration CSD
If not South African owned enterprises		0	
2. SMME Development (EME and QSE)	25%	5	Sworn-Affidavit - QSE/EME General and Bank Confirmation Letter
If not SMME Development (EME and QSE)		0	

9. BILL OF QUANTITIES

MAINTENANCE EQUIPMENT			
Description	Rate	Unit Price	Total Price
<p>Maintenance</p> <p>The server room hosts all main servers (email server, file server, financial systems etc...). Core of network equipment (Telkom VPN routers, LAN Switch, Firewall)</p> <ul style="list-style-type: none"> • Air Conditioners. • Smoke detectors. • Fire suppression with fire control panel. • Two (2) hour fire rated door. • Panel of EATON 9155 Uninterruptable Power Supply (UPS). • Biometrics system access control unit (additional biometrics access control unit in ICT Offices). • Humidity temperature and sensor monitoring. 	p/h		
<p>Maintenance</p> <p>Data Centre (Kokstad) hosts server room for testing and implementation of DRP and BCP.</p> <ul style="list-style-type: none"> • Biometrics Access Control Unit. • 12000btu Carrier Air conditioners. • 3Kva Axil RT Uninterruptable Power Supply (UPS). • Fire rated door. • Fire suppression with fire control panel. 	p/h		
<p>Supply and Installation or Replacement</p> <p>The server room hosts all main servers (email server, file server, financial systems etc...). Core of network equipment (Telkom VPN routers, LAN Switch, Firewall)</p> <ul style="list-style-type: none"> • Air conditioners • Smoke detectors. • Fire suppression with fire control panel. • Two (2) hour fire rated door. • Panel of EATON 9155 Uninterruptable Power Supply (UPS). 		Each	

<ul style="list-style-type: none"> • Biometrics system access control unit (additional biometrics access control unit in ICT Offices). • Humidity temperature and sensor monitoring. 			
<p>Supply and Installation or Replacement Data Centre (Kokstad) hosts server room for testing and implementation of DRP and BCP.</p> <ul style="list-style-type: none"> • Biometrics Access Control Unit. • 12000btu Carrier Air conditioners. • 3Kva Axil RT Uninterruptable Power Supply (UPS). • Fire rated door. • Fire suppression with fire control panel. 		Each	
<p>New installation</p> <ul style="list-style-type: none"> • New installation of humidity temperature monitoring (Sending real-time alerts) • Video Camera Surveillance (Kokstad) • Video Camera Surveillance (Data Centre) • Biometrics access control unit (Disaster Centre) linking with other devices at Ixopo Main Office & Data Centre. • Inspection, supply, delivery and installation of the server room and data centre equipment required. 		Each	
Labour	p/h		
Travelling	p/km		
Installation			
Accommodation (If Applicable)			
Total Ex VAT			
VAT			
Total			

10. CONDITIONS OF BID

1. I/We hereby bid to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to the Harry Gwala District Municipality Administration (hereinafter called the "Harry Gwala district Municipality") on the terms and conditions and be in accordance with the specifications stipulated in the bid documents (and which shall be taken as part of and be incorporated in this bid) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
2. I/We agree that:

- a) the offer herein shall remain binding upon me and open for acceptance by the Municipality during the validity period indicated and calculated from the closing time of the bid.
- b) this bid and its acceptance shall be subject to treasury regulations 16A issued in terms of the Municipal Finance Management Act, 2003, the Harry Gwala District Municipality Supply Chain Management Policy Framework, with which I/We are fully acquainted;
- c) if I/We withdraw my bid within the period to which I/We agreed that the bid shall remain open for acceptance or fail to fulfil the contract when called upon to do so, the Municipality without prejudice to its other rights, agree to the withdrawal of my bid, or cancel the contract that may have been entered into between me and the Municipality. I/We then pay to the Municipality any additional expenses incurred by the Municipality having either to accept any less favorable bid or, fresh bids have to be invited, the additional expenditure incurred by the invitation of fresh bid and by the subsequent acceptance of any less favorable bid. The Municipality shall have the right to recover such additional expenses by set-off against monies which may be due to me under this or any other bid or contract or against any guarantee or deposit that may have been furnished by me or on my behalf for the due fulfilment of this or any other bid or contract and pending the ascertainment of the amount of such additional expenditure to retain such monies, guarantee or deposit as security for any loss the Municipality may sustain by reason of my default;
- d) if my bid is accepted the acceptance may be communicated to me by a registered post, and that the South African Post Office shall be treated as delivery agent to me.
- e) the law of the Republic of South Africa shall govern the contract created by the acceptance of my bid and I choose domicilium citandi et executandi in the Republic at (full physical address);

.....

- 3. I/We furthermore confirm that I/We have satisfied myself as to the correctness and validity of my bid: that the price(s), rate(s) and preference quoted cover all the work/item(s) and my obligations under a resulting contract, and I accept that any mistakes regarding the price(s) and calculations will be at my risk.
- 4. I/We hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement, as the Principal (s) liable for the due fulfilment of this contract.
- 5. I/We agree that any action arising from this contract may in all respects be instated against me and I/We hereby undertake to satisfy fully any sentence or judgement which may be pronounced against me as a result of such action.
- 6. I/We confirm that I/We have declared all and any interest that I or any persons related to my business has with regard to this bid or any related bids by completion of the Declaration of Interest Section.

CERTIFICATION OF CORRECTNESS ON INFORMATION SUPPLIED IN THIS DOCUMENT

I/We, THE UNDERSIGNED, WHO WARRANT THAT I AM DULY AUTHORISED TO DO SO ON BEHALF OF THE BIDDER, CERTIFY THAT INFORMATION SUPPLIED IN TERMS OF THIS DOCUMENT IS CORRECT AND TRUE, THAT THE SIGNATORY TO THIS DOCUMENT IS DULY AUTHORISED AND ACKNOWLEDGE THAT:

- (1) The bidder will furnish document proof regarding any quote issue to the satisfaction of the municipality, if requested to do so.
- (2) if the information supplied is found to be incorrect and/or false then the Municipality, in addition to any remedies it may have, may: -
 - (a) Recover from the supplier all costs, losses or damages incurred or sustained by the Municipality as a result of the award of the contract, and/or
 - (b) Cancel the contract and claim any damages which the Municipality may suffer by having to make less favorable arrangements after such cancellation.

SIGNED ON THIS.....DAY OF.....20.....AT.....

**SIGNATURE OF THE SUPPLIER OR DULY NAME IN BLOCK LETTERS
AUTHORISED REPRESENTATIVE ON BEHALF OF (BIDDERS
NAME)**

CAPACITY OF SIGNATORY.....

NAME OF CONTACT PERSON (IN BLOCK LETTERS, PLEASE)

.....

POSTAL ADDRESS.....

TELEPHONE NUMBER:.....

FAX NUMBER:.....

CELULLAR PHONE NUMBER:.....

E-MAIL ADDRESS:.....

SPECIAL INSTRUCTIONS AND NOTICES TO SUPPLIERS REGARDING THE COMPLETION OF BID FORMS

PLEASE NOTE THAT THIS BID IS SUBJECT TO TREASURY REGULATIONS 16A ISSUED IN TERMS OF THE MUNICIPAL FINANCE MANAGEMENT ACT, 2003, THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLY CHAIN MANAGEMENT POLICY FRAMEWORK.

1. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and vice versa and with words importing the masculine gender shall include the feminine and the neuter.
2. Under no circumstances whatsoever may the bid forms be retyped or redrafted. Photocopies of the original bid documentation may be used, but an original signature must appear on such photocopies.
3. The supplier is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
4. Bids submitted must be complete in all respects.
5. Bids shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the bid documents.
6. Each bid shall be addressed in accordance with the directives in the bid documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the bid number and closing date indicated on the envelope. The envelope shall not contain documents relating to any bid other than that shown on the envelope. If this provision is not complied with, such bids may be rejected as being invalid.
7. All bids received in sealed envelopes with the relevant bid numbers on the envelopes are kept unopened in safe custody until the closing time of the bids. Where, however, a bid is received open, it shall be sealed. If it is received without a bid number on the envelope, it shall be opened, the bid number ascertained, the envelope sealed and the bid number written on the envelope.
8. A specific box is provided for the receipt of bids, and no bid found in any other box or elsewhere subsequent to the closing date and time of bid will be considered.
9. No bid sent through the post will be considered if it is received after the closing date and time stipulated in the bid documentation, and proof of posting will not be accepted as proof of delivery.
10. No bid submitted by telefax, telegraphic or other electronic means will be considered.
11. Bid documents must not be included in packages containing samples. Such bids may be rejected as being invalid.
12. Any alteration made by the supplier must be initialled, otherwise it will be disqualified.
13. Use of correcting fluid is prohibited and will be disqualified.

14. Bids will be opened in public as soon as practicable after the closing time of bid.
15. Where practical, prices are made public at the time of opening bids.
16. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.

DECLARATION THAT INFORMATION ON HARRY GWALA DISTRICT MUNICIPALITY SUPPLIER DATABASE IS CORRECT AND UP TO DATE
(To be completed by bidder)

THIS IS TO CERTIFY THAT I (name of bidder/authorised representative)

....., WHO REPRESENTS (state name
Of bidder)

IAM AWARE OF THE CONTENTS OF THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIER DATABASE WITH RESPECT TO THE SUPPLIER'S DETAILS AND REGISTRATION INFORMATION, AND THAT THE SAID INFORMATION IS CORRECT AND UP TO DATE AS ON THE DATE OF SUBMITTING THIS BID.

AND I AM AWARE THAT INCORRECT OR OUTDATED INFORMATION MAY BE A CAUSE FOR DISQUALIFICATION OF THIS BID FROM THE EVALUATION PROCESS, AND/OR POSSIBLE CANCELLATION OF THE CONTRACT THAT MAY BE AWARDED ON THE BASIS OF THIS BID.

.....
SIGNATURE OF BIDDER OR AUTHORISED REPRESENTATIVE

.....
DATE:

REGISTRATION ON THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIERS DATABASE AND THE CENTRAL SUPPLIER DATABASE

1. In terms of the Harry District Municipality Supply Chain Management Policy Framework, all suppliers of goods and services to the Municipality are required to register on the Suppliers Database.
2. If you wish to apply for registration, forms may be downloaded from the website, **<http://www.harrygwala.gov.za>**, or obtained by collecting it in the offices of the Municipality (SCM).
3. If a business is registered on the Database and it is found subsequently that false or incorrect information has been supplied, then the Municipality may, without prejudice to any other legal rights or remedies it may have;
 - 3.1 De-register the supplier from the Database,
 - 3.2 Cancel a Bid or a contract awarded to such supplier, and the supplier would become liable for any damages if a less favourable quotation is accepted or less favourable arrangements are made.
4. **The same principles as set out in paragraph 3 above are applicable should the supplier fail to request updating of its information on the Suppliers Database, relating to changed particulars or circumstances.**
5. Application for registration must be submitted to the Harry Gwala office at Harry Gwala District Municipality. IF THE SUPPLIER IS NOT REGISTERED AT THE CLOSING TIME OF BID, THE SUPPLIER IS REQUIRED TO SUBMIT A COPY OF THE REGISTRATION APPLICATION FORM, TOGETHER WITH THE BID DOCUMENTATION, TO THE RESPECTIVE DEPARTMENT INVITING BIDS.
6. The supplier/vendor/service provider must be registered on the Central Supplier Database (CSD)

A) TAX COMPLIANCE STATUS (TCS) SYSTEM REQUIREMENTS

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

To verify your tax compliance status on eFiling, the person or entity will require your tax reference number and PIN number.

TAX REFERENCE NUMBER _____

PIN NUMBER _____

Visit www.sars.gov.za for process to verify TCS PIN.

What is the Tax Compliance Status system?

1. Tax Compliance Status (TCS) replaced the Tax Clearance Certificate system which was previously used by SARS.
2. The new TCS system allows you to obtain a TCS PIN in real-time, instead of a manual Tax Certificate.

What do I need to be tax compliant?

To be tax compliant, you should make sure that:

1. You are registered for all required tax types
2. You submit all your tax returns on time.
3. Pay all your tax debt on time

How to obtain a TCS PIN via eFiling?

Make sure you have Adobe Flash installed and enabled on your computer or laptop. Visit www.adobe.com to download.

1. Logon to eFiling
If you are not yet an eFiler, register at www.sarsefiling.co.za.
You need to be registered for eFiling and have one tax type activated on your eFiling profile, in order to activate the TCS service.
2. Activate your TCS service
You only need to activate your Tax Compliance Status once, and it will remain active. Once you have activated the service, you will see the "My Compliance Profile" on the screen.

If you are registered for more than one tax type and you have not yet merged the tax types into one registered profile, it is recommended that you complete the "Merge Entities" function to see a compliance profile of all taxes.

3. View your "My Compliance Profile"

Your compliance status will be displayed against the following compliance requirements:

- Registration status
- Submission of returns
- Debt
- Relevant supporting documents.

A colour-coded profile will appear to indicate whether you are tax compliant for each compliance requirement listed above.

Green - Your tax matters are in order and the taxpayer is tax compliant.

Red - Your tax matters are not in order and the taxpayer is not tax compliant.

4. Request PIN on eFiling To request a PIN go to "My Compliance Profile":

- Select the Tax Compliance Status Request option
- Select the type of TCS for which you would like to apply.

You will have the following options:

- » Good standing
- » Tender
- » Foreign Investment Allowance (Individuals only)
- » Emigration (Individuals only)

- Complete the Tax Compliance Status Request and submit it to SARS.

DECLARATION OF INTEREST

MBD 4

- 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 the service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3. To give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his / her representative:

3.2 Identity number:_____

3.3 Position occupied in the Company (director, trustee, shareholder²)

3.4 Company Registration Number: _____

3.5 Tax Reference Number: _____

3.6 VAT Registration Number: _____

3.7 The names of all directors / trustees / shareholders / members, their individual identity numbers and state employee numbers (where applicable) must be indicated in paragraph 4 below.

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

3.8.1 If yes, furnish particulars.

.....
.....

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

3.9.1 If so, furnish particulars.

.....

.....

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

3.10.1 If so, state particulars.

.....

.....

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

3.11.1 If so, state particulars.

.....

.....

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

3.12.1 If so, state particulars.

.....

.....

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

3.13.1 If so, furnish particulars.

.....

.....

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

3.14.1 If so, furnish particulars.

.....

.....

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

THE FOLLOWING INFORMATION IS COMPULSORY TO COMPLETE:

Full Name	Identity Number	Individual Tax Number for each Director	State Employee Number (Where applicable)

.....
Signature

.....
Date

.....
Capacity

.....
Name of bidder

¹MSCM Regulations: “in the service of the state” means to be -

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the National Assembly or the National Council of Provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official or 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 entity; or
- (f) an employee of Parliament or a provincial legislature.

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

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

a) The applicable preference point system for this tender is the 80/20 preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

(a) **"tender"** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation.

(b) **"price"** means an amount of money tendered for goods or services and includes all applicable taxes less all unconditional discounts.

(c) **"Rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes.

(d) **"tender for income-generating contracts"** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) **"The Act"** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$\begin{array}{ccc} \mathbf{80/20} & \text{or} & \mathbf{90/10} \\ P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \end{array}$$

Where

P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{\min} = Price of lowest acceptable tender

DECLARATION WITH REGARDS TO THE COMPANY/FIRM

4.3. Name of company/firm :

4.4. Company registration number :

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Non-Profit Company
- Personal Liability Company
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

4.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

4.7 MUNICIPAL INFORMATION

Municipality where business is situated

Registered Account Number

Stand Number

4.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?

.....

4.9 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 preferential points indicated in page 5, 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 preferential points claimed as shown in page5, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

.....
SIGNATURE(S) OF BIDDER(S)

.....
DATE

MBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

**PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES
-CONTRACT NO: 752/HGDM/2021**

in response to the invitation for the bid made by:

HARRY GWALA DISTRICT MUNICIPALITY

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

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

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

MBD9

- 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.
- 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

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

FORM OF OFFER AND ACCEPTANCE

<p>NAME OF BIDDER (ORGANISATION):</p> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>

A. OFFER

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

BID NO: 752/HGDM/2021

The Bidder, identified in the Offer signature block below, by submitting this Offer has accepted the Conditions of Tender.

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

The offered total of the prices carried forward from the Summary of the Bill of Quantities is:

<p>R..... <i>figures</i>)</p>	(in	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">*including VAT</td> <td style="width: 30px;"></td> </tr> <tr> <td style="padding: 2px;">*excluding VAT</td> <td></td> </tr> </table>	*including VAT		*excluding VAT	
*including VAT						
*excluding VAT						
		<i>* tick relevant box</i>				

Amount in words

.....

<p>Are the prices / rates quoted firm? Yes/No:</p>	<p>Is the delivery period stated firm? Yes/No:</p>
<p>Name: <i>(of person authorised to sign the bid)</i></p>	<p>Signature:</p>
<p>Name of Witness:</p>	<p>Signature of Witness:</p>
<p>Date:</p>	<p><i>Failure of a Bidder to sign this form will invalidate the bid</i></p>
<p>Address of Organisation:</p> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>	
<p>Telephone No. _____ Fax No. _____</p>	

B. ACCEPTANCE

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

Name: <i>(of person authorised to sign the bid)</i>	Signature:
Capacity:	Date:
Name of Witness:	Signature of Witness:
Name and Address of Employer: _____ _____ _____ _____	

AUTHORITY TO SIGN A BID

A. CLOSE CORPORATION

In 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 the resolution by its members authorising a member or other official of the corporation to sign the documents on their behalf.

By resolution of members at a meeting on 20..... at

Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of Close Corporation)

SIGNED ON BEHALF OF CLOSE CORPORATION:
(PRINT NAME)

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

SIGNATURE OF SIGNATORY:

WITNESSES: 1

2

B. SOLE PROPRIETOR (ONE - PERSON BUSINESS)

I, the undersigned..... hereby confirm that I am the sole owner of the business trading as.....

.....

.....
SIGNATURE

.....
DATE

C. COMPANIES

If a Bidder is a company, a certified copy of the resolution by the board of directors, personally signed by the chairperson of the board, authorising the person who 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 and/or contract on behalf of the company must be submitted with this bid, that is before the closing time and date of the bid.

AUTHORITY BY BOARD OF DIRECTORS

By resolution passed by the Board of Directors on.....20.....,

Mr/Mrs..... (whose signature appears below) has been duly authorised to sign all documents in connection with this bid on behalf of (Name of Company)

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF COMPANY:
(PRINT NAME)

SIGNATURE OF SIGNATORY: **DATE:**

WITNESSES: 1
2

D. 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 authorise to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and /or contract.

.....
SIGNATURE

.....
SIGNATURE

.....
DATE

.....
DATE

E CO-OPERATIVE

A certified copy of the Constitution of the co-operative must be included with the bid, together with the resolution by its members authoring a member or other official of the co-operative to sign the bid documents on their behalf.

By resolution of members at a meeting on 20..... at

Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of cooperative)

.....
SIGNATURE OF AUTHORISED REPRESENTATIVE/SIGNATORY:

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

DATE:

SIGNED ON BEHALF OF CO-OPERATIVE:

NAME IN BLOCK LETTERS:

WITNESSES: 1

2

CERTIFICATE FOR MUNICIPAL SERVICES

Information required in terms of the Harry Gwala District Municipality’s Supply Chain Management Policy. Latest municipal services account statement must be attached.

<p>Tender Number: 752/HGDM/2021</p> <p>Name of the Tenderer:</p> <hr style="border: 0; border-top: 1px solid black; margin-top: 10px;"/>
--

FURTHER DETAILS OF THE BIDDER/S: Proprietor / Director(s) / Partners, etc:

Physical Business address of the Bidder	Municipal Account Number(s)

If there is not enough space for all the names, please attach the additional details to the Tender document.

Name of Director / Member / Partner	Identity Number	Physical residential address of Director / Member / Partner	Municipal Account number(s)

I, _____, the undersigned, (full name in block letters) certify that the information furnished on this declaration form is correct and that I/we have no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days.

Signature

THUS DONE AND SIGNED for and on behalf of the Bidder / Contractor

at _____ on the _____ day of _____ 2023

Please note: Even if the requested information is not applicable to the Bidder, the table above should be endorsed NOT APPLICABLE and THIS DECLARATION MUST STILL BE SIGNED

CONTRACT DATA PROVIDED BY EMPLOYER

CONTRACT DATA (Applicable to this contract)

PART A: DATA PROVIDED BY THE EMPLOYER

The following contract specific data are applicable to this contract.

REFERENCE	CONTRACT SPECIFIC DATA PROVIDED BY THE EMPLOYER		
Clause 1.1.14:	Name of Employer: The Municipality of Harry Gwala District represented by Accounting Officer of Municipality: Municipal Manager.		
Clause 1.2.2:	Address of Employer: <table><tr><td><u>Physical:</u> 40 Main Street Ixopo 3276</td><td><u>Postal:</u> Private Bag X 501 Ixopo 3276</td></tr></table> Email address: kunenes@harrygwaladm.gov.za Telephone No: (039) 834 8700 Fax No: (039) 834 1701	<u>Physical:</u> 40 Main Street Ixopo 3276	<u>Postal:</u> Private Bag X 501 Ixopo 3276
<u>Physical:</u> 40 Main Street Ixopo 3276	<u>Postal:</u> Private Bag X 501 Ixopo 3276		
Clause 1.1.15:	Name of Project Manager: Mr. S.P.T Mngadi		

HARRY GWALA DISTRICT MUNICIPALITY



REQUEST FOR THE PROVISION OF SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS

CONTRACT NO: 752/HGDM/2021

**Harry Gwala District Municipality
40 Main Street
IXOPO
3276**

Contact Name : Mrs. TT Thiyane-Magaqa / Mr. SPT Mngadi

Telephone : 039 834 8700

Fax : 039 834 1701

NAME OF BIDDER	
ADDRESS OF BIDDER	
TELEPHONE	
FAX	
TENDER SUM	
TIME FOR COMPLETION	

TENDER CLOSING DATE: 08/09/2023 @12h00

Table of Contents

INVITATION TO BID	5
TERMS OF TERMS OF REFERENCE	6
INTRODUCTION OF THE PROJECT	6
AIM OF THE PROJECT	6
SCOPE OF WORK	6
KEY DELIVERIES	7
CONDITIONS OF THE CONTRACT	7
PROJECT TIMEFRAME	7
PROJECT BUDGET	7
EVALUATION CRITERIA	8
BILL OF QUANTITIES	11
CONDITIONS OF BID	12
CERTIFICATION OF CORRECTNESS ON INFORMATION SUPPLIED IN THIS DOCUMENT.	14
SPECIAL INSTRUCTIONS AND NOTICES TO SUPPLIERS REGARDING THE COMPLETION OF BID FORMS.....	14
REGISTRATION ON THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIERS DATABASE AND THE CENTRAL SUPPLIER DATABASE.....	17
TAX CLEARANCE CERTIFICATE.....	18
DECLARATION OF INTEREST MBD 4	20
PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017	22
DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES.....	28
CERTIFICATION.....	29
CERTIFICATE OF INDEPENDENT BID DETERMINATION	30
CERTIFICATE OF INDEPENDENT BID DETERMINATION	31
COMPULSORY TO COMPLETE!	33

ATTACHMENTS

MDB FORMS

CERTIFICATE FOR MUNICIPAL SERVICES

SPECIAL CONDITIONS OF CONTRACT

CONTRACT DATA



HARRY GWALA DISTRICT MUNICIPALITY
"Together We Deliver and Grow"

OFFICE OF THE MUNICIPAL MANAGER

40 Main Street, Private Bag X501, IXOPO 3276

Tel: (039) 834 8707 Fax: (039) 834 1701

E-mail: kunenes@harrygwaladm.gov.za

INVITATION TO BID

PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS
CONTRACT NO: 752/HGDM/2021

Harry Gwala District Municipality hereby requests proposals from suitably experienced Services Providers for the server room and data centre maintenance for Harry Gwala district municipality. Service Providers are required to comply with normal business ethics and stipulate their agency fees on their proposal.

Invalid or non-submission of the following documents will lead to immediate disqualification of the tender:

- Utility bill: Municipal statement
- Joint Venture Agreement and Power of attorney in case of joint ventures
- Central Supplier Database Registration
- A signed MBD4 form must be submitted with all bids (available on our website or at reception)

The following conditions will apply:

- Valid tax certificate or SARS pin
- All tenders submitted must be valid for ninety (90) days after the tender closing date.
- Price(s) quoted must be firm and must be inclusive of VAT.
- A firm delivery period must be indicated.
- 80/20 Preference point system will be used in Evaluation. Functionality will be calculated first.

SPECIFIC GOALS

Specific Goals	Weight	80/20 PP	Verification
Ownership Goals			
1. Youth Development (Below 35 Years) Youth ownership \geq 51% Black	25%	5	ID Copies: Directors Co. Registration CSD Shareholders Certificate
2. Youth Development (Below 35 Years) Youth ownership <51% Black		3	ID Copies: Directors Co. Registration CSD Shareholders Certificate

RDP Goals			
1.The promotion of South African owned enterprises	50%	10	ID Copies: Directors Co. Registration CSD
If not South African owned enterprises		0	
2.SMME Development (EME and QSE)	25%	5	Sworn-Affidavit - QSE/EME General and Bank Confirmation Letter
If not SMME Development (EME and QSE)		0	

COLLECTION OF BID DOCUMENTS

Documents may be obtained at Harry Gwala District Municipality, Finance Department, Ixopo, from **14 AUGUST 2023 between 09h00 to 16h00**, upon payment of non-refundable deposit of **R500.00** per document or downloadable from Harry Gwala District Municipality Website www.harrygwalam.gov.za.

CLOSING DATE: 08 SEPTEMBER 2023 @ 12h00.

The closing date for the bidders in on **08 SEPTEMBER 2023 @ 12h00**. Bids must be enclosed in **SEALED ENVELOPES** and clearly labeled, "**PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS CONTRACT NO: 752/HGDM/2021**" on the outside of the envelopes addressed to **The Municipal Manager**.

Bids must be deposited in the Bid Box at the reception area of Harry Gwala District Municipality, 40 Main Street, Ixopo, before the closing date and time. Telegraphic, telexed or faxed bids will not be considered, and late bids will not be accepted.

Harry Gwala District Municipality does not bind itself to accept the lowest or any Bid and reserves the right to accept the whole or any part of the Bid.

BID ENQUIRIES:

All tender enquiries and all the matters shall be directed to the Executive Director: Corporate Services: **Mrs.TT.Thiyane-Magaqa** on 039 834 8705 during working hours.

.....

Mr. G.M. Sineke

Municipal Manager

TERMS OF REFERENCE

NAME OF THE PROJECT: PROVISION OF THE MAINTENANCE SERVICES FOR THE SERVER ROOM AND DATA CENTRE.

1. INTRODUCTION OF THE PROJECT

The Harry Gwala District Municipality has invested in the hardware and systems that require necessary protective maintenance services. It is important that in the event of any disaster occurrence, servers and network equipment are always protected.

The ICT Unit implemented controls for facilities containing data, information, and ICT assets, in accordance with the Municipality's assessment of risk: Issuing suitable access rights and related physical security credentials (Main Office Ixopo Server Room and Kokstad Site with proof of identity access biometrics).

The Harry Gwala District Municipality requires an outsourced support for maintaining essential environment controls used by the municipality on daily basis. The appointed Service Provider will be responsible to maintain all the server rooms' services and supply or replacement of ICT equipment where necessary. The contract will run for the period of three years (36 months).

2. AIM OF THE PROJECT

The aim of the project is to ensure the following:

1. Service Provider must maintain controls for facilities containing data and information, ICT assets, in accordance with the ICT Unit assessment of risk:
2. Protect power equipment and power cabling from damage and destruction.
3. Maintain and service a short-term uninterruptible power supply (UPS) to facilitate an orderly shutdown of critical information systems in the event of a primary power source loss.
4. Service and maintain fire detection and suppression devices/systems within the facility where the data, information and ICT assets reside, supported by an independent energy source.
5. Monitor and maintain within acceptable levels the temperature and humidity within the facility where data, information and ICT assets reside.
6. Transfer of skills to ICT Unit and training of ICT Unit employees when the need arises.

3. SCOPE OF WORK

The service provider will be required to provide maintenance services of the server room and data centre. The environmental control equipment is installed in both sites: server room (Ixopo Main office) and Data centre (Kokstad)

The server room (Ixopo Main Office) hosts all main servers (email server, file server, financial systems etc...) Core of network equipment (Telkom VPN routers, LAN

Switch, Firewall). The environmental equipment are as follows: Air Conditioners, Smoke detectors, Fire suppression with fire control panel, two (2) hour fire rated door, Panel of EATON 9155 Uninterruptable Power Supply (UPS), Fire Rated Door, Biometrics system access control unit (additional 3 biometrics access control unit in ICT Offices), Humidity temperature monitoring.

Data Centre (Kokstad) hosts server room for testing and implementation of DRP (Disaster Recovery Plan) and BCP (Business Continuity Plan). The environmental equipment are as follows: Biometrics Access Control Unit, Smoke detectors, 12000btu Carrier Air conditioners, 3Kva Axil RT Uninterruptable Power Supply (UPS), Fire rated door, Fire suppression with fire control panel.

- Installation of humidity temperature monitoring (Data Centre) of humidity temperature monitoring (Send real-time alerts)
- Installation of Video Camera Surveillance (Ixopo Main Office)
- Installation of Video Camera Surveillance (Data Centre)
- Installation of Biometrics Access System Control (Disaster Centre) linking with other devices at Ixopo Main Office & Data Centre.
- Inspection, supply, delivery, and installation of the equipment for both server room and data centre required.
- Both server room and data centre will be serviced once yearly and where necessary. Service is required on annual basis.

4. KEY DELIVERIES

1. Provision of maintenance services support
2. Supply of ICT Equipment
3. Supply of Software
4. Evidence of skill transfer

5. CONDITIONS OF THE CONTRACT

A three (3) year contract with service level agreement shall be signed with the appointed service provider covering the provision to maintain, supply, deliver and install the environmental equipment at the server room and data centre.

6. PROJECT TIMEFRAME

The project will be contracted over three-year period.

7. PROJECT BUDGET

The service provider shall be paid for service rendered and equipment supplied on presentation of original tax invoice.

8. EVALUATION CRITERIA

COMPLIANCE WITH THE PREFERENTIAL PROCUREMENT REGULATION, 2022. EVALUATION WILL BE DONE ON THE FOLLOWING STAGE PROCESS IN TERMS OF NATIONAL TREASURY CIRCULAR NO: 53:

Stage 1:

Assessment of Functionality. Only service providers who achieve a minimum of 60 points of the total available points will qualify for stage two of the Evaluation process. Functionality criteria is as follows:

Company Experience (50 points)

Certifications and Specialist Experience (50 points)

ITEM	Points allocation	Points Awarded	
STAGE 1 OF EVALUATION – FUNCTIONALITY			
Company with previous experience in the implementation of data centre /server room solutions.	Provide at least 8 or above referral letters/orders appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	50	50%
	Provide at least 5 to 7 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	30	
	Provide at least 1 to 4 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	20	
	Provide at least 0 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	0	
Specialist Experience & Qualifications	Specialist with 5 years or more experience and the following Qualifications: <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) Compulsory: Specialist MUST submit CV, with Certified Certifications.	15	15%

	<p>Specialist with 3 to 4 years' experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	10	
	<p>Specialist with 1 to 2 years' experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	5	
	<p>Specialist with 0-year experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	0	
Project Manager Qualifications	<p>Project Manager Qualification:</p> <ul style="list-style-type: none"> Fire Detection Certificate <p>Compulsory: Project Manager must submit certified copy of Fire Detection or Fire Protection Inspector Certificate</p>	10	10%
	<p>None submission of Project Manager Qualification:</p> <ul style="list-style-type: none"> Fire Detection Certificate 	0	
Certificate Accreditation	<p>Certificate accreditation (Must be certified by an authorized certifying officer): Company must be registered with the SANS for safety standards</p>	25	25 %
	<p>None submission of the Registered SANS certification</p>	0	
<p><i>CV's, letters of recommendation and copies of certified certificates must be attached to claim the points</i></p>			
<p>NB* Installation cost and data transfers cost must be included in the bid.</p>			

Stage 2:

PRICE AND PREFERENTIAL POINTS

The 80/20 preferential point system will be applied, where 80 points will be allocated for price and 20 points for specific goals that is on **Ownership and RDP Goals**. Bidders must submit the required documentation to claim preference points.

Specific Goals	Weight	80/20 PP	Verification
Ownership Goals			
1. Youth Development (Below 35 Years) Youth ownership \geq 51% Black	25%	5	ID Copies: Directors Co. Registration CSD Shareholders Certificate
2. Youth Development (Below 35 Years) Youth ownership <51% Black		3	ID Copies: Directors Co. Registration CSD Shareholders Certificate
RDP Goals			
1.The promotion of South African owned enterprises	50%	10	ID Copies: Directors Co. Registration CSD
If not South African owned enterprises		0	
2. SMME Development (EME and QSE)	25%	5	Sworn-Affidavit - QSE/EME General and Bank Confirmation Letter
If not SMME Development (EME and QSE)		0	

9. BILL OF QUANTITIES

MAINTENANCE EQUIPMENT			
Description	Rate	Unit Price	Total Price
<p>Maintenance</p> <p>The server room hosts all main servers (email server, file server, financial systems etc...). Core of network equipment (Telkom VPN routers, LAN Switch, Firewall)</p> <ul style="list-style-type: none"> • Air Conditioners. • Smoke detectors. • Fire suppression with fire control panel. • Two (2) hour fire rated door. • Panel of EATON 9155 Uninterruptable Power Supply (UPS). • Biometrics system access control unit (additional biometrics access control unit in ICT Offices). • Humidity temperature and sensor monitoring. 	p/h		
<p>Maintenance</p> <p>Data Centre (Kokstad) hosts server room for testing and implementation of DRP and BCP.</p> <ul style="list-style-type: none"> • Biometrics Access Control Unit. • 12000btu Carrier Air conditioners. • 3Kva Axil RT Uninterruptable Power Supply (UPS). • Fire rated door. • Fire suppression with fire control panel. 	p/h		
<p>Supply and Installation or Replacement</p> <p>The server room hosts all main servers (email server, file server, financial systems etc...). Core of network equipment (Telkom VPN routers, LAN Switch, Firewall)</p> <ul style="list-style-type: none"> • Air conditioners • Smoke detectors. • Fire suppression with fire control panel. • Two (2) hour fire rated door. • Panel of EATON 9155 Uninterruptable Power Supply (UPS). 		Each	

<ul style="list-style-type: none"> • Biometrics system access control unit (additional biometrics access control unit in ICT Offices). • Humidity temperature and sensor monitoring. 			
<p>Supply and Installation or Replacement Data Centre (Kokstad) hosts server room for testing and implementation of DRP and BCP.</p> <ul style="list-style-type: none"> • Biometrics Access Control Unit. • 12000btu Carrier Air conditioners. • 3Kva Axil RT Uninterruptable Power Supply (UPS). • Fire rated door. • Fire suppression with fire control panel. 		Each	
<p>New installation</p> <ul style="list-style-type: none"> • New installation of humidity temperature monitoring (Sending real-time alerts) • Video Camera Surveillance (Kokstad) • Video Camera Surveillance (Data Centre) • Biometrics access control unit (Disaster Centre) linking with other devices at Ixopo Main Office & Data Centre. • Inspection, supply, delivery and installation of the server room and data centre equipment required. 		Each	
Labour	p/h		
Travelling	p/km		
Installation			
Accommodation (If Applicable)			
Total Ex VAT			
VAT			
Total			

10. CONDITIONS OF BID

1. I/We hereby bid to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to the Harry Gwala District Municipality Administration (hereinafter called the "Harry Gwala district Municipality") on the terms and conditions and be in accordance with the specifications stipulated in the bid documents (and which shall be taken as part of and be incorporated in this bid) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
2. I/We agree that:

- a) the offer herein shall remain binding upon me and open for acceptance by the Municipality during the validity period indicated and calculated from the closing time of the bid.
- b) this bid and its acceptance shall be subject to treasury regulations 16A issued in terms of the Municipal Finance Management Act, 2003, the Harry Gwala District Municipality Supply Chain Management Policy Framework, with which I/We are fully acquainted;
- c) if I/We withdraw my bid within the period to which I/We agreed that the bid shall remain open for acceptance or fail to fulfil the contract when called upon to do so, the Municipality without prejudice to its other rights, agree to the withdrawal of my bid, or cancel the contract that may have been entered into between me and the Municipality. I/We then pay to the Municipality any additional expenses incurred by the Municipality having either to accept any less favorable bid or, fresh bids have to be invited, the additional expenditure incurred by the invitation of fresh bid and by the subsequent acceptance of any less favorable bid. The Municipality shall have the right to recover such additional expenses by set-off against monies which may be due to me under this or any other bid or contract or against any guarantee or deposit that may have been furnished by me or on my behalf for the due fulfilment of this or any other bid or contract and pending the ascertainment of the amount of such additional expenditure to retain such monies, guarantee or deposit as security for any loss the Municipality may sustain by reason of my default;
- d) if my bid is accepted the acceptance may be communicated to me by a registered post, and that the South African Post Office shall be treated as delivery agent to me.
- e) the law of the Republic of South Africa shall govern the contract created by the acceptance of my bid and I choose domicilium citandi et executandi in the Republic at (full physical address);

.....

- 3. I/We furthermore confirm that I/We have satisfied myself as to the correctness and validity of my bid: that the price(s), rate(s) and preference quoted cover all the work/item(s) and my obligations under a resulting contract, and I accept that any mistakes regarding the price(s) and calculations will be at my risk.
- 4. I/We hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement, as the Principal (s) liable for the due fulfilment of this contract.
- 5. I/We agree that any action arising from this contract may in all respects be instated against me and I/We hereby undertake to satisfy fully any sentence or judgement which may be pronounced against me as a result of such action.
- 6. I/We confirm that I/We have declared all and any interest that I or any persons related to my business has with regard to this bid or any related bids by completion of the Declaration of Interest Section.

CERTIFICATION OF CORRECTNESS ON INFORMATION SUPPLIED IN THIS DOCUMENT

I/We, THE UNDERSIGNED, WHO WARRANT THAT I AM DULY AUTHORISED TO DO SO ON BEHALF OF THE BIDDER, CERTIFY THAT INFORMATION SUPPLIED IN TERMS OF THIS DOCUMENT IS CORRECT AND TRUE, THAT THE SIGNATORY TO THIS DOCUMENT IS DULY AUTHORISED AND ACKNOWLEDGE THAT:

- (1) The bidder will furnish document proof regarding any quote issue to the satisfaction of the municipality, if requested to do so.
- (2) if the information supplied is found to be incorrect and/or false then the Municipality, in addition to any remedies it may have, may: -
 - (a) Recover from the supplier all costs, losses or damages incurred or sustained by the Municipality as a result of the award of the contract, and/or
 - (b) Cancel the contract and claim any damages which the Municipality may suffer by having to make less favorable arrangements after such cancellation.

SIGNED ON THIS.....DAY OF.....20.....AT.....

**SIGNATURE OF THE SUPPLIER OR DULY NAME IN BLOCK LETTERS
AUTHORISED REPRESENTATIVE ON BEHALF OF (BIDDERS
NAME)**

CAPACITY OF SIGNATORY.....

NAME OF CONTACT PERSON (IN BLOCK LETTERS, PLEASE)

.....

POSTAL ADDRESS.....

TELEPHONE NUMBER:.....

FAX NUMBER:.....

CELULLAR PHONE NUMBER:.....

E-MAIL ADDRESS:.....

SPECIAL INSTRUCTIONS AND NOTICES TO SUPPLIERS REGARDING THE COMPLETION OF BID FORMS

PLEASE NOTE THAT THIS BID IS SUBJECT TO TREASURY REGULATIONS 16A ISSUED IN TERMS OF THE MUNICIPAL FINANCE MANAGEMENT ACT, 2003, THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLY CHAIN MANAGEMENT POLICY FRAMEWORK.

1. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and vice versa and with words importing the masculine gender shall include the feminine and the neuter.
2. Under no circumstances whatsoever may the bid forms be retyped or redrafted. Photocopies of the original bid documentation may be used, but an original signature must appear on such photocopies.
3. The supplier is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
4. Bids submitted must be complete in all respects.
5. Bids shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the bid documents.
6. Each bid shall be addressed in accordance with the directives in the bid documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the bid number and closing date indicated on the envelope. The envelope shall not contain documents relating to any bid other than that shown on the envelope. If this provision is not complied with, such bids may be rejected as being invalid.
7. All bids received in sealed envelopes with the relevant bid numbers on the envelopes are kept unopened in safe custody until the closing time of the bids. Where, however, a bid is received open, it shall be sealed. If it is received without a bid number on the envelope, it shall be opened, the bid number ascertained, the envelope sealed and the bid number written on the envelope.
8. A specific box is provided for the receipt of bids, and no bid found in any other box or elsewhere subsequent to the closing date and time of bid will be considered.
9. No bid sent through the post will be considered if it is received after the closing date and time stipulated in the bid documentation, and proof of posting will not be accepted as proof of delivery.
10. No bid submitted by telefax, telegraphic or other electronic means will be considered.
11. Bid documents must not be included in packages containing samples. Such bids may be rejected as being invalid.
12. Any alteration made by the supplier must be initialled, otherwise it will be disqualified.
13. Use of correcting fluid is prohibited and will be disqualified.

14. Bids will be opened in public as soon as practicable after the closing time of bid.
15. Where practical, prices are made public at the time of opening bids.
16. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.

DECLARATION THAT INFORMATION ON HARRY GWALA DISTRICT MUNICIPALITY SUPPLIER DATABASE IS CORRECT AND UP TO DATE
(To be completed by bidder)

THIS IS TO CERTIFY THAT I (name of bidder/authorised representative)

....., WHO REPRESENTS (state name
Of bidder)

IAM AWARE OF THE CONTENTS OF THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIER DATABASE WITH RESPECT TO THE SUPPLIER'S DETAILS AND REGISTRATION INFORMATION, AND THAT THE SAID INFORMATION IS CORRECT AND UP TO DATE AS ON THE DATE OF SUBMITTING THIS BID.

AND I AM AWARE THAT INCORRECT OR OUTDATED INFORMATION MAY BE A CAUSE FOR DISQUALIFICATION OF THIS BID FROM THE EVALUATION PROCESS, AND/OR POSSIBLE CANCELLATION OF THE CONTRACT THAT MAY BE AWARDED ON THE BASIS OF THIS BID.

.....
SIGNATURE OF BIDDER OR AUTHORISED REPRESENTATIVE

.....
DATE:

REGISTRATION ON THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIERS DATABASE AND THE CENTRAL SUPPLIER DATABASE

1. In terms of the Harry District Municipality Supply Chain Management Policy Framework, all suppliers of goods and services to the Municipality are required to register on the Suppliers Database.
2. If you wish to apply for registration, forms may be downloaded from the website, **<http://www.harrygwala.gov.za>**, or obtained by collecting it in the offices of the Municipality (SCM).
3. If a business is registered on the Database and it is found subsequently that false or incorrect information has been supplied, then the Municipality may, without prejudice to any other legal rights or remedies it may have;
 - 3.1 De-register the supplier from the Database,
 - 3.2 Cancel a Bid or a contract awarded to such supplier, and the supplier would become liable for any damages if a less favourable quotation is accepted or less favourable arrangements are made.
4. **The same principles as set out in paragraph 3 above are applicable should the supplier fail to request updating of its information on the Suppliers Database, relating to changed particulars or circumstances.**
5. Application for registration must be submitted to the Harry Gwala office at Harry Gwala District Municipality. IF THE SUPPLIER IS NOT REGISTERED AT THE CLOSING TIME OF BID, THE SUPPLIER IS REQUIRED TO SUBMIT A COPY OF THE REGISTRATION APPLICATION FORM, TOGETHER WITH THE BID DOCUMENTATION, TO THE RESPECTIVE DEPARTMENT INVITING BIDS.
6. The supplier/vendor/service provider must be registered on the Central Supplier Database (CSD)

A) TAX COMPLIANCE STATUS (TCS) SYSTEM REQUIREMENTS

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

To verify your tax compliance status on eFiling, the person or entity will require your tax reference number and PIN number.

TAX REFERENCE NUMBER _____

PIN NUMBER _____

Visit www.sars.gov.za for process to verify TCS PIN.

What is the Tax Compliance Status system?

1. Tax Compliance Status (TCS) replaced the Tax Clearance Certificate system which was previously used by SARS.
2. The new TCS system allows you to obtain a TCS PIN in real-time, instead of a manual Tax Certificate.

What do I need to be tax compliant?

To be tax compliant, you should make sure that:

1. You are registered for all required tax types
2. You submit all your tax returns on time.
3. Pay all your tax debt on time

How to obtain a TCS PIN via eFiling?

Make sure you have Adobe Flash installed and enabled on your computer or laptop. Visit www.adobe.com to download.

1. Logon to eFiling
If you are not yet an eFiler, register at www.sarsefiling.co.za.
You need to be registered for eFiling and have one tax type activated on your eFiling profile, in order to activate the TCS service.
2. Activate your TCS service
You only need to activate your Tax Compliance Status once, and it will remain active. Once you have activated the service, you will see the "My Compliance Profile" on the screen.

If you are registered for more than one tax type and you have not yet merged the tax types into one registered profile, it is recommended that you complete the "Merge Entities" function to see a compliance profile of all taxes.

3. View your "My Compliance Profile"

Your compliance status will be displayed against the following compliance requirements:

- Registration status
- Submission of returns
- Debt
- Relevant supporting documents.

A colour-coded profile will appear to indicate whether you are tax compliant for each compliance requirement listed above.

Green - Your tax matters are in order and the taxpayer is tax compliant.

Red - Your tax matters are not in order and the taxpayer is not tax compliant.

4. Request PIN on eFiling To request a PIN go to "My Compliance Profile":

- Select the Tax Compliance Status Request option
- Select the type of TCS for which you would like to apply.

You will have the following options:

- » Good standing
- » Tender
- » Foreign Investment Allowance (Individuals only)
- » Emigration (Individuals only)

- Complete the Tax Compliance Status Request and submit it to SARS.

DECLARATION OF INTEREST

MBD 4

- 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 the service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3. To give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his / her representative:

3.2 Identity number:_____

3.3 Position occupied in the Company (director, trustee, shareholder²)

3.4 Company Registration Number: _____

3.5 Tax Reference Number: _____

3.6 VAT Registration Number: _____

3.7 The names of all directors / trustees / shareholders / members, their individual identity numbers and state employee numbers (where applicable) must be indicated in paragraph 4 below.

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

3.8.1 If yes, furnish particulars.

.....
.....

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

3.9.1 If so, furnish particulars.

.....

.....

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

3.10.1 If so, state particulars.

.....

.....

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

3.11.1 If so, state particulars.

.....

.....

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

3.12.1 If so, state particulars.

.....

.....

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

3.13.1 If so, furnish particulars.

.....

.....

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

3.14.1 If so, furnish particulars.

.....

.....

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

THE FOLLOWING INFORMATION IS COMPULSORY TO COMPLETE:

Full Name	Identity Number	Individual Tax Number for each Director	State Employee Number (Where applicable)

.....
Signature

.....
Date

.....
Capacity

.....
Name of bidder

¹MSCM Regulations: “in the service of the state” means to be -

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the National Assembly or the National Council of Provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official or 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 entity; or
- (f) an employee of Parliament or a provincial legislature.

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

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

a) The applicable preference point system for this tender is the 80/20 preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

(a) **"tender"** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation.

(b) **"price"** means an amount of money tendered for goods or services and includes all applicable taxes less all unconditional discounts.

(c) **"Rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes.

(d) **"tender for income-generating contracts"** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) **"The Act"** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$\begin{array}{ccc} \mathbf{80/20} & \text{or} & \mathbf{90/10} \\ P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \end{array}$$

Where

P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{\min} = Price of lowest acceptable tender

DECLARATION WITH REGARDS TO THE COMPANY/FIRM

4.3. Name of company/firm :

4.4. Company registration number :

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Non-Profit Company
- Personal Liability Company
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

4.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

4.7 MUNICIPAL INFORMATION

Municipality where business is situated

Registered Account Number

Stand Number

4.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?

.....

4.9 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 preferential points indicated in page 5, 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 preferential points claimed as shown in page5, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

.....
SIGNATURE(S) OF BIDDER(S)

.....
DATE

MBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

**PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES
-CONTRACT NO: 752/HGDM/2021**

in response to the invitation for the bid made by:

HARRY GWALA DISTRICT MUNICIPALITY

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

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

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

MBD9

- 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.
- 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

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

FORM OF OFFER AND ACCEPTANCE

<p>NAME OF BIDDER (ORGANISATION):</p> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>

A. OFFER

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

BID NO: 752/HGDM/2021

The Bidder, identified in the Offer signature block below, by submitting this Offer has accepted the Conditions of Tender.

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

The offered total of the prices carried forward from the Summary of the Bill of Quantities is:

<p>R..... <i>figures</i>)</p>	<p>(in</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; padding: 2px;">*including VAT</td> <td style="width: 20%; text-align: center; padding: 2px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 2px;">*excluding VAT</td> <td style="text-align: center; padding: 2px;"><input type="checkbox"/></td> </tr> </table>	*including VAT	<input type="checkbox"/>	*excluding VAT	<input type="checkbox"/>
*including VAT	<input type="checkbox"/>					
*excluding VAT	<input type="checkbox"/>					
<p><i>* tick relevant box</i></p>						

Amount in words

.....

<p>Are the prices / rates quoted firm? Yes/No:</p>	<p>Is the delivery period stated firm? Yes/No:</p>
<p>Name: <i>(of person authorised to sign the bid)</i></p>	<p>Signature:</p>
<p>Name of Witness:</p>	<p>Signature of Witness:</p>
<p>Date:</p>	<p><i>Failure of a Bidder to sign this form will invalidate the bid</i></p>
<p>Address of Organisation:</p> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>	
<p>Telephone No. _____ Fax No. _____</p>	

B. ACCEPTANCE

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

Name: <i>(of person authorised to sign the bid)</i>	Signature:
Capacity:	Date:
Name of Witness:	Signature of Witness:
Name and Address of Employer: _____ _____ _____ _____	

AUTHORITY TO SIGN A BID

A. CLOSE CORPORATION

In 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 the resolution by its members authorising a member or other official of the corporation to sign the documents on their behalf.

By resolution of members at a meeting on 20..... at

Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of Close Corporation)

SIGNED ON BEHALF OF CLOSE CORPORATION:
(PRINT NAME)

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

SIGNATURE OF SIGNATORY:

WITNESSES: 1

2

B. SOLE PROPRIETOR (ONE - PERSON BUSINESS)

I, the undersigned..... hereby confirm that I am the sole owner of the business trading as.....

.....

.....
SIGNATURE

.....
DATE

C. COMPANIES

If a Bidder is a company, a certified copy of the resolution by the board of directors, personally signed by the chairperson of the board, authorising the person who 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 and/or contract on behalf of the company must be submitted with this bid, that is before the closing time and date of the bid.

AUTHORITY BY BOARD OF DIRECTORS

By resolution passed by the Board of Directors on.....20.....,

Mr/Mrs..... (whose signature appears below) has been duly authorised to sign all documents in connection with this bid on behalf of (Name of Company)

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF COMPANY:
(PRINT NAME)

SIGNATURE OF SIGNATORY: **DATE:**

WITNESSES: 1
2

D. 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 authorise to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and /or contract.

.....
SIGNATURE

.....
SIGNATURE

.....
DATE

.....
DATE

E CO-OPERATIVE

A certified copy of the Constitution of the co-operative must be included with the bid, together with the resolution by its members authoring a member or other official of the co-operative to sign the bid documents on their behalf.

By resolution of members at a meeting on 20..... at

Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of cooperative)

.....
SIGNATURE OF AUTHORISED REPRESENTATIVE/SIGNATORY:

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

DATE:

SIGNED ON BEHALF OF CO-OPERATIVE:

NAME IN BLOCK LETTERS:

WITNESSES: 1
2

CERTIFICATE FOR MUNICIPAL SERVICES

Information required in terms of the Harry Gwala District Municipality’s Supply Chain Management Policy. Latest municipal services account statement must be attached.

<p>Tender Number: 752/HGDM/2021</p> <p>Name of the Tenderer:</p> <hr style="border: 0; border-top: 1px solid black; margin-top: 10px;"/>
--

FURTHER DETAILS OF THE BIDDER/S: Proprietor / Director(s) / Partners, etc:

Physical Business address of the Bidder	Municipal Account Number(s)

If there is not enough space for all the names, please attach the additional details to the Tender document.

Name of Director / Member / Partner	Identity Number	Physical residential address of Director / Member / Partner	Municipal Account number(s)

I, _____, the undersigned, (full name in block letters) certify that the information furnished on this declaration form is correct and that I/we have no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days.

Signature

THUS DONE AND SIGNED for and on behalf of the Bidder / Contractor

at _____ on the _____ day of _____ 2023

Please note: Even if the requested information is not applicable to the Bidder, the table above should be endorsed NOT APPLICABLE and THIS DECLARATION MUST STILL BE SIGNED

CONTRACT DATA PROVIDED BY EMPLOYER

CONTRACT DATA (Applicable to this contract)

PART A: DATA PROVIDED BY THE EMPLOYER

The following contract specific data are applicable to this contract.

REFERENCE	CONTRACT SPECIFIC DATA PROVIDED BY THE EMPLOYER		
Clause 1.1.14:	Name of Employer: The Municipality of Harry Gwala District represented by Accounting Officer of Municipality: Municipal Manager.		
Clause 1.2.2:	Address of Employer: <table><tr><td><u>Physical:</u> 40 Main Street Ixopo 3276</td><td><u>Postal:</u> Private Bag X 501 Ixopo 3276</td></tr></table> Email address: kunenes@harrygwaladm.gov.za Telephone No: (039) 834 8700 Fax No: (039) 834 1701	<u>Physical:</u> 40 Main Street Ixopo 3276	<u>Postal:</u> Private Bag X 501 Ixopo 3276
<u>Physical:</u> 40 Main Street Ixopo 3276	<u>Postal:</u> Private Bag X 501 Ixopo 3276		
Clause 1.1.15:	Name of Project Manager: Mr. S.P.T Mngadi		

HARRY GWALA DISTRICT MUNICIPALITY



REQUEST FOR THE PROVISION OF SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS

CONTRACT NO: 752/HGDM/2021

**Harry Gwala District Municipality
40 Main Street
IXOPO
3276**

Contact Name : Mrs. TT Thiyane-Magaqa / Mr. SPT Mngadi

Telephone : 039 834 8700

Fax : 039 834 1701

NAME OF BIDDER	
ADDRESS OF BIDDER	
TELEPHONE	
FAX	
TENDER SUM	
TIME FOR COMPLETION	

TENDER CLOSING DATE: 08/09/2023 @12h00

Table of Contents

INVITATION TO BID	5
TERMS OF TERMS OF REFERENCE	6
INTRODUCTION OF THE PROJECT	6
AIM OF THE PROJECT	6
SCOPE OF WORK	6
KEY DELIVERIES	7
CONDITIONS OF THE CONTRACT	7
PROJECT TIMEFRAME	7
PROJECT BUDGET	7
EVALUATION CRITERIA	8
BILL OF QUANTITIES	11
CONDITIONS OF BID	12
CERTIFICATION OF CORRECTNESS ON INFORMATION SUPPLIED IN THIS DOCUMENT .	14
SPECIAL INSTRUCTIONS AND NOTICES TO SUPPLIERS REGARDING THE COMPLETION OF BID FORMS.....	14
REGISTRATION ON THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIERS DATABASE AND THE CENTRAL SUPPLIER DATABASE.....	17
TAX CLEARANCE CERTIFICATE.....	18
DECLARATION OF INTEREST MBD 4	20
PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017	22
DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES.....	28
CERTIFICATION.....	29
CERTIFICATE OF INDEPENDENT BID DETERMINATION	30
CERTIFICATE OF INDEPENDENT BID DETERMINATION	31
COMPULSORY TO COMPLETE!	33

ATTACHMENTS

MDB FORMS

CERTIFICATE FOR MUNICIPAL SERVICES

SPECIAL CONDITIONS OF CONTRACT

CONTRACT DATA



HARRY GWALA DISTRICT MUNICIPALITY
"Together We Deliver and Grow"

OFFICE OF THE MUNICIPAL MANAGER

40 Main Street, Private Bag X501, IXOPO 3276

Tel: (039) 834 8707 Fax: (039) 834 1701

E-mail: kunenes@harrygwaladm.gov.za

INVITATION TO BID

PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS
CONTRACT NO: 752/HGDM/2021

Harry Gwala District Municipality hereby requests proposals from suitably experienced Services Providers for the server room and data centre maintenance for Harry Gwala district municipality. Service Providers are required to comply with normal business ethics and stipulate their agency fees on their proposal.

Invalid or non-submission of the following documents will lead to immediate disqualification of the tender:

- Utility bill: Municipal statement
- Joint Venture Agreement and Power of attorney in case of joint ventures
- Central Supplier Database Registration
- A signed MBD4 form must be submitted with all bids (available on our website or at reception)

The following conditions will apply:

- Valid tax certificate or SARS pin
- All tenders submitted must be valid for ninety (90) days after the tender closing date.
- Price(s) quoted must be firm and must be inclusive of VAT.
- A firm delivery period must be indicated.
- 80/20 Preference point system will be used in Evaluation. Functionality will be calculated first.

SPECIFIC GOALS

Specific Goals	Weight	80/20 PP	Verification
Ownership Goals			
1. Youth Development (Below 35 Years) Youth ownership \geq 51% Black	25%	5	ID Copies: Directors Co. Registration CSD Shareholders Certificate
2. Youth Development (Below 35 Years) Youth ownership <51% Black		3	ID Copies: Directors Co. Registration CSD Shareholders Certificate

RDP Goals			
1.The promotion of South African owned enterprises	50%	10	ID Copies: Directors Co. Registration CSD
If not South African owned enterprises		0	
2.SMME Development (EME and QSE)	25%	5	Sworn-Affidavit - QSE/EME General and Bank Confirmation Letter
If not SMME Development (EME and QSE)		0	

COLLECTION OF BID DOCUMENTS

Documents may be obtained at Harry Gwala District Municipality, Finance Department, Ixopo, from **14 AUGUST 2023 between 09h00 to 16h00**, upon payment of non-refundable deposit of **R500.00** per document or downloadable from Harry Gwala District Municipality Website www.harrygwalam.gov.za.

CLOSING DATE: 08 SEPTEMBER 2023 @ 12h00.

The closing date for the bidders in on **08 SEPTEMBER 2023 @ 12h00**. Bids must be enclosed in **SEALED ENVELOPES** and clearly labeled, **"PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS CONTRACT NO: 752/HGDM/2021"** on the outside of the envelopes addressed to **The Municipal Manager**.

Bids must be deposited in the Bid Box at the reception area of Harry Gwala District Municipality, 40 Main Street, Ixopo, before the closing date and time. Telegraphic, telexed or faxed bids will not be considered, and late bids will not be accepted.

Harry Gwala District Municipality does not bind itself to accept the lowest or any Bid and reserves the right to accept the whole or any part of the Bid.

BID ENQUIRIES:

All tender enquiries and all the matters shall be directed to the Executive Director: Corporate Services: **Mrs.TT.Thiyane-Magaqa** on 039 834 8705 during working hours.

.....

Mr. G.M. Sineke

Municipal Manager

TERMS OF REFERENCE

NAME OF THE PROJECT: PROVISION OF THE MAINTENANCE SERVICES FOR THE SERVER ROOM AND DATA CENTRE.

1. INTRODUCTION OF THE PROJECT

The Harry Gwala District Municipality has invested in the hardware and systems that require necessary protective maintenance services. It is important that in the event of any disaster occurrence, servers and network equipment are always protected.

The ICT Unit implemented controls for facilities containing data, information, and ICT assets, in accordance with the Municipality's assessment of risk: Issuing suitable access rights and related physical security credentials (Main Office Ixopo Server Room and Kokstad Site with proof of identity access biometrics).

The Harry Gwala District Municipality requires an outsourced support for maintaining essential environment controls used by the municipality on daily basis. The appointed Service Provider will be responsible to maintain all the server rooms' services and supply or replacement of ICT equipment where necessary. The contract will run for the period of three years (36 months).

2. AIM OF THE PROJECT

The aim of the project is to ensure the following:

1. Service Provider must maintain controls for facilities containing data and information, ICT assets, in accordance with the ICT Unit assessment of risk:
2. Protect power equipment and power cabling from damage and destruction.
3. Maintain and service a short-term uninterruptible power supply (UPS) to facilitate an orderly shutdown of critical information systems in the event of a primary power source loss.
4. Service and maintain fire detection and suppression devices/systems within the facility where the data, information and ICT assets reside, supported by an independent energy source.
5. Monitor and maintain within acceptable levels the temperature and humidity within the facility where data, information and ICT assets reside.
6. Transfer of skills to ICT Unit and training of ICT Unit employees when the need arises.

3. SCOPE OF WORK

The service provider will be required to provide maintenance services of the server room and data centre. The environmental control equipment is installed in both sites: server room (Ixopo Main office) and Data centre (Kokstad)

The server room (Ixopo Main Office) hosts all main servers (email server, file server, financial systems etc...) Core of network equipment (Telkom VPN routers, LAN

Switch, Firewall). The environmental equipment are as follows: Air Conditioners, Smoke detectors, Fire suppression with fire control panel, two (2) hour fire rated door, Panel of EATON 9155 Uninterruptable Power Supply (UPS), Fire Rated Door, Biometrics system access control unit (additional 3 biometrics access control unit in ICT Offices), Humidity temperature monitoring.

Data Centre (Kokstad) hosts server room for testing and implementation of DRP (Disaster Recovery Plan) and BCP (Business Continuity Plan). The environmental equipment are as follows: Biometrics Access Control Unit, Smoke detectors, 12000btu Carrier Air conditioners, 3Kva Axil RT Uninterruptable Power Supply (UPS), Fire rated door, Fire suppression with fire control panel.

- Installation of humidity temperature monitoring (Data Centre) of humidity temperature monitoring (Send real-time alerts)
- Installation of Video Camera Surveillance (Ixopo Main Office)
- Installation of Video Camera Surveillance (Data Centre)
- Installation of Biometrics Access System Control (Disaster Centre) linking with other devices at Ixopo Main Office & Data Centre.
- Inspection, supply, delivery, and installation of the equipment for both server room and data centre required.
- Both server room and data centre will be serviced once yearly and where necessary. Service is required on annual basis.

4. KEY DELIVERIES

1. Provision of maintenance services support
2. Supply of ICT Equipment
3. Supply of Software
4. Evidence of skill transfer

5. CONDITIONS OF THE CONTRACT

A three (3) year contract with service level agreement shall be signed with the appointed service provider covering the provision to maintain, supply, deliver and install the environmental equipment at the server room and data centre.

6. PROJECT TIMEFRAME

The project will be contracted over three-year period.

7. PROJECT BUDGET

The service provider shall be paid for service rendered and equipment supplied on presentation of original tax invoice.

8. EVALUATION CRITERIA

COMPLIANCE WITH THE PREFERENTIAL PROCUREMENT REGULATION, 2022. EVALUATION WILL BE DONE ON THE FOLLOWING STAGE PROCESS IN TERMS OF NATIONAL TREASURY CIRCULAR NO: 53:

Stage 1:

Assessment of Functionality. Only service providers who achieve a minimum of 60 points of the total available points will qualify for stage two of the Evaluation process. Functionality criteria is as follows:

Company Experience (50 points)

Certifications and Specialist Experience (50 points)

ITEM	Points allocation	Points Awarded	
STAGE 1 OF EVALUATION – FUNCTIONALITY			
Company with previous experience in the implementation of data centre /server room solutions.	Provide at least 8 or above referral letters/orders appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	50	50%
	Provide at least 5 to 7 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	30	
	Provide at least 1 to 4 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	20	
	Provide at least 0 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	0	
Specialist Experience & Qualifications	Specialist with 5 years or more experience and the following Qualifications: <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) Compulsory: Specialist MUST submit CV, with Certified Certifications.	15	15%

	<p>Specialist with 3 to 4 years' experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	10	
	<p>Specialist with 1 to 2 years' experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	5	
	<p>Specialist with 0-year experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	0	
Project Manager Qualifications	<p>Project Manager Qualification:</p> <ul style="list-style-type: none"> Fire Detection Certificate <p>Compulsory: Project Manager must submit certified copy of Fire Detection or Fire Protection Inspector Certificate</p>	10	10%
	<p>None submission of Project Manager Qualification:</p> <ul style="list-style-type: none"> Fire Detection Certificate 	0	
Certificate Accreditation	<p>Certificate accreditation (Must be certified by an authorized certifying officer): Company must be registered with the SANS for safety standards</p>	25	25 %
	<p>None submission of the Registered SANS certification</p>	0	
<p><i>CV's, letters of recommendation and copies of certified certificates must be attached to claim the points</i></p>			
<p>NB* Installation cost and data transfers cost must be included in the bid.</p>			

Stage 2:

PRICE AND PREFERENTIAL POINTS

The 80/20 preferential point system will be applied, where 80 points will be allocated for price and 20 points for specific goals that is on **Ownership and RDP Goals**. Bidders must submit the required documentation to claim preference points.

Specific Goals	Weight	80/20 PP	Verification
Ownership Goals			
1. Youth Development (Below 35 Years) Youth ownership \geq 51% Black	25%	5	ID Copies: Directors Co. Registration CSD Shareholders Certificate
2. Youth Development (Below 35 Years) Youth ownership <51% Black		3	ID Copies: Directors Co. Registration CSD Shareholders Certificate
RDP Goals			
1.The promotion of South African owned enterprises	50%	10	ID Copies: Directors Co. Registration CSD
If not South African owned enterprises		0	
2. SMME Development (EME and QSE)	25%	5	Sworn-Affidavit - QSE/EME General and Bank Confirmation Letter
If not SMME Development (EME and QSE)		0	

9. BILL OF QUANTITIES

MAINTENANCE EQUIPMENT			
Description	Rate	Unit Price	Total Price
<p>Maintenance</p> <p>The server room hosts all main servers (email server, file server, financial systems etc...). Core of network equipment (Telkom VPN routers, LAN Switch, Firewall)</p> <ul style="list-style-type: none"> • Air Conditioners. • Smoke detectors. • Fire suppression with fire control panel. • Two (2) hour fire rated door. • Panel of EATON 9155 Uninterruptable Power Supply (UPS). • Biometrics system access control unit (additional biometrics access control unit in ICT Offices). • Humidity temperature and sensor monitoring. 	p/h		
<p>Maintenance</p> <p>Data Centre (Kokstad) hosts server room for testing and implementation of DRP and BCP.</p> <ul style="list-style-type: none"> • Biometrics Access Control Unit. • 12000btu Carrier Air conditioners. • 3Kva Axil RT Uninterruptable Power Supply (UPS). • Fire rated door. • Fire suppression with fire control panel. 	p/h		
<p>Supply and Installation or Replacement</p> <p>The server room hosts all main servers (email server, file server, financial systems etc...). Core of network equipment (Telkom VPN routers, LAN Switch, Firewall)</p> <ul style="list-style-type: none"> • Air conditioners • Smoke detectors. • Fire suppression with fire control panel. • Two (2) hour fire rated door. • Panel of EATON 9155 Uninterruptable Power Supply (UPS). 		Each	

<ul style="list-style-type: none"> • Biometrics system access control unit (additional biometrics access control unit in ICT Offices). • Humidity temperature and sensor monitoring. 			
<p>Supply and Installation or Replacement Data Centre (Kokstad) hosts server room for testing and implementation of DRP and BCP.</p> <ul style="list-style-type: none"> • Biometrics Access Control Unit. • 12000btu Carrier Air conditioners. • 3Kva Axil RT Uninterruptable Power Supply (UPS). • Fire rated door. • Fire suppression with fire control panel. 		Each	
<p>New installation</p> <ul style="list-style-type: none"> • New installation of humidity temperature monitoring (Sending real-time alerts) • Video Camera Surveillance (Kokstad) • Video Camera Surveillance (Data Centre) • Biometrics access control unit (Disaster Centre) linking with other devices at Ixopo Main Office & Data Centre. • Inspection, supply, delivery and installation of the server room and data centre equipment required. 		Each	
Labour	p/h		
Travelling	p/km		
Installation			
Accommodation (If Applicable)			
Total Ex VAT			
VAT			
Total			

10. CONDITIONS OF BID

1. I/We hereby bid to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to the Harry Gwala District Municipality Administration (hereinafter called the "Harry Gwala district Municipality") on the terms and conditions and be in accordance with the specifications stipulated in the bid documents (and which shall be taken as part of and be incorporated in this bid) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
2. I/We agree that:

- a) the offer herein shall remain binding upon me and open for acceptance by the Municipality during the validity period indicated and calculated from the closing time of the bid.
- b) this bid and its acceptance shall be subject to treasury regulations 16A issued in terms of the Municipal Finance Management Act, 2003, the Harry Gwala District Municipality Supply Chain Management Policy Framework, with which I/We are fully acquainted;
- c) if I/We withdraw my bid within the period to which I/We agreed that the bid shall remain open for acceptance or fail to fulfil the contract when called upon to do so, the Municipality without prejudice to its other rights, agree to the withdrawal of my bid, or cancel the contract that may have been entered into between me and the Municipality. I/We then pay to the Municipality any additional expenses incurred by the Municipality having either to accept any less favorable bid or, fresh bids have to be invited, the additional expenditure incurred by the invitation of fresh bid and by the subsequent acceptance of any less favorable bid. The Municipality shall have the right to recover such additional expenses by set-off against monies which may be due to me under this or any other bid or contract or against any guarantee or deposit that may have been furnished by me or on my behalf for the due fulfilment of this or any other bid or contract and pending the ascertainment of the amount of such additional expenditure to retain such monies, guarantee or deposit as security for any loss the Municipality may sustain by reason of my default;
- d) if my bid is accepted the acceptance may be communicated to me by a registered post, and that the South African Post Office shall be treated as delivery agent to me.
- e) the law of the Republic of South Africa shall govern the contract created by the acceptance of my bid and I choose domicilium citandi et executandi in the Republic at (full physical address);

.....

- 3. I/We furthermore confirm that I/We have satisfied myself as to the correctness and validity of my bid: that the price(s), rate(s) and preference quoted cover all the work/item(s) and my obligations under a resulting contract, and I accept that any mistakes regarding the price(s) and calculations will be at my risk.
- 4. I/We hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement, as the Principal (s) liable for the due fulfilment of this contract.
- 5. I/We agree that any action arising from this contract may in all respects be instated against me and I/We hereby undertake to satisfy fully any sentence or judgement which may be pronounced against me as a result of such action.
- 6. I/We confirm that I/We have declared all and any interest that I or any persons related to my business has with regard to this bid or any related bids by completion of the Declaration of Interest Section.

CERTIFICATION OF CORRECTNESS ON INFORMATION SUPPLIED IN THIS DOCUMENT

I/We, THE UNDERSIGNED, WHO WARRANT THAT I AM DULY AUTHORISED TO DO SO ON BEHALF OF THE BIDDER, CERTIFY THAT INFORMATION SUPPLIED IN TERMS OF THIS DOCUMENT IS CORRECT AND TRUE, THAT THE SIGNATORY TO THIS DOCUMENT IS DULY AUTHORISED AND ACKNOWLEDGE THAT:

- (1) The bidder will furnish document proof regarding any quote issue to the satisfaction of the municipality, if requested to do so.
- (2) if the information supplied is found to be incorrect and/or false then the Municipality, in addition to any remedies it may have, may: -
 - (a) Recover from the supplier all costs, losses or damages incurred or sustained by the Municipality as a result of the award of the contract, and/or
 - (b) Cancel the contract and claim any damages which the Municipality may suffer by having to make less favorable arrangements after such cancellation.

SIGNED ON THIS.....DAY OF.....20.....AT.....

**SIGNATURE OF THE SUPPLIER OR DULY NAME IN BLOCK LETTERS
AUTHORISED REPRESENTATIVE ON BEHALF OF (BIDDERS
NAME)**

CAPACITY OF SIGNATORY.....

NAME OF CONTACT PERSON (IN BLOCK LETTERS, PLEASE)

.....

POSTAL ADDRESS.....

TELEPHONE NUMBER:.....

FAX NUMBER:.....

CELULLAR PHONE NUMBER:.....

E-MAIL ADDRESS:.....

SPECIAL INSTRUCTIONS AND NOTICES TO SUPPLIERS REGARDING THE COMPLETION OF BID FORMS

PLEASE NOTE THAT THIS BID IS SUBJECT TO TREASURY REGULATIONS 16A ISSUED IN TERMS OF THE MUNICIPAL FINANCE MANAGEMENT ACT, 2003, THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLY CHAIN MANAGEMENT POLICY FRAMEWORK.

1. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and vice versa and with words importing the masculine gender shall include the feminine and the neuter.
2. Under no circumstances whatsoever may the bid forms be retyped or redrafted. Photocopies of the original bid documentation may be used, but an original signature must appear on such photocopies.
3. The supplier is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
4. Bids submitted must be complete in all respects.
5. Bids shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the bid documents.
6. Each bid shall be addressed in accordance with the directives in the bid documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the bid number and closing date indicated on the envelope. The envelope shall not contain documents relating to any bid other than that shown on the envelope. If this provision is not complied with, such bids may be rejected as being invalid.
7. All bids received in sealed envelopes with the relevant bid numbers on the envelopes are kept unopened in safe custody until the closing time of the bids. Where, however, a bid is received open, it shall be sealed. If it is received without a bid number on the envelope, it shall be opened, the bid number ascertained, the envelope sealed and the bid number written on the envelope.
8. A specific box is provided for the receipt of bids, and no bid found in any other box or elsewhere subsequent to the closing date and time of bid will be considered.
9. No bid sent through the post will be considered if it is received after the closing date and time stipulated in the bid documentation, and proof of posting will not be accepted as proof of delivery.
10. No bid submitted by telefax, telegraphic or other electronic means will be considered.
11. Bid documents must not be included in packages containing samples. Such bids may be rejected as being invalid.
12. Any alteration made by the supplier must be initialled, otherwise it will be disqualified.
13. Use of correcting fluid is prohibited and will be disqualified.

14. Bids will be opened in public as soon as practicable after the closing time of bid.
15. Where practical, prices are made public at the time of opening bids.
16. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.

DECLARATION THAT INFORMATION ON HARRY GWALA DISTRICT MUNICIPALITY SUPPLIER DATABASE IS CORRECT AND UP TO DATE
 (To be completed by bidder)

THIS IS TO CERTIFY THAT I (name of bidder/authorised representative)

....., WHO REPRESENTS (state name
 Of bidder)

IAM AWARE OF THE CONTENTS OF THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIER DATABASE WITH RESPECT TO THE SUPPLIER'S DETAILS AND REGISTRATION INFORMATION, AND THAT THE SAID INFORMATION IS CORRECT AND UP TO DATE AS ON THE DATE OF SUBMITTING THIS BID.

AND I AM AWARE THAT INCORRECT OR OUTDATED INFORMATION MAY BE A CAUSE FOR DISQUALIFICATION OF THIS BID FROM THE EVALUATION PROCESS, AND/OR POSSIBLE CANCELLATION OF THE CONTRACT THAT MAY BE AWARDED ON THE BASIS OF THIS BID.

.....
 SIGNATURE OF BIDDER OR AUTHORISED REPRESENTATIVE

.....
 DATE:

REGISTRATION ON THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIERS DATABASE AND THE CENTRAL SUPPLIER DATABASE

1. In terms of the Harry District Municipality Supply Chain Management Policy Framework, all suppliers of goods and services to the Municipality are required to register on the Suppliers Database.
2. If you wish to apply for registration, forms may be downloaded from the website, **<http://www.harrygwala.gov.za>**, or obtained by collecting it in the offices of the Municipality (SCM).
3. If a business is registered on the Database and it is found subsequently that false or incorrect information has been supplied, then the Municipality may, without prejudice to any other legal rights or remedies it may have;
 - 3.1 De-register the supplier from the Database,
 - 3.2 Cancel a Bid or a contract awarded to such supplier, and the supplier would become liable for any damages if a less favourable quotation is accepted or less favourable arrangements are made.
4. **The same principles as set out in paragraph 3 above are applicable should the supplier fail to request updating of its information on the Suppliers Database, relating to changed particulars or circumstances.**
5. Application for registration must be submitted to the Harry Gwala office at Harry Gwala District Municipality. IF THE SUPPLIER IS NOT REGISTERED AT THE CLOSING TIME OF BID, THE SUPPLIER IS REQUIRED TO SUBMIT A COPY OF THE REGISTRATION APPLICATION FORM, TOGETHER WITH THE BID DOCUMENTATION, TO THE RESPECTIVE DEPARTMENT INVITING BIDS.
6. The supplier/vendor/service provider must be registered on the Central Supplier Database (CSD)

A) TAX COMPLIANCE STATUS (TCS) SYSTEM REQUIREMENTS

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

To verify your tax compliance status on eFiling, the person or entity will require your tax reference number and PIN number.

TAX REFERENCE NUMBER _____

PIN NUMBER _____

Visit www.sars.gov.za for process to verify TCS PIN.

What is the Tax Compliance Status system?

1. Tax Compliance Status (TCS) replaced the Tax Clearance Certificate system which was previously used by SARS.
2. The new TCS system allows you to obtain a TCS PIN in real-time, instead of a manual Tax Certificate.

What do I need to be tax compliant?

To be tax compliant, you should make sure that:

1. You are registered for all required tax types
2. You submit all your tax returns on time.
3. Pay all your tax debt on time

How to obtain a TCS PIN via eFiling?

Make sure you have Adobe Flash installed and enabled on your computer or laptop. Visit www.adobe.com to download.

1. Logon to eFiling
If you are not yet an eFiler, register at www.sarsefiling.co.za.
You need to be registered for eFiling and have one tax type activated on your eFiling profile, in order to activate the TCS service.
2. Activate your TCS service
You only need to activate your Tax Compliance Status once, and it will remain active. Once you have activated the service, you will see the "My Compliance Profile" on the screen.

If you are registered for more than one tax type and you have not yet merged the tax types into one registered profile, it is recommended that you complete the "Merge Entities" function to see a compliance profile of all taxes.

3. View your "My Compliance Profile"

Your compliance status will be displayed against the following compliance requirements:

- Registration status
- Submission of returns
- Debt
- Relevant supporting documents.

A colour-coded profile will appear to indicate whether you are tax compliant for each compliance requirement listed above.

Green - Your tax matters are in order and the taxpayer is tax compliant.

Red - Your tax matters are not in order and the taxpayer is not tax compliant.

4. Request PIN on eFiling To request a PIN go to "My Compliance Profile":

- Select the Tax Compliance Status Request option
- Select the type of TCS for which you would like to apply.

You will have the following options:

- » Good standing
- » Tender
- » Foreign Investment Allowance (Individuals only)
- » Emigration (Individuals only)

- Complete the Tax Compliance Status Request and submit it to SARS.

DECLARATION OF INTEREST

MBD 4

- 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 the service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3. To give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his / her representative:

3.2 Identity number:_____

3.3 Position occupied in the Company (director, trustee, shareholder²)

3.4 Company Registration Number: _____

3.5 Tax Reference Number: _____

3.6 VAT Registration Number: _____

3.7 The names of all directors / trustees / shareholders / members, their individual identity numbers and state employee numbers (where applicable) must be indicated in paragraph 4 below.

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

3.8.1 If yes, furnish particulars.

.....
.....

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

3.9.1 If so, furnish particulars.

.....

.....

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

3.10.1 If so, state particulars.

.....

.....

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

3.11.1 If so, state particulars.

.....

.....

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

3.12.1 If so, state particulars.

.....

.....

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

3.13.1 If so, furnish particulars.

.....

.....

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

3.14.1 If so, furnish particulars.

.....

.....

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

THE FOLLOWING INFORMATION IS COMPULSORY TO COMPLETE:

Full Name	Identity Number	Individual Tax Number for each Director	State Employee Number (Where applicable)

.....
Signature

.....
Date

.....
Capacity

.....
Name of bidder

¹MSCM Regulations: “in the service of the state” means to be -

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the National Assembly or the National Council of Provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official or 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 entity; or
- (f) an employee of Parliament or a provincial legislature.

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

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

a) The applicable preference point system for this tender is the 80/20 preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

(a) **"tender"** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation.

(b) **"price"** means an amount of money tendered for goods or services and includes all applicable taxes less all unconditional discounts.

(c) **"Rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes.

(d) **"tender for income-generating contracts"** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) **"The Act"** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$\begin{array}{ccc} \mathbf{80/20} & \text{or} & \mathbf{90/10} \\ P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \end{array}$$

Where

P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{\min} = Price of lowest acceptable tender

DECLARATION WITH REGARDS TO THE COMPANY/FIRM

4.3. Name of company/firm :

4.4. Company registration number :

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Non-Profit Company
- Personal Liability Company
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

4.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

4.7 MUNICIPAL INFORMATION

Municipality where business is situated

Registered Account Number

Stand Number

4.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?

.....

4.9 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 preferential points indicated in page 5, 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 preferential points claimed as shown in page5, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

.....
SIGNATURE(S) OF BIDDER(S)

.....
DATE

MBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

**PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES
-CONTRACT NO: 752/HGDM/2021**

in response to the invitation for the bid made by:

HARRY GWALA DISTRICT MUNICIPALITY

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

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

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

MBD9

- 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.
- 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

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

FORM OF OFFER AND ACCEPTANCE

<p>NAME OF BIDDER (ORGANISATION):</p> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>

A. OFFER

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

BID NO: 752/HGDM/2021

The Bidder, identified in the Offer signature block below, by submitting this Offer has accepted the Conditions of Tender.

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

The offered total of the prices carried forward from the Summary of the Bill of Quantities is:

<p>R..... <i>figures</i>)</p>	(in	<table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <tr> <td style="padding: 2px 5px;">*including VAT</td> <td style="width: 30px; height: 20px;"></td> </tr> <tr> <td style="padding: 2px 5px;">*excluding VAT</td> <td style="width: 30px; height: 20px;"></td> </tr> </table>	*including VAT		*excluding VAT	
*including VAT						
*excluding VAT						
		<i>* tick relevant box</i>				

Amount in words

.....

<p>Are the prices / rates quoted firm? Yes/No:</p>	<p>Is the delivery period stated firm? Yes/No:</p>
<p>Name: <i>(of person authorised to sign the bid)</i></p>	<p>Signature:</p>
<p>Name of Witness:</p>	<p>Signature of Witness:</p>
<p>Date:</p>	<p><i>Failure of a Bidder to sign this form will invalidate the bid</i></p>
<p>Address of Organisation:</p> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>	
<p>Telephone No. _____ Fax No. _____</p>	

B. ACCEPTANCE

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

Name: <i>(of person authorised to sign the bid)</i>	Signature:
Capacity:	Date:
Name of Witness:	Signature of Witness:
Name and Address of Employer: _____ _____ _____ _____	

AUTHORITY TO SIGN A BID

A. CLOSE CORPORATION

In 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 the resolution by its members authorising a member or other official of the corporation to sign the documents on their behalf.

By resolution of members at a meeting on 20..... at

Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of Close Corporation)

SIGNED ON BEHALF OF CLOSE CORPORATION:
(PRINT NAME)

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

SIGNATURE OF SIGNATORY:

WITNESSES: 1

2

B. SOLE PROPRIETOR (ONE - PERSON BUSINESS)

I, the undersigned..... hereby confirm that I am the sole owner of the business trading as.....

.....

.....
SIGNATURE

.....
DATE

C. COMPANIES

If a Bidder is a company, a certified copy of the resolution by the board of directors, personally signed by the chairperson of the board, authorising the person who 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 and/or contract on behalf of the company must be submitted with this bid, that is before the closing time and date of the bid.

AUTHORITY BY BOARD OF DIRECTORS

By resolution passed by the Board of Directors on.....20.....,

Mr/Mrs..... (whose signature appears below) has been duly authorised to sign all documents in connection with this bid on behalf of (Name of Company)

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF COMPANY:
(PRINT NAME)

SIGNATURE OF SIGNATORY: **DATE:**

WITNESSES: 1
2

D. 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 authorise to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and /or contract.

.....
SIGNATURE

.....
SIGNATURE

.....
DATE

.....
DATE

E CO-OPERATIVE

A certified copy of the Constitution of the co-operative must be included with the bid, together with the resolution by its members authoring a member or other official of the co-operative to sign the bid documents on their behalf.

By resolution of members at a meeting on 20..... at

Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of cooperative)

.....
SIGNATURE OF AUTHORISED REPRESENTATIVE/SIGNATORY:

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

DATE:

SIGNED ON BEHALF OF CO-OPERATIVE:

NAME IN BLOCK LETTERS:

WITNESSES: 1

2

CERTIFICATE FOR MUNICIPAL SERVICES

Information required in terms of the Harry Gwala District Municipality’s Supply Chain Management Policy. Latest municipal services account statement must be attached.

<p>Tender Number: 752/HGDM/2021</p> <p>Name of the Tenderer:</p> <hr style="border: 0; border-top: 1px solid black; margin-top: 10px;"/>
--

FURTHER DETAILS OF THE BIDDER/S: Proprietor / Director(s) / Partners, etc:

Physical Business address of the Bidder	Municipal Account Number(s)

If there is not enough space for all the names, please attach the additional details to the Tender document.

Name of Director / Member / Partner	Identity Number	Physical residential address of Director / Member / Partner	Municipal Account number(s)

I, _____, the undersigned, (full name in block letters) certify that the information furnished on this declaration form is correct and that I/we have no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days.

Signature

THUS DONE AND SIGNED for and on behalf of the Bidder / Contractor

at _____ on the _____ day of _____ 2023

Please note: Even if the requested information is not applicable to the Bidder, the table above should be endorsed NOT APPLICABLE and THIS DECLARATION MUST STILL BE SIGNED

CONTRACT DATA PROVIDED BY EMPLOYER

CONTRACT DATA (Applicable to this contract)

PART A: DATA PROVIDED BY THE EMPLOYER

The following contract specific data are applicable to this contract.

REFERENCE	CONTRACT SPECIFIC DATA PROVIDED BY THE EMPLOYER		
Clause 1.1.14:	Name of Employer: The Municipality of Harry Gwala District represented by Accounting Officer of Municipality: Municipal Manager.		
Clause 1.2.2:	Address of Employer: <table><tr><td><u>Physical:</u> 40 Main Street Ixopo 3276</td><td><u>Postal:</u> Private Bag X 501 Ixopo 3276</td></tr></table> Email address: kunenes@harrygwaladm.gov.za Telephone No: (039) 834 8700 Fax No: (039) 834 1701	<u>Physical:</u> 40 Main Street Ixopo 3276	<u>Postal:</u> Private Bag X 501 Ixopo 3276
<u>Physical:</u> 40 Main Street Ixopo 3276	<u>Postal:</u> Private Bag X 501 Ixopo 3276		
Clause 1.1.15:	Name of Project Manager: Mr. S.P.T Mngadi		

HARRY GWALA DISTRICT MUNICIPALITY



REQUEST FOR THE PROVISION OF SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS

CONTRACT NO: 752/HGDM/2021

**Harry Gwala District Municipality
40 Main Street
IXOPO
3276**

Contact Name : Mrs. TT Thiyane-Magaqa / Mr. SPT Mngadi

Telephone : 039 834 8700

Fax : 039 834 1701

NAME OF BIDDER	
ADDRESS OF BIDDER	
TELEPHONE	
FAX	
TENDER SUM	
TIME FOR COMPLETION	

TENDER CLOSING DATE: 08/09/2023 @12h00

Table of Contents

INVITATION TO BID	5
TERMS OF TERMS OF REFERENCE	6
INTRODUCTION OF THE PROJECT	6
AIM OF THE PROJECT	6
SCOPE OF WORK	6
KEY DELIVERIES	7
CONDITIONS OF THE CONTRACT	7
PROJECT TIMEFRAME	7
PROJECT BUDGET	7
EVALUATION CRITERIA	8
BILL OF QUANTITIES	11
CONDITIONS OF BID	12
CERTIFICATION OF CORRECTNESS ON INFORMATION SUPPLIED IN THIS DOCUMENT.	14
SPECIAL INSTRUCTIONS AND NOTICES TO SUPPLIERS REGARDING THE COMPLETION OF BID FORMS.....	14
REGISTRATION ON THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIERS DATABASE AND THE CENTRAL SUPPLIER DATABASE.....	17
TAX CLEARANCE CERTIFICATE.....	18
DECLARATION OF INTEREST MBD 4	20
PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017	22
DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES.....	28
CERTIFICATION.....	29
CERTIFICATE OF INDEPENDENT BID DETERMINATION	30
CERTIFICATE OF INDEPENDENT BID DETERMINATION	31
COMPULSORY TO COMPLETE!	33

ATTACHMENTS

MDB FORMS

CERTIFICATE FOR MUNICIPAL SERVICES

SPECIAL CONDITIONS OF CONTRACT

CONTRACT DATA



HARRY GWALA DISTRICT MUNICIPALITY
"Together We Deliver and Grow"

OFFICE OF THE MUNICIPAL MANAGER

40 Main Street, Private Bag X501, IXOPO 3276

Tel: (039) 834 8707 Fax: (039) 834 1701

E-mail: kunenes@harrygwaladm.gov.za

INVITATION TO BID

PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS
CONTRACT NO: 752/HGDM/2021

Harry Gwala District Municipality hereby requests proposals from suitably experienced Services Providers for the server room and data centre maintenance for Harry Gwala district municipality. Service Providers are required to comply with normal business ethics and stipulate their agency fees on their proposal.

Invalid or non-submission of the following documents will lead to immediate disqualification of the tender:

- Utility bill: Municipal statement
- Joint Venture Agreement and Power of attorney in case of joint ventures
- Central Supplier Database Registration
- A signed MBD4 form must be submitted with all bids (available on our website or at reception)

The following conditions will apply:

- Valid tax certificate or SARS pin
- All tenders submitted must be valid for ninety (90) days after the tender closing date.
- Price(s) quoted must be firm and must be inclusive of VAT.
- A firm delivery period must be indicated.
- 80/20 Preference point system will be used in Evaluation. Functionality will be calculated first.

SPECIFIC GOALS

Specific Goals	Weight	80/20 PP	Verification
Ownership Goals			
1. Youth Development (Below 35 Years) Youth ownership \geq 51% Black	25%	5	ID Copies: Directors Co. Registration CSD Shareholders Certificate
2. Youth Development (Below 35 Years) Youth ownership <51% Black		3	ID Copies: Directors Co. Registration CSD Shareholders Certificate

RDP Goals			
1.The promotion of South African owned enterprises	50%	10	ID Copies: Directors Co. Registration CSD
If not South African owned enterprises		0	
2.SMME Development (EME and QSE)	25%	5	Sworn-Affidavit - QSE/EME General and Bank Confirmation Letter
If not SMME Development (EME and QSE)		0	

COLLECTION OF BID DOCUMENTS

Documents may be obtained at Harry Gwala District Municipality, Finance Department, Ixopo, from **14 AUGUST 2023 between 09h00 to 16h00**, upon payment of non-refundable deposit of **R500.00** per document or downloadable from Harry Gwala District Municipality Website www.harrygwalam.gov.za.

CLOSING DATE: 08 SEPTEMBER 2023 @ 12h00.

The closing date for the bidders in on **08 SEPTEMBER 2023 @ 12h00**. Bids must be enclosed in **SEALED ENVELOPES** and clearly labeled, "**PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS CONTRACT NO: 752/HGDM/2021**" on the outside of the envelopes addressed to **The Municipal Manager**.

Bids must be deposited in the Bid Box at the reception area of Harry Gwala District Municipality, 40 Main Street, Ixopo, before the closing date and time. Telegraphic, telexed or faxed bids will not be considered, and late bids will not be accepted.

Harry Gwala District Municipality does not bind itself to accept the lowest or any Bid and reserves the right to accept the whole or any part of the Bid.

BID ENQUIRIES:

All tender enquiries and all the matters shall be directed to the Executive Director: Corporate Services: **Mrs.TT.Thiyane-Magaqa** on 039 834 8705 during working hours.

.....

Mr. G.M. Sineke

Municipal Manager

TERMS OF REFERENCE

NAME OF THE PROJECT: PROVISION OF THE MAINTENANCE SERVICES FOR THE SERVER ROOM AND DATA CENTRE.

1. INTRODUCTION OF THE PROJECT

The Harry Gwala District Municipality has invested in the hardware and systems that require necessary protective maintenance services. It is important that in the event of any disaster occurrence, servers and network equipment are always protected.

The ICT Unit implemented controls for facilities containing data, information, and ICT assets, in accordance with the Municipality's assessment of risk: Issuing suitable access rights and related physical security credentials (Main Office Ixopo Server Room and Kokstad Site with proof of identity access biometrics).

The Harry Gwala District Municipality requires an outsourced support for maintaining essential environment controls used by the municipality on daily basis. The appointed Service Provider will be responsible to maintain all the server rooms' services and supply or replacement of ICT equipment where necessary. The contract will run for the period of three years (36 months).

2. AIM OF THE PROJECT

The aim of the project is to ensure the following:

1. Service Provider must maintain controls for facilities containing data and information, ICT assets, in accordance with the ICT Unit assessment of risk:
2. Protect power equipment and power cabling from damage and destruction.
3. Maintain and service a short-term uninterruptible power supply (UPS) to facilitate an orderly shutdown of critical information systems in the event of a primary power source loss.
4. Service and maintain fire detection and suppression devices/systems within the facility where the data, information and ICT assets reside, supported by an independent energy source.
5. Monitor and maintain within acceptable levels the temperature and humidity within the facility where data, information and ICT assets reside.
6. Transfer of skills to ICT Unit and training of ICT Unit employees when the need arises.

3. SCOPE OF WORK

The service provider will be required to provide maintenance services of the server room and data centre. The environmental control equipment is installed in both sites: server room (Ixopo Main office) and Data centre (Kokstad)

The server room (Ixopo Main Office) hosts all main servers (email server, file server, financial systems etc...) Core of network equipment (Telkom VPN routers, LAN

Switch, Firewall). The environmental equipment are as follows: Air Conditioners, Smoke detectors, Fire suppression with fire control panel, two (2) hour fire rated door, Panel of EATON 9155 Uninterruptable Power Supply (UPS), Fire Rated Door, Biometrics system access control unit (additional 3 biometrics access control unit in ICT Offices), Humidity temperature monitoring.

Data Centre (Kokstad) hosts server room for testing and implementation of DRP (Disaster Recovery Plan) and BCP (Business Continuity Plan). The environmental equipment are as follows: Biometrics Access Control Unit, Smoke detectors, 12000btu Carrier Air conditioners, 3Kva Axil RT Uninterruptable Power Supply (UPS), Fire rated door, Fire suppression with fire control panel.

- Installation of humidity temperature monitoring (Data Centre) of humidity temperature monitoring (Send real-time alerts)
- Installation of Video Camera Surveillance (Ixopo Main Office)
- Installation of Video Camera Surveillance (Data Centre)
- Installation of Biometrics Access System Control (Disaster Centre) linking with other devices at Ixopo Main Office & Data Centre.
- Inspection, supply, delivery, and installation of the equipment for both server room and data centre required.
- Both server room and data centre will be serviced once yearly and where necessary. Service is required on annual basis.

4. KEY DELIVERIES

1. Provision of maintenance services support
2. Supply of ICT Equipment
3. Supply of Software
4. Evidence of skill transfer

5. CONDITIONS OF THE CONTRACT

A three (3) year contract with service level agreement shall be signed with the appointed service provider covering the provision to maintain, supply, deliver and install the environmental equipment at the server room and data centre.

6. PROJECT TIMEFRAME

The project will be contracted over three-year period.

7. PROJECT BUDGET

The service provider shall be paid for service rendered and equipment supplied on presentation of original tax invoice.

8. EVALUATION CRITERIA

COMPLIANCE WITH THE PREFERENTIAL PROCUREMENT REGULATION, 2022. EVALUATION WILL BE DONE ON THE FOLLOWING STAGE PROCESS IN TERMS OF NATIONAL TREASURY CIRCULAR NO: 53:

Stage 1:

Assessment of Functionality. Only service providers who achieve a minimum of 60 points of the total available points will qualify for stage two of the Evaluation process. Functionality criteria is as follows:

Company Experience (50 points)

Certifications and Specialist Experience (50 points)

ITEM	Points allocation	Points Awarded	
STAGE 1 OF EVALUATION – FUNCTIONALITY			
Company with previous experience in the implementation of data centre /server room solutions.	Provide at least 8 or above referral letters/orders appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	50	50%
	Provide at least 5 to 7 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	30	
	Provide at least 1 to 4 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	20	
	Provide at least 0 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	0	
Specialist Experience & Qualifications	Specialist with 5 years or more experience and the following Qualifications: <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) Compulsory: Specialist MUST submit CV, with Certified Certifications.	15	15%

	<p>Specialist with 3 to 4 years' experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	10	
	<p>Specialist with 1 to 2 years' experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	5	
	<p>Specialist with 0-year experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	0	
Project Manager Qualifications	<p>Project Manager Qualification:</p> <ul style="list-style-type: none"> Fire Detection Certificate <p>Compulsory: Project Manager must submit certified copy of Fire Detection or Fire Protection Inspector Certificate</p>	10	10%
	<p>None submission of Project Manager Qualification:</p> <ul style="list-style-type: none"> Fire Detection Certificate 	0	
Certificate Accreditation	<p>Certificate accreditation (Must be certified by an authorized certifying officer): Company must be registered with the SANS for safety standards</p>	25	25 %
	<p>None submission of the Registered SANS certification</p>	0	
<p><i>CV's, letters of recommendation and copies of certified certificates must be attached to claim the points</i></p>			
<p>NB* Installation cost and data transfers cost must be included in the bid.</p>			

Stage 2:

PRICE AND PREFERENTIAL POINTS

The 80/20 preferential point system will be applied, where 80 points will be allocated for price and 20 points for specific goals that is on **Ownership and RDP Goals**. Bidders must submit the required documentation to claim preference points.

Specific Goals	Weight	80/20 PP	Verification
Ownership Goals			
1. Youth Development (Below 35 Years) Youth ownership \geq 51% Black	25%	5	ID Copies: Directors Co. Registration CSD Shareholders Certificate
2. Youth Development (Below 35 Years) Youth ownership <51% Black		3	ID Copies: Directors Co. Registration CSD Shareholders Certificate
RDP Goals			
1.The promotion of South African owned enterprises	50%	10	ID Copies: Directors Co. Registration CSD
If not South African owned enterprises		0	
2. SMME Development (EME and QSE)	25%	5	Sworn-Affidavit - QSE/EME General and Bank Confirmation Letter
If not SMME Development (EME and QSE)		0	

9. BILL OF QUANTITIES

MAINTENANCE EQUIPMENT			
Description	Rate	Unit Price	Total Price
<p>Maintenance</p> <p>The server room hosts all main servers (email server, file server, financial systems etc...). Core of network equipment (Telkom VPN routers, LAN Switch, Firewall)</p> <ul style="list-style-type: none"> • Air Conditioners. • Smoke detectors. • Fire suppression with fire control panel. • Two (2) hour fire rated door. • Panel of EATON 9155 Uninterruptable Power Supply (UPS). • Biometrics system access control unit (additional biometrics access control unit in ICT Offices). • Humidity temperature and sensor monitoring. 	p/h		
<p>Maintenance</p> <p>Data Centre (Kokstad) hosts server room for testing and implementation of DRP and BCP.</p> <ul style="list-style-type: none"> • Biometrics Access Control Unit. • 12000btu Carrier Air conditioners. • 3Kva Axil RT Uninterruptable Power Supply (UPS). • Fire rated door. • Fire suppression with fire control panel. 	p/h		
<p>Supply and Installation or Replacement</p> <p>The server room hosts all main servers (email server, file server, financial systems etc...). Core of network equipment (Telkom VPN routers, LAN Switch, Firewall)</p> <ul style="list-style-type: none"> • Air conditioners • Smoke detectors. • Fire suppression with fire control panel. • Two (2) hour fire rated door. • Panel of EATON 9155 Uninterruptable Power Supply (UPS). 		Each	

<ul style="list-style-type: none"> • Biometrics system access control unit (additional biometrics access control unit in ICT Offices). • Humidity temperature and sensor monitoring. 			
<p>Supply and Installation or Replacement Data Centre (Kokstad) hosts server room for testing and implementation of DRP and BCP.</p> <ul style="list-style-type: none"> • Biometrics Access Control Unit. • 12000btu Carrier Air conditioners. • 3Kva Axil RT Uninterruptable Power Supply (UPS). • Fire rated door. • Fire suppression with fire control panel. 		Each	
<p>New installation</p> <ul style="list-style-type: none"> • New installation of humidity temperature monitoring (Sending real-time alerts) • Video Camera Surveillance (Kokstad) • Video Camera Surveillance (Data Centre) • Biometrics access control unit (Disaster Centre) linking with other devices at Ixopo Main Office & Data Centre. • Inspection, supply, delivery and installation of the server room and data centre equipment required. 		Each	
Labour	p/h		
Travelling	p/km		
Installation			
Accommodation (If Applicable)			
Total Ex VAT			
VAT			
Total			

10. CONDITIONS OF BID

1. I/We hereby bid to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to the Harry Gwala District Municipality Administration (hereinafter called the "Harry Gwala district Municipality") on the terms and conditions and be in accordance with the specifications stipulated in the bid documents (and which shall be taken as part of and be incorporated in this bid) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
2. I/We agree that:

- a) the offer herein shall remain binding upon me and open for acceptance by the Municipality during the validity period indicated and calculated from the closing time of the bid.
- b) this bid and its acceptance shall be subject to treasury regulations 16A issued in terms of the Municipal Finance Management Act, 2003, the Harry Gwala District Municipality Supply Chain Management Policy Framework, with which I/We are fully acquainted;
- c) if I/We withdraw my bid within the period to which I/We agreed that the bid shall remain open for acceptance or fail to fulfil the contract when called upon to do so, the Municipality without prejudice to its other rights, agree to the withdrawal of my bid, or cancel the contract that may have been entered into between me and the Municipality. I/We then pay to the Municipality any additional expenses incurred by the Municipality having either to accept any less favorable bid or, fresh bids have to be invited, the additional expenditure incurred by the invitation of fresh bid and by the subsequent acceptance of any less favorable bid. The Municipality shall have the right to recover such additional expenses by set-off against monies which may be due to me under this or any other bid or contract or against any guarantee or deposit that may have been furnished by me or on my behalf for the due fulfilment of this or any other bid or contract and pending the ascertainment of the amount of such additional expenditure to retain such monies, guarantee or deposit as security for any loss the Municipality may sustain by reason of my default;
- d) if my bid is accepted the acceptance may be communicated to me by a registered post, and that the South African Post Office shall be treated as delivery agent to me.
- e) the law of the Republic of South Africa shall govern the contract created by the acceptance of my bid and I choose domicilium citandi et executandi in the Republic at (full physical address);

.....

- 3. I/We furthermore confirm that I/We have satisfied myself as to the correctness and validity of my bid: that the price(s), rate(s) and preference quoted cover all the work/item(s) and my obligations under a resulting contract, and I accept that any mistakes regarding the price(s) and calculations will be at my risk.
- 4. I/We hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement, as the Principal (s) liable for the due fulfilment of this contract.
- 5. I/We agree that any action arising from this contract may in all respects be instated against me and I/We hereby undertake to satisfy fully any sentence or judgement which may be pronounced against me as a result of such action.
- 6. I/We confirm that I/We have declared all and any interest that I or any persons related to my business has with regard to this bid or any related bids by completion of the Declaration of Interest Section.

CERTIFICATION OF CORRECTNESS ON INFORMATION SUPPLIED IN THIS DOCUMENT

I/We, THE UNDERSIGNED, WHO WARRANT THAT I AM DULY AUTHORISED TO DO SO ON BEHALF OF THE BIDDER, CERTIFY THAT INFORMATION SUPPLIED IN TERMS OF THIS DOCUMENT IS CORRECT AND TRUE, THAT THE SIGNATORY TO THIS DOCUMENT IS DULY AUTHORISED AND ACKNOWLEDGE THAT:

- (1) The bidder will furnish document proof regarding any quote issue to the satisfaction of the municipality, if requested to do so.
- (2) if the information supplied is found to be incorrect and/or false then the Municipality, in addition to any remedies it may have, may: -
 - (a) Recover from the supplier all costs, losses or damages incurred or sustained by the Municipality as a result of the award of the contract, and/or
 - (b) Cancel the contract and claim any damages which the Municipality may suffer by having to make less favorable arrangements after such cancellation.

SIGNED ON THIS.....DAY OF.....20.....AT.....

**SIGNATURE OF THE SUPPLIER OR DULY NAME IN BLOCK LETTERS
AUTHORISED REPRESENTATIVE ON BEHALF OF (BIDDERS
NAME)**

CAPACITY OF SIGNATORY.....

NAME OF CONTACT PERSON (IN BLOCK LETTERS, PLEASE)

.....

POSTAL ADDRESS.....

TELEPHONE NUMBER:.....

FAX NUMBER:.....

CELULLAR PHONE NUMBER:.....

E-MAIL ADDRESS:.....

SPECIAL INSTRUCTIONS AND NOTICES TO SUPPLIERS REGARDING THE COMPLETION OF BID FORMS

PLEASE NOTE THAT THIS BID IS SUBJECT TO TREASURY REGULATIONS 16A ISSUED IN TERMS OF THE MUNICIPAL FINANCE MANAGEMENT ACT, 2003, THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLY CHAIN MANAGEMENT POLICY FRAMEWORK.

1. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and vice versa and with words importing the masculine gender shall include the feminine and the neuter.
2. Under no circumstances whatsoever may the bid forms be retyped or redrafted. Photocopies of the original bid documentation may be used, but an original signature must appear on such photocopies.
3. The supplier is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
4. Bids submitted must be complete in all respects.
5. Bids shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the bid documents.
6. Each bid shall be addressed in accordance with the directives in the bid documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the bid number and closing date indicated on the envelope. The envelope shall not contain documents relating to any bid other than that shown on the envelope. If this provision is not complied with, such bids may be rejected as being invalid.
7. All bids received in sealed envelopes with the relevant bid numbers on the envelopes are kept unopened in safe custody until the closing time of the bids. Where, however, a bid is received open, it shall be sealed. If it is received without a bid number on the envelope, it shall be opened, the bid number ascertained, the envelope sealed and the bid number written on the envelope.
8. A specific box is provided for the receipt of bids, and no bid found in any other box or elsewhere subsequent to the closing date and time of bid will be considered.
9. No bid sent through the post will be considered if it is received after the closing date and time stipulated in the bid documentation, and proof of posting will not be accepted as proof of delivery.
10. No bid submitted by telefax, telegraphic or other electronic means will be considered.
11. Bid documents must not be included in packages containing samples. Such bids may be rejected as being invalid.
12. Any alteration made by the supplier must be initialled, otherwise it will be disqualified.
13. Use of correcting fluid is prohibited and will be disqualified.

14. Bids will be opened in public as soon as practicable after the closing time of bid.
15. Where practical, prices are made public at the time of opening bids.
16. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.

DECLARATION THAT INFORMATION ON HARRY GWALA DISTRICT MUNICIPALITY SUPPLIER DATABASE IS CORRECT AND UP TO DATE
(To be completed by bidder)

THIS IS TO CERTIFY THAT I (name of bidder/authorised representative)

....., WHO REPRESENTS (state name
Of bidder)

IAM AWARE OF THE CONTENTS OF THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIER DATABASE WITH RESPECT TO THE SUPPLIER'S DETAILS AND REGISTRATION INFORMATION, AND THAT THE SAID INFORMATION IS CORRECT AND UP TO DATE AS ON THE DATE OF SUBMITTING THIS BID.

AND I AM AWARE THAT INCORRECT OR OUTDATED INFORMATION MAY BE A CAUSE FOR DISQUALIFICATION OF THIS BID FROM THE EVALUATION PROCESS, AND/OR POSSIBLE CANCELLATION OF THE CONTRACT THAT MAY BE AWARDED ON THE BASIS OF THIS BID.

.....
SIGNATURE OF BIDDER OR AUTHORISED REPRESENTATIVE

.....
DATE:

REGISTRATION ON THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIERS DATABASE AND THE CENTRAL SUPPLIER DATABASE

1. In terms of the Harry District Municipality Supply Chain Management Policy Framework, all suppliers of goods and services to the Municipality are required to register on the Suppliers Database.
2. If you wish to apply for registration, forms may be downloaded from the website, **<http://www.harrygwala.gov.za>**, or obtained by collecting it in the offices of the Municipality (SCM).
3. If a business is registered on the Database and it is found subsequently that false or incorrect information has been supplied, then the Municipality may, without prejudice to any other legal rights or remedies it may have;
 - 3.1 De-register the supplier from the Database,
 - 3.2 Cancel a Bid or a contract awarded to such supplier, and the supplier would become liable for any damages if a less favourable quotation is accepted or less favourable arrangements are made.
4. **The same principles as set out in paragraph 3 above are applicable should the supplier fail to request updating of its information on the Suppliers Database, relating to changed particulars or circumstances.**
5. Application for registration must be submitted to the Harry Gwala office at Harry Gwala District Municipality. IF THE SUPPLIER IS NOT REGISTERED AT THE CLOSING TIME OF BID, THE SUPPLIER IS REQUIRED TO SUBMIT A COPY OF THE REGISTRATION APPLICATION FORM, TOGETHER WITH THE BID DOCUMENTATION, TO THE RESPECTIVE DEPARTMENT INVITING BIDS.
6. The supplier/vendor/service provider must be registered on the Central Supplier Database (CSD)

A) TAX COMPLIANCE STATUS (TCS) SYSTEM REQUIREMENTS

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

To verify your tax compliance status on eFiling, the person or entity will require your tax reference number and PIN number.

TAX REFERENCE NUMBER _____

PIN NUMBER _____

Visit www.sars.gov.za for process to verify TCS PIN.

What is the Tax Compliance Status system?

1. Tax Compliance Status (TCS) replaced the Tax Clearance Certificate system which was previously used by SARS.
2. The new TCS system allows you to obtain a TCS PIN in real-time, instead of a manual Tax Certificate.

What do I need to be tax compliant?

To be tax compliant, you should make sure that:

1. You are registered for all required tax types
2. You submit all your tax returns on time.
3. Pay all your tax debt on time

How to obtain a TCS PIN via eFiling?

Make sure you have Adobe Flash installed and enabled on your computer or laptop. Visit www.adobe.com to download.

1. Logon to eFiling
If you are not yet an eFiler, register at www.sarsefiling.co.za.
You need to be registered for eFiling and have one tax type activated on your eFiling profile, in order to activate the TCS service.
2. Activate your TCS service
You only need to activate your Tax Compliance Status once, and it will remain active. Once you have activated the service, you will see the "My Compliance Profile" on the screen.

If you are registered for more than one tax type and you have not yet merged the tax types into one registered profile, it is recommended that you complete the "Merge Entities" function to see a compliance profile of all taxes.

3. View your "My Compliance Profile"

Your compliance status will be displayed against the following compliance requirements:

- Registration status
- Submission of returns
- Debt
- Relevant supporting documents.

A colour-coded profile will appear to indicate whether you are tax compliant for each compliance requirement listed above.

Green - Your tax matters are in order and the taxpayer is tax compliant.

Red - Your tax matters are not in order and the taxpayer is not tax compliant.

4. Request PIN on eFiling To request a PIN go to "My Compliance Profile":

- Select the Tax Compliance Status Request option
- Select the type of TCS for which you would like to apply.

You will have the following options:

- » Good standing
- » Tender
- » Foreign Investment Allowance (Individuals only)
- » Emigration (Individuals only)

- Complete the Tax Compliance Status Request and submit it to SARS.

DECLARATION OF INTEREST

MBD 4

- 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 the service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3. To give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his / her representative:

3.2 Identity number:_____

3.3 Position occupied in the Company (director, trustee, shareholder²)

3.4 Company Registration Number: _____

3.5 Tax Reference Number: _____

3.6 VAT Registration Number: _____

3.7 The names of all directors / trustees / shareholders / members, their individual identity numbers and state employee numbers (where applicable) must be indicated in paragraph 4 below.

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

3.8.1 If yes, furnish particulars.

.....
.....

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

3.9.1 If so, furnish particulars.

.....

.....

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

3.10.1 If so, state particulars.

.....

.....

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

3.11.1 If so, state particulars.

.....

.....

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

3.12.1 If so, state particulars.

.....

.....

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

3.13.1 If so, furnish particulars.

.....

.....

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

3.14.1 If so, furnish particulars.

.....

.....

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

THE FOLLOWING INFORMATION IS COMPULSORY TO COMPLETE:

Full Name	Identity Number	Individual Tax Number for each Director	State Employee Number (Where applicable)

.....
Signature

.....
Date

.....
Capacity

.....
Name of bidder

¹MSCM Regulations: “in the service of the state” means to be -

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the National Assembly or the National Council of Provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official or 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 entity; or
- (f) an employee of Parliament or a provincial legislature.

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

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

a) The applicable preference point system for this tender is the 80/20 preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

(a) **"tender"** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation.

(b) **"price"** means an amount of money tendered for goods or services and includes all applicable taxes less all unconditional discounts.

(c) **"Rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes.

(d) **"tender for income-generating contracts"** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) **"The Act"** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$\begin{array}{ccc} \mathbf{80/20} & \text{or} & \mathbf{90/10} \\ P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \end{array}$$

Where

P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{\min} = Price of lowest acceptable tender

DECLARATION WITH REGARDS TO THE COMPANY/FIRM

4.3. Name of company/firm :

4.4. Company registration number :

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Non-Profit Company
- Personal Liability Company
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

4.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

4.7 MUNICIPAL INFORMATION

Municipality where business is situated

Registered Account Number

Stand Number

4.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?

.....

4.9 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 preferential points indicated in page 5, 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 preferential points claimed as shown in page5, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

.....
SIGNATURE(S) OF BIDDER(S)

.....
DATE

MBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

**PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES
-CONTRACT NO: 752/HGDM/2021**

in response to the invitation for the bid made by:

HARRY GWALA DISTRICT MUNICIPALITY

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

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

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

MBD9

- 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.
- 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

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

FORM OF OFFER AND ACCEPTANCE

NAME OF BIDDER (ORGANISATION): <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>

A. OFFER

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

BID NO: 752/HGDM/2021

The Bidder, identified in the Offer signature block below, by submitting this Offer has accepted the Conditions of Tender.

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

The offered total of the prices carried forward from the Summary of the Bill of Quantities is:

R <i>figures</i>	<i>(in</i>	<table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <tr> <td style="padding: 2px 5px;">*including VAT</td> <td style="width: 30px; height: 20px;"></td> </tr> <tr> <td style="padding: 2px 5px;">*excluding VAT</td> <td style="width: 30px; height: 20px;"></td> </tr> </table>	*including VAT		*excluding VAT	
*including VAT						
*excluding VAT						
		<i>* tick relevant box</i>				

Amount in words

.....

Are the prices / rates quoted firm? Yes/No:	Is the delivery period stated firm? Yes/No:
Name: <i>(of person authorised to sign the bid)</i>	Signature:
Name of Witness:	Signature of Witness:
Date:	<i>Failure of a Bidder to sign this form will invalidate the bid</i>
Address of Organisation: <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>	
Telephone No. _____ Fax No. _____	

B. ACCEPTANCE

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

Name: <i>(of person authorised to sign the bid)</i>	Signature:
Capacity:	Date:
Name of Witness:	Signature of Witness:
Name and Address of Employer: _____ _____ _____ _____	

AUTHORITY TO SIGN A BID

A. CLOSE CORPORATION

In 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 the resolution by its members authorising a member or other official of the corporation to sign the documents on their behalf.

By resolution of members at a meeting on 20..... at

Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of Close Corporation)

SIGNED ON BEHALF OF CLOSE CORPORATION:
(PRINT NAME)

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

SIGNATURE OF SIGNATORY:

WITNESSES: 1

2

B. SOLE PROPRIETOR (ONE - PERSON BUSINESS)

I, the undersigned..... hereby confirm that I am the sole owner of the business trading as.....

.....

.....
SIGNATURE

.....
DATE

C. COMPANIES

If a Bidder is a company, a certified copy of the resolution by the board of directors, personally signed by the chairperson of the board, authorising the person who 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 and/or contract on behalf of the company must be submitted with this bid, that is before the closing time and date of the bid.

AUTHORITY BY BOARD OF DIRECTORS

By resolution passed by the Board of Directors on.....20.....,

Mr/Mrs..... (whose signature appears below) has been duly authorised to sign all documents in connection with this bid on behalf of (Name of Company)

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF COMPANY:
(PRINT NAME)

SIGNATURE OF SIGNATORY: **DATE:**

WITNESSES: 1
2

D. 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 authorise to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and /or contract.

.....
SIGNATURE

.....
SIGNATURE

.....
DATE

.....
DATE

E CO-OPERATIVE

A certified copy of the Constitution of the co-operative must be included with the bid, together with the resolution by its members authoring a member or other official of the co-operative to sign the bid documents on their behalf.

By resolution of members at a meeting on 20..... at

Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of cooperative)

.....
SIGNATURE OF AUTHORISED REPRESENTATIVE/SIGNATORY:

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

DATE:

SIGNED ON BEHALF OF CO-OPERATIVE:

NAME IN BLOCK LETTERS:

WITNESSES: 1

2

CERTIFICATE FOR MUNICIPAL SERVICES

Information required in terms of the Harry Gwala District Municipality’s Supply Chain Management Policy. Latest municipal services account statement must be attached.

<p>Tender Number: 752/HGDM/2021</p> <p>Name of the Tenderer:</p> <hr style="border: 0; border-top: 1px solid black; margin-top: 10px;"/>
--

FURTHER DETAILS OF THE BIDDER/S: Proprietor / Director(s) / Partners, etc:

Physical Business address of the Bidder	Municipal Account Number(s)

If there is not enough space for all the names, please attach the additional details to the Tender document.

Name of Director / Member / Partner	Identity Number	Physical residential address of Director / Member / Partner	Municipal Account number(s)

I, _____, the undersigned, (full name in block letters) certify that the information furnished on this declaration form is correct and that I/we have no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days.

Signature

THUS DONE AND SIGNED for and on behalf of the Bidder / Contractor

at _____ on the _____ day of _____ 2023

Please note: Even if the requested information is not applicable to the Bidder, the table above should be endorsed NOT APPLICABLE and THIS DECLARATION MUST STILL BE SIGNED

CONTRACT DATA PROVIDED BY EMPLOYER

CONTRACT DATA (Applicable to this contract)

PART A: DATA PROVIDED BY THE EMPLOYER

The following contract specific data are applicable to this contract.

REFERENCE	CONTRACT SPECIFIC DATA PROVIDED BY THE EMPLOYER		
Clause 1.1.14:	Name of Employer: The Municipality of Harry Gwala District represented by Accounting Officer of Municipality: Municipal Manager.		
Clause 1.2.2:	Address of Employer: <table><tr><td><u>Physical:</u> 40 Main Street Ixopo 3276</td><td><u>Postal:</u> Private Bag X 501 Ixopo 3276</td></tr></table> Email address: kunenes@harrygwaladm.gov.za Telephone No: (039) 834 8700 Fax No: (039) 834 1701	<u>Physical:</u> 40 Main Street Ixopo 3276	<u>Postal:</u> Private Bag X 501 Ixopo 3276
<u>Physical:</u> 40 Main Street Ixopo 3276	<u>Postal:</u> Private Bag X 501 Ixopo 3276		
Clause 1.1.15:	Name of Project Manager: Mr. S.P.T Mngadi		

HARRY GWALA DISTRICT MUNICIPALITY



REQUEST FOR THE PROVISION OF SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS

CONTRACT NO: 752/HGDM/2021

**Harry Gwala District Municipality
40 Main Street
IXOPO
3276**

Contact Name : Mrs. TT Thiyane-Magaqa / Mr. SPT Mngadi

Telephone : 039 834 8700

Fax : 039 834 1701

NAME OF BIDDER	
ADDRESS OF BIDDER	
TELEPHONE	
FAX	
TENDER SUM	
TIME FOR COMPLETION	

TENDER CLOSING DATE: 08/09/2023 @12h00

Table of Contents

INVITATION TO BID	5
TERMS OF TERMS OF REFERENCE	6
INTRODUCTION OF THE PROJECT	6
AIM OF THE PROJECT	6
SCOPE OF WORK	6
KEY DELIVERIES	7
CONDITIONS OF THE CONTRACT	7
PROJECT TIMEFRAME	7
PROJECT BUDGET	7
EVALUATION CRITERIA	8
BILL OF QUANTITIES	11
CONDITIONS OF BID	12
CERTIFICATION OF CORRECTNESS ON INFORMATION SUPPLIED IN THIS DOCUMENT.	14
SPECIAL INSTRUCTIONS AND NOTICES TO SUPPLIERS REGARDING THE COMPLETION OF BID FORMS.....	14
REGISTRATION ON THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIERS DATABASE AND THE CENTRAL SUPPLIER DATABASE.....	17
TAX CLEARANCE CERTIFICATE.....	18
DECLARATION OF INTEREST MBD 4	20
PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017	22
DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES.....	28
CERTIFICATION.....	29
CERTIFICATE OF INDEPENDENT BID DETERMINATION	30
CERTIFICATE OF INDEPENDENT BID DETERMINATION	31
COMPULSORY TO COMPLETE!	33

ATTACHMENTS

MDB FORMS

CERTIFICATE FOR MUNICIPAL SERVICES

SPECIAL CONDITIONS OF CONTRACT

CONTRACT DATA



HARRY GWALA DISTRICT MUNICIPALITY
"Together We Deliver and Grow"

OFFICE OF THE MUNICIPAL MANAGER

40 Main Street, Private Bag X501, IXOPO 3276

Tel: (039) 834 8707 Fax: (039) 834 1701

E-mail: kunenes@harrygwaladm.gov.za

INVITATION TO BID

PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS
CONTRACT NO: 752/HGDM/2021

Harry Gwala District Municipality hereby requests proposals from suitably experienced Services Providers for the server room and data centre maintenance for Harry Gwala district municipality. Service Providers are required to comply with normal business ethics and stipulate their agency fees on their proposal.

Invalid or non-submission of the following documents will lead to immediate disqualification of the tender:

- Utility bill: Municipal statement
- Joint Venture Agreement and Power of attorney in case of joint ventures
- Central Supplier Database Registration
- A signed MBD4 form must be submitted with all bids (available on our website or at reception)

The following conditions will apply:

- Valid tax certificate or SARS pin
- All tenders submitted must be valid for ninety (90) days after the tender closing date.
- Price(s) quoted must be firm and must be inclusive of VAT.
- A firm delivery period must be indicated.
- 80/20 Preference point system will be used in Evaluation. Functionality will be calculated first.

SPECIFIC GOALS

Specific Goals	Weight	80/20 PP	Verification
Ownership Goals			
1. Youth Development (Below 35 Years) Youth ownership \geq 51% Black	25%	5	ID Copies: Directors Co. Registration CSD Shareholders Certificate
2. Youth Development (Below 35 Years) Youth ownership <51% Black		3	ID Copies: Directors Co. Registration CSD Shareholders Certificate

RDP Goals			
1.The promotion of South African owned enterprises	50%	10	ID Copies: Directors Co. Registration CSD
If not South African owned enterprises		0	
2.SMME Development (EME and QSE)	25%	5	Sworn-Affidavit - QSE/EME General and Bank Confirmation Letter
If not SMME Development (EME and QSE)		0	

COLLECTION OF BID DOCUMENTS

Documents may be obtained at Harry Gwala District Municipality, Finance Department, Ixopo, from **14 AUGUST 2023 between 09h00 to 16h00**, upon payment of non-refundable deposit of **R500.00** per document or downloadable from Harry Gwala District Municipality Website www.harrygwalam.gov.za.

CLOSING DATE: 08 SEPTEMBER 2023 @ 12h00.

The closing date for the bidders in on **08 SEPTEMBER 2023 @ 12h00**. Bids must be enclosed in **SEALED ENVELOPES** and clearly labeled, "**PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS CONTRACT NO: 752/HGDM/2021**" on the outside of the envelopes addressed to **The Municipal Manager**.

Bids must be deposited in the Bid Box at the reception area of Harry Gwala District Municipality, 40 Main Street, Ixopo, before the closing date and time. Telegraphic, telexed or faxed bids will not be considered, and late bids will not be accepted.

Harry Gwala District Municipality does not bind itself to accept the lowest or any Bid and reserves the right to accept the whole or any part of the Bid.

BID ENQUIRIES:

All tender enquiries and all the matters shall be directed to the Executive Director: Corporate Services: **Mrs.TT.Thiyane-Magaqa** on 039 834 8705 during working hours.

.....

Mr. G.M. Sineke

Municipal Manager

TERMS OF REFERENCE

NAME OF THE PROJECT: PROVISION OF THE MAINTENANCE SERVICES FOR THE SERVER ROOM AND DATA CENTRE.

1. INTRODUCTION OF THE PROJECT

The Harry Gwala District Municipality has invested in the hardware and systems that require necessary protective maintenance services. It is important that in the event of any disaster occurrence, servers and network equipment are always protected.

The ICT Unit implemented controls for facilities containing data, information, and ICT assets, in accordance with the Municipality's assessment of risk: Issuing suitable access rights and related physical security credentials (Main Office Ixopo Server Room and Kokstad Site with proof of identity access biometrics).

The Harry Gwala District Municipality requires an outsourced support for maintaining essential environment controls used by the municipality on daily basis. The appointed Service Provider will be responsible to maintain all the server rooms' services and supply or replacement of ICT equipment where necessary. The contract will run for the period of three years (36 months).

2. AIM OF THE PROJECT

The aim of the project is to ensure the following:

1. Service Provider must maintain controls for facilities containing data and information, ICT assets, in accordance with the ICT Unit assessment of risk:
2. Protect power equipment and power cabling from damage and destruction.
3. Maintain and service a short-term uninterruptible power supply (UPS) to facilitate an orderly shutdown of critical information systems in the event of a primary power source loss.
4. Service and maintain fire detection and suppression devices/systems within the facility where the data, information and ICT assets reside, supported by an independent energy source.
5. Monitor and maintain within acceptable levels the temperature and humidity within the facility where data, information and ICT assets reside.
6. Transfer of skills to ICT Unit and training of ICT Unit employees when the need arises.

3. SCOPE OF WORK

The service provider will be required to provide maintenance services of the server room and data centre. The environmental control equipment is installed in both sites: server room (Ixopo Main office) and Data centre (Kokstad)

The server room (Ixopo Main Office) hosts all main servers (email server, file server, financial systems etc...) Core of network equipment (Telkom VPN routers, LAN

Switch, Firewall). The environmental equipment are as follows: Air Conditioners, Smoke detectors, Fire suppression with fire control panel, two (2) hour fire rated door, Panel of EATON 9155 Uninterruptable Power Supply (UPS), Fire Rated Door, Biometrics system access control unit (additional 3 biometrics access control unit in ICT Offices), Humidity temperature monitoring.

Data Centre (Kokstad) hosts server room for testing and implementation of DRP (Disaster Recovery Plan) and BCP (Business Continuity Plan). The environmental equipment are as follows: Biometrics Access Control Unit, Smoke detectors, 12000btu Carrier Air conditioners, 3Kva Axil RT Uninterruptable Power Supply (UPS), Fire rated door, Fire suppression with fire control panel.

- Installation of humidity temperature monitoring (Data Centre) of humidity temperature monitoring (Send real-time alerts)
- Installation of Video Camera Surveillance (Ixopo Main Office)
- Installation of Video Camera Surveillance (Data Centre)
- Installation of Biometrics Access System Control (Disaster Centre) linking with other devices at Ixopo Main Office & Data Centre.
- Inspection, supply, delivery, and installation of the equipment for both server room and data centre required.
- Both server room and data centre will be serviced once yearly and where necessary. Service is required on annual basis.

4. KEY DELIVERIES

1. Provision of maintenance services support
2. Supply of ICT Equipment
3. Supply of Software
4. Evidence of skill transfer

5. CONDITIONS OF THE CONTRACT

A three (3) year contract with service level agreement shall be signed with the appointed service provider covering the provision to maintain, supply, deliver and install the environmental equipment at the server room and data centre.

6. PROJECT TIMEFRAME

The project will be contracted over three-year period.

7. PROJECT BUDGET

The service provider shall be paid for service rendered and equipment supplied on presentation of original tax invoice.

8. EVALUATION CRITERIA

COMPLIANCE WITH THE PREFERENTIAL PROCUREMENT REGULATION, 2022. EVALUATION WILL BE DONE ON THE FOLLOWING STAGE PROCESS IN TERMS OF NATIONAL TREASURY CIRCULAR NO: 53:

Stage 1:

Assessment of Functionality. Only service providers who achieve a minimum of 60 points of the total available points will qualify for stage two of the Evaluation process. Functionality criteria is as follows:

Company Experience (50 points)

Certifications and Specialist Experience (50 points)

ITEM	Points allocation	Points Awarded	
STAGE 1 OF EVALUATION – FUNCTIONALITY			
Company with previous experience in the implementation of data centre /server room solutions.	Provide at least 8 or above referral letters/orders appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	50	50%
	Provide at least 5 to 7 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	30	
	Provide at least 1 to 4 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	20	
	Provide at least 0 referral letters/orders/ appointment letters on the letterhead of the institutions, including contact details from the within the last 5 years.	0	
Specialist Experience & Qualifications	Specialist with 5 years or more experience and the following Qualifications: <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) Compulsory: Specialist MUST submit CV, with Certified Certifications.	15	15%

	<p>Specialist with 3 to 4 years' experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	10	
	<p>Specialist with 1 to 2 years' experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	5	
	<p>Specialist with 0-year experience and the following Qualifications:</p> <ul style="list-style-type: none"> Specialist within the Server Room Environments team (Data Centre Design) <p>Compulsory: Specialist MUST submit CV, with Certified Certifications.</p>	0	
Project Manager Qualifications	<p>Project Manager Qualification:</p> <ul style="list-style-type: none"> Fire Detection Certificate <p>Compulsory: Project Manager must submit certified copy of Fire Detection or Fire Protection Inspector Certificate</p>	10	10%
	<p>None submission of Project Manager Qualification:</p> <ul style="list-style-type: none"> Fire Detection Certificate 	0	
Certificate Accreditation	<p>Certificate accreditation (Must be certified by an authorized certifying officer): Company must be registered with the SANS for safety standards</p>	25	25 %
	<p>None submission of the Registered SANS certification</p>	0	
<p><i>CV's, letters of recommendation and copies of certified certificates must be attached to claim the points</i></p>			
<p>NB* Installation cost and data transfers cost must be included in the bid.</p>			

Stage 2:

PRICE AND PREFERENTIAL POINTS

The 80/20 preferential point system will be applied, where 80 points will be allocated for price and 20 points for specific goals that is on **Ownership and RDP Goals**. Bidders must submit the required documentation to claim preference points.

Specific Goals	Weight	80/20 PP	Verification
Ownership Goals			
1. Youth Development (Below 35 Years) Youth ownership \geq 51% Black	25%	5	ID Copies: Directors Co. Registration CSD Shareholders Certificate
2. Youth Development (Below 35 Years) Youth ownership <51% Black		3	ID Copies: Directors Co. Registration CSD Shareholders Certificate
RDP Goals			
1.The promotion of South African owned enterprises	50%	10	ID Copies: Directors Co. Registration CSD
If not South African owned enterprises		0	
2. SMME Development (EME and QSE)	25%	5	Sworn-Affidavit - QSE/EME General and Bank Confirmation Letter
If not SMME Development (EME and QSE)		0	

9. BILL OF QUANTITIES

MAINTENANCE EQUIPMENT			
Description	Rate	Unit Price	Total Price
<p>Maintenance</p> <p>The server room hosts all main servers (email server, file server, financial systems etc...). Core of network equipment (Telkom VPN routers, LAN Switch, Firewall)</p> <ul style="list-style-type: none"> • Air Conditioners. • Smoke detectors. • Fire suppression with fire control panel. • Two (2) hour fire rated door. • Panel of EATON 9155 Uninterruptable Power Supply (UPS). • Biometrics system access control unit (additional biometrics access control unit in ICT Offices). • Humidity temperature and sensor monitoring. 	p/h		
<p>Maintenance</p> <p>Data Centre (Kokstad) hosts server room for testing and implementation of DRP and BCP.</p> <ul style="list-style-type: none"> • Biometrics Access Control Unit. • 12000btu Carrier Air conditioners. • 3Kva Axil RT Uninterruptable Power Supply (UPS). • Fire rated door. • Fire suppression with fire control panel. 	p/h		
<p>Supply and Installation or Replacement</p> <p>The server room hosts all main servers (email server, file server, financial systems etc...). Core of network equipment (Telkom VPN routers, LAN Switch, Firewall)</p> <ul style="list-style-type: none"> • Air conditioners • Smoke detectors. • Fire suppression with fire control panel. • Two (2) hour fire rated door. • Panel of EATON 9155 Uninterruptable Power Supply (UPS). 		Each	

<ul style="list-style-type: none"> • Biometrics system access control unit (additional biometrics access control unit in ICT Offices). • Humidity temperature and sensor monitoring. 			
<p>Supply and Installation or Replacement Data Centre (Kokstad) hosts server room for testing and implementation of DRP and BCP.</p> <ul style="list-style-type: none"> • Biometrics Access Control Unit. • 12000btu Carrier Air conditioners. • 3Kva Axil RT Uninterruptable Power Supply (UPS). • Fire rated door. • Fire suppression with fire control panel. 		Each	
<p>New installation</p> <ul style="list-style-type: none"> • New installation of humidity temperature monitoring (Sending real-time alerts) • Video Camera Surveillance (Kokstad) • Video Camera Surveillance (Data Centre) • Biometrics access control unit (Disaster Centre) linking with other devices at Ixopo Main Office & Data Centre. • Inspection, supply, delivery and installation of the server room and data centre equipment required. 		Each	
Labour	p/h		
Travelling	p/km		
Installation			
Accommodation (If Applicable)			
Total Ex VAT			
VAT			
Total			

10. CONDITIONS OF BID

1. I/We hereby bid to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to the Harry Gwala District Municipality Administration (hereinafter called the "Harry Gwala district Municipality") on the terms and conditions and be in accordance with the specifications stipulated in the bid documents (and which shall be taken as part of and be incorporated in this bid) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
2. I/We agree that:

- a) the offer herein shall remain binding upon me and open for acceptance by the Municipality during the validity period indicated and calculated from the closing time of the bid.
- b) this bid and its acceptance shall be subject to treasury regulations 16A issued in terms of the Municipal Finance Management Act, 2003, the Harry Gwala District Municipality Supply Chain Management Policy Framework, with which I/We are fully acquainted;
- c) if I/We withdraw my bid within the period to which I/We agreed that the bid shall remain open for acceptance or fail to fulfil the contract when called upon to do so, the Municipality without prejudice to its other rights, agree to the withdrawal of my bid, or cancel the contract that may have been entered into between me and the Municipality. I/We then pay to the Municipality any additional expenses incurred by the Municipality having either to accept any less favorable bid or, fresh bids have to be invited, the additional expenditure incurred by the invitation of fresh bid and by the subsequent acceptance of any less favorable bid. The Municipality shall have the right to recover such additional expenses by set-off against monies which may be due to me under this or any other bid or contract or against any guarantee or deposit that may have been furnished by me or on my behalf for the due fulfilment of this or any other bid or contract and pending the ascertainment of the amount of such additional expenditure to retain such monies, guarantee or deposit as security for any loss the Municipality may sustain by reason of my default;
- d) if my bid is accepted the acceptance may be communicated to me by a registered post, and that the South African Post Office shall be treated as delivery agent to me.
- e) the law of the Republic of South Africa shall govern the contract created by the acceptance of my bid and I choose domicilium citandi et executandi in the Republic at (full physical address);

.....

- 3. I/We furthermore confirm that I/We have satisfied myself as to the correctness and validity of my bid: that the price(s), rate(s) and preference quoted cover all the work/item(s) and my obligations under a resulting contract, and I accept that any mistakes regarding the price(s) and calculations will be at my risk.
- 4. I/We hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement, as the Principal (s) liable for the due fulfilment of this contract.
- 5. I/We agree that any action arising from this contract may in all respects be instated against me and I/We hereby undertake to satisfy fully any sentence or judgement which may be pronounced against me as a result of such action.
- 6. I/We confirm that I/We have declared all and any interest that I or any persons related to my business has with regard to this bid or any related bids by completion of the Declaration of Interest Section.

CERTIFICATION OF CORRECTNESS ON INFORMATION SUPPLIED IN THIS DOCUMENT

I/We, THE UNDERSIGNED, WHO WARRANT THAT I AM DULY AUTHORISED TO DO SO ON BEHALF OF THE BIDDER, CERTIFY THAT INFORMATION SUPPLIED IN TERMS OF THIS DOCUMENT IS CORRECT AND TRUE, THAT THE SIGNATORY TO THIS DOCUMENT IS DULY AUTHORISED AND ACKNOWLEDGE THAT:

- (1) The bidder will furnish document proof regarding any quote issue to the satisfaction of the municipality, if requested to do so.
- (2) if the information supplied is found to be incorrect and/or false then the Municipality, in addition to any remedies it may have, may: -
 - (a) Recover from the supplier all costs, losses or damages incurred or sustained by the Municipality as a result of the award of the contract, and/or
 - (b) Cancel the contract and claim any damages which the Municipality may suffer by having to make less favorable arrangements after such cancellation.

SIGNED ON THIS.....DAY OF.....20.....AT.....

**SIGNATURE OF THE SUPPLIER OR DULY NAME IN BLOCK LETTERS
AUTHORISED REPRESENTATIVE ON BEHALF OF (BIDDERS
NAME)**

CAPACITY OF SIGNATORY.....

NAME OF CONTACT PERSON (IN BLOCK LETTERS, PLEASE)

.....

POSTAL ADDRESS.....

TELEPHONE NUMBER:.....

FAX NUMBER:.....

CELULLAR PHONE NUMBER:.....

E-MAIL ADDRESS:.....

SPECIAL INSTRUCTIONS AND NOTICES TO SUPPLIERS REGARDING THE COMPLETION OF BID FORMS

PLEASE NOTE THAT THIS BID IS SUBJECT TO TREASURY REGULATIONS 16A ISSUED IN TERMS OF THE MUNICIPAL FINANCE MANAGEMENT ACT, 2003, THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLY CHAIN MANAGEMENT POLICY FRAMEWORK.

1. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and vice versa and with words importing the masculine gender shall include the feminine and the neuter.
2. Under no circumstances whatsoever may the bid forms be retyped or redrafted. Photocopies of the original bid documentation may be used, but an original signature must appear on such photocopies.
3. The supplier is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
4. Bids submitted must be complete in all respects.
5. Bids shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the bid documents.
6. Each bid shall be addressed in accordance with the directives in the bid documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the bid number and closing date indicated on the envelope. The envelope shall not contain documents relating to any bid other than that shown on the envelope. If this provision is not complied with, such bids may be rejected as being invalid.
7. All bids received in sealed envelopes with the relevant bid numbers on the envelopes are kept unopened in safe custody until the closing time of the bids. Where, however, a bid is received open, it shall be sealed. If it is received without a bid number on the envelope, it shall be opened, the bid number ascertained, the envelope sealed and the bid number written on the envelope.
8. A specific box is provided for the receipt of bids, and no bid found in any other box or elsewhere subsequent to the closing date and time of bid will be considered.
9. No bid sent through the post will be considered if it is received after the closing date and time stipulated in the bid documentation, and proof of posting will not be accepted as proof of delivery.
10. No bid submitted by telefax, telegraphic or other electronic means will be considered.
11. Bid documents must not be included in packages containing samples. Such bids may be rejected as being invalid.
12. Any alteration made by the supplier must be initialled, otherwise it will be disqualified.
13. Use of correcting fluid is prohibited and will be disqualified.

14. Bids will be opened in public as soon as practicable after the closing time of bid.
15. Where practical, prices are made public at the time of opening bids.
16. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.

DECLARATION THAT INFORMATION ON HARRY GWALA DISTRICT MUNICIPALITY SUPPLIER DATABASE IS CORRECT AND UP TO DATE
 (To be completed by bidder)

THIS IS TO CERTIFY THAT I (name of bidder/authorised representative)

....., WHO REPRESENTS (state name
 Of bidder)

IAM AWARE OF THE CONTENTS OF THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIER DATABASE WITH RESPECT TO THE SUPPLIER'S DETAILS AND REGISTRATION INFORMATION, AND THAT THE SAID INFORMATION IS CORRECT AND UP TO DATE AS ON THE DATE OF SUBMITTING THIS BID.

AND I AM AWARE THAT INCORRECT OR OUTDATED INFORMATION MAY BE A CAUSE FOR DISQUALIFICATION OF THIS BID FROM THE EVALUATION PROCESS, AND/OR POSSIBLE CANCELLATION OF THE CONTRACT THAT MAY BE AWARDED ON THE BASIS OF THIS BID.

.....
 SIGNATURE OF BIDDER OR AUTHORISED REPRESENTATIVE

.....
 DATE:

REGISTRATION ON THE HARRY GWALA DISTRICT MUNICIPALITY SUPPLIERS DATABASE AND THE CENTRAL SUPPLIER DATABASE

1. In terms of the Harry District Municipality Supply Chain Management Policy Framework, all suppliers of goods and services to the Municipality are required to register on the Suppliers Database.
2. If you wish to apply for registration, forms may be downloaded from the website, **<http://www.harrygwala.gov.za>**, or obtained by collecting it in the offices of the Municipality (SCM).
3. If a business is registered on the Database and it is found subsequently that false or incorrect information has been supplied, then the Municipality may, without prejudice to any other legal rights or remedies it may have;
 - 3.1 De-register the supplier from the Database,
 - 3.2 Cancel a Bid or a contract awarded to such supplier, and the supplier would become liable for any damages if a less favourable quotation is accepted or less favourable arrangements are made.
4. **The same principles as set out in paragraph 3 above are applicable should the supplier fail to request updating of its information on the Suppliers Database, relating to changed particulars or circumstances.**
5. Application for registration must be submitted to the Harry Gwala office at Harry Gwala District Municipality. IF THE SUPPLIER IS NOT REGISTERED AT THE CLOSING TIME OF BID, THE SUPPLIER IS REQUIRED TO SUBMIT A COPY OF THE REGISTRATION APPLICATION FORM, TOGETHER WITH THE BID DOCUMENTATION, TO THE RESPECTIVE DEPARTMENT INVITING BIDS.
6. The supplier/vendor/service provider must be registered on the Central Supplier Database (CSD)

A) TAX COMPLIANCE STATUS (TCS) SYSTEM REQUIREMENTS

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

To verify your tax compliance status on eFiling, the person or entity will require your tax reference number and PIN number.

TAX REFERENCE NUMBER _____

PIN NUMBER _____

Visit www.sars.gov.za for process to verify TCS PIN.

What is the Tax Compliance Status system?

1. Tax Compliance Status (TCS) replaced the Tax Clearance Certificate system which was previously used by SARS.
2. The new TCS system allows you to obtain a TCS PIN in real-time, instead of a manual Tax Certificate.

What do I need to be tax compliant?

To be tax compliant, you should make sure that:

1. You are registered for all required tax types
2. You submit all your tax returns on time.
3. Pay all your tax debt on time

How to obtain a TCS PIN via eFiling?

Make sure you have Adobe Flash installed and enabled on your computer or laptop. Visit www.adobe.com to download.

1. Logon to eFiling
If you are not yet an eFiler, register at www.sarsefiling.co.za.
You need to be registered for eFiling and have one tax type activated on your eFiling profile, in order to activate the TCS service.
2. Activate your TCS service
You only need to activate your Tax Compliance Status once, and it will remain active. Once you have activated the service, you will see the "My Compliance Profile" on the screen.

If you are registered for more than one tax type and you have not yet merged the tax types into one registered profile, it is recommended that you complete the "Merge Entities" function to see a compliance profile of all taxes.

3. View your "My Compliance Profile"

Your compliance status will be displayed against the following compliance requirements:

- Registration status
- Submission of returns
- Debt
- Relevant supporting documents.

A colour-coded profile will appear to indicate whether you are tax compliant for each compliance requirement listed above.

Green - Your tax matters are in order and the taxpayer is tax compliant.

Red - Your tax matters are not in order and the taxpayer is not tax compliant.

4. Request PIN on eFiling To request a PIN go to "My Compliance Profile":

- Select the Tax Compliance Status Request option
- Select the type of TCS for which you would like to apply.

You will have the following options:

- » Good standing
 - » Tender
 - » Foreign Investment Allowance (Individuals only)
 - » Emigration (Individuals only)
- Complete the Tax Compliance Status Request and submit it to SARS.

DECLARATION OF INTEREST

MBD 4

- 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 the service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3. To give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his / her representative:

3.2 Identity number:_____

3.3 Position occupied in the Company (director, trustee, shareholder²)

3.4 Company Registration Number: _____

3.5 Tax Reference Number: _____

3.6 VAT Registration Number: _____

3.7 The names of all directors / trustees / shareholders / members, their individual identity numbers and state employee numbers (where applicable) must be indicated in paragraph 4 below.

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

3.8.1 If yes, furnish particulars.

.....
.....

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

3.9.1 If so, furnish particulars.

.....

.....

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

3.10.1 If so, state particulars.

.....

.....

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

3.11.1 If so, state particulars.

.....

.....

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

3.12.1 If so, state particulars.

.....

.....

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

3.13.1 If so, furnish particulars.

.....

.....

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

3.14.1 If so, furnish particulars.

.....

.....

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

THE FOLLOWING INFORMATION IS COMPULSORY TO COMPLETE:

Full Name	Identity Number	Individual Tax Number for each Director	State Employee Number (Where applicable)

.....
Signature

.....
Date

.....
Capacity

.....
Name of bidder

¹MSCM Regulations: “in the service of the state” means to be -

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the National Assembly or the National Council of Provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official or 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 entity; or
- (f) an employee of Parliament or a provincial legislature.

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

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

a) The applicable preference point system for this tender is the 80/20 preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

(a) **"tender"** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation.

(b) **"price"** means an amount of money tendered for goods or services and includes all applicable taxes less all unconditional discounts.

(c) **"Rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes.

(d) **"tender for income-generating contracts"** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) **"The Act"** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$\begin{array}{ccc} \mathbf{80/20} & \text{or} & \mathbf{90/10} \\ P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \end{array}$$

Where

P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{\min} = Price of lowest acceptable tender

DECLARATION WITH REGARDS TO THE COMPANY/FIRM

4.3. Name of company/firm :

4.4. Company registration number :

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Non-Profit Company
- Personal Liability Company
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

4.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

4.7 MUNICIPAL INFORMATION

Municipality where business is situated

Registered Account Number

Stand Number

4.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?

.....

4.9 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 preferential points indicated in page 5, 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 preferential points claimed as shown in page5, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

.....
SIGNATURE(S) OF BIDDER(S)

.....
DATE

MBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

**PROVISION OF THE SERVER ROOM AND DATA CENTRE MAINTENANCE SERVICES
-CONTRACT NO: 752/HGDM/2021**

in response to the invitation for the bid made by:

HARRY GWALA DISTRICT MUNICIPALITY

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

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

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

MBD9

- 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.
- 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

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

FORM OF OFFER AND ACCEPTANCE

<p>NAME OF BIDDER (ORGANISATION):</p> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>

A. OFFER

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

BID NO: 752/HGDM/2021

The Bidder, identified in the Offer signature block below, by submitting this Offer has accepted the Conditions of Tender.

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

The offered total of the prices carried forward from the Summary of the Bill of Quantities is:

<p>R..... <i>figures</i>)</p>	(in	<table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <tr> <td style="padding: 2px 5px;">*including VAT</td> <td style="width: 30px; height: 20px;"></td> </tr> <tr> <td style="padding: 2px 5px;">*excluding VAT</td> <td style="width: 30px; height: 20px;"></td> </tr> </table>	*including VAT		*excluding VAT	
*including VAT						
*excluding VAT						
		<i>* tick relevant box</i>				

Amount in words

.....

<p>Are the prices / rates quoted firm? Yes/No:</p>	<p>Is the delivery period stated firm? Yes/No:</p>
<p>Name: <i>(of person authorised to sign the bid)</i></p>	<p>Signature:</p>
<p>Name of Witness:</p>	<p>Signature of Witness:</p>
<p>Date:</p>	<p><i>Failure of a Bidder to sign this form will invalidate the bid</i></p>
<p>Address of Organisation:</p> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>	
<p>Telephone No. _____ Fax No. _____</p>	

B. ACCEPTANCE

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

Name: <i>(of person authorised to sign the bid)</i>	Signature:
Capacity:	Date:
Name of Witness:	Signature of Witness:
Name and Address of Employer: _____ _____ _____ _____	

AUTHORITY TO SIGN A BID

A. CLOSE CORPORATION

In 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 the resolution by its members authorising a member or other official of the corporation to sign the documents on their behalf.

By resolution of members at a meeting on 20..... at

Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of Close Corporation)

SIGNED ON BEHALF OF CLOSE CORPORATION:
(PRINT NAME)

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

SIGNATURE OF SIGNATORY:

WITNESSES: 1

2

B. SOLE PROPRIETOR (ONE - PERSON BUSINESS)

I, the undersigned..... hereby confirm that I am the sole owner of the business trading as.....

.....

.....
SIGNATURE

.....
DATE

C. COMPANIES

If a Bidder is a company, a certified copy of the resolution by the board of directors, personally signed by the chairperson of the board, authorising the person who 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 and/or contract on behalf of the company must be submitted with this bid, that is before the closing time and date of the bid.

AUTHORITY BY BOARD OF DIRECTORS

By resolution passed by the Board of Directors on.....20.....,

Mr/Mrs..... (whose signature appears below) has been duly authorised to sign all documents in connection with this bid on behalf of (Name of Company)

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF COMPANY:
(PRINT NAME)

SIGNATURE OF SIGNATORY: **DATE:**

WITNESSES: 1
2

D. 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 authorise to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and /or contract.

.....
SIGNATURE

.....
SIGNATURE

.....
DATE

.....
DATE

E CO-OPERATIVE

A certified copy of the Constitution of the co-operative must be included with the bid, together with the resolution by its members authoring a member or other official of the co-operative to sign the bid documents on their behalf.

By resolution of members at a meeting on 20..... at

Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of cooperative)

.....
SIGNATURE OF AUTHORISED REPRESENTATIVE/SIGNATORY:

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

DATE:

SIGNED ON BEHALF OF CO-OPERATIVE:

NAME IN BLOCK LETTERS:

WITNESSES: 1
 2

CERTIFICATE FOR MUNICIPAL SERVICES

Information required in terms of the Harry Gwala District Municipality’s Supply Chain Management Policy. Latest municipal services account statement must be attached.

<p>Tender Number: 752/HGDM/2021</p> <p>Name of the Tenderer:</p> <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/>

FURTHER DETAILS OF THE BIDDER/S: Proprietor / Director(s) / Partners, etc:

Physical Business address of the Bidder	Municipal Account Number(s)

If there is not enough space for all the names, please attach the additional details to the Tender document.

Name of Director / Member / Partner	Identity Number	Physical residential address of Director / Member / Partner	Municipal Account number(s)

I, _____, the undersigned, (full name in block letters) certify that the information furnished on this declaration form is correct and that I/we have no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days.

Signature

THUS DONE AND SIGNED for and on behalf of the Bidder / Contractor

at _____ on the _____ day of _____ 2023

Please note: Even if the requested information is not applicable to the Bidder, the table above should be endorsed NOT APPLICABLE and THIS DECLARATION MUST STILL BE SIGNED

CONTRACT DATA PROVIDED BY EMPLOYER

CONTRACT DATA (Applicable to this contract)

PART A: DATA PROVIDED BY THE EMPLOYER

The following contract specific data are applicable to this contract.

REFERENCE	CONTRACT SPECIFIC DATA PROVIDED BY THE EMPLOYER		
Clause 1.1.14:	Name of Employer: The Municipality of Harry Gwala District represented by Accounting Officer of Municipality: Municipal Manager.		
Clause 1.2.2:	Address of Employer: <table><tr><td><u>Physical:</u> 40 Main Street Ixopo 3276</td><td><u>Postal:</u> Private Bag X 501 Ixopo 3276</td></tr></table> Email address: kunenes@harrygwaladm.gov.za Telephone No: (039) 834 8700 Fax No: (039) 834 1701	<u>Physical:</u> 40 Main Street Ixopo 3276	<u>Postal:</u> Private Bag X 501 Ixopo 3276
<u>Physical:</u> 40 Main Street Ixopo 3276	<u>Postal:</u> Private Bag X 501 Ixopo 3276		
Clause 1.1.15:	Name of Project Manager: Mr. S.P.T Mngadi		