PLEASE ATTACHED ORIGINAL PURCHASE SLIP TO THE BID DOCUMENT (WHEN PURCHASED FROM THE MUNICIPALITY)

Ga-Segonyana Local Municipality

Invitation to Bid

Bid No: 13/2019-20

SUPPLY AND DELIVERY OF PROTECTIVE CLOTHING 2019-20

Bidder _____

_____

Address : _____

_____

Contact Numbers _____

Amount (PART A) _____(Vat Inc)

Amount (PART B) _____(Vat Inc)

TOTAL BID AMOUNT _____**(Vat Inc)**

Issued by:

Ga-Segonyana Local Municipality
Private Bag X1522
Cnr Voortrekker & School Street
KURUMAN
8460
053 712 9300 (Tel)
053 712 3584 (Fax)

Closing Date : 24 January 2020
Time : 12H00

Ga-Segonyana Local Municipality
Bid No: 13/2019-20
Supply and Delivery of Protective Clothing 2019-20

Supplier Checklist

No.	Document Type	Tick √
01	Cover page	
02	Advert	
03	MBD 1 Form	
04	MBD 3 Form	
05	MBD 4 Form	
06	MBD 6 Form (Both 6.1 and 6.2)	
07	MBD 7 Form	
08	MBD 8 Form	
09	MBD 9 Form	
10	General and Special Condition of a Contract	
11	Preferential Procurement Policy Framework Act	
12	B-BBEE Status Level Certificate	
13	Business Profile	
14	Tax Compliance Status (**TCS** – with a pin)	
15	Company Registration Document	
16	CSD Registration Report	
17	Proof of Registration with Licenses relevant to the industry (**Where applicable**)	
18	Certified Copy of Identity Documents (**Directors**)	
19	Joint Venture Agreement (**If Bidder is a Joint Venture**)	

Ga-Segonyana Local Municipality

INVITATION TO BID

Bid No: 13/2019-20

Supply and Delivery of Protective Clothing 2019-20

ADVERT

GA-SEGONYANA
MUNICIPALITY

Private Bag X1522
Kuruman
8460
www.ga-segonyana.gov.za

INVITATION TO BID
BID NO: 13/2019-20

SUPPLY AND DELIVERY OF PROTECTIVE CLOTHING 2019-20

Bids in the form of **QUOTATION** in the Official Company's Letter head are hereby invited from prospective suppliers with requisite capacity to provide the Municipality with the following Goods and/ or Service.

Specifications

Price List must include **but not limited** the following:

PART A

Description	Qty
Overalls	523 (Different Sizes, see detailed specification on the Bid Document)
Overalls	62 (Fire Retardant)
Denim Overall	01 (see detailed specification on the Bid Document)
Safety Boots	253 (see detailed specification on the Bid Document)
Velskoen	62 (see detailed specification on the Bid Document)
T-Shirt	38 (see detailed specification on the Bid Document)
Shirt	5 (Short Sleeve) 5 (Long Sleeve)
Rain Coat	250
Winter Jacket	300
Reflective Jacket	219

PART B

Combat Trousers	34 (Different Sizes, see detailed specification on the Bid Document)
Leather Belt	16 (Different Sizes, see detailed specification on the Bid Document)
Kenny Jacket	06 (Different Sizes, see detailed specification on the Bid Document)
Panthera Jacket	11 (Different Sizes, see detailed specification on the Bid Document)
Parabellum Shoes	16 (Different Sizes, see detailed specification on the Bid Document)
Rain Coat	17

BIDS MUST MEET THE MINIMUM THRESHOLD OF 100% LOCAL CONTENT. A CERTIFICATE IN CONNECTION WITH THIS REQUIREMENT MUST BE ATTACHED TO BID.

Bids clearly marked **"Bid No: 13/2019-20 "Supply and Delivery of Protective Clothing 2019-20"** must be placed in the bid box of the Municipality by no later than the **24 January 2020** at **12H00**. The lowest or any bidder will not necessarily be accepted and Council reserves the right to consider any other Bid not suitably endorsed or comprehensively completed, as well as the right to accept a bid in whole or in part.

Bid will be evaluated and adjudicated in terms of the Municipality's Supply Chain Management Policy and other statutory Regulations governing the Supply Chain of the Municipality. Bids will be evaluated on the **80/20** Points basis, where **80** points will be allocated to price and **20** points allocated to Preferential Points.

Tax Compliance Status (with pin) Certificate must be included in the Bidder's submission. Bidders must be registered on the Central Supplier Database for Government (CSD).

For **Preferential Points** bidder(s) must attach a **B-BBEE Status level Contribution Certificate** issued by agencies authorised by **SANAS,** or Accountant Letter issued by **IRBA Approved BEE Auditors** or a **Sworn Affidavit ((Commission of Oath).** Failure to attach, **NO** preference points will be allocated. CSD certificate **WILL NOT** be used for the purpose of evaluating preference points. **MFMA Circular 81**

For Technical enquiries please contact **Mr. O. Gaetsewe on 053 712 9364** and SCM enquiries can be directed to **Mr. B. Sechogela on 053 712 9344** during working hours.

Mr. M. M. TSATSIMPE
MUNICIPAL MANAGER

Cnr Voortrekker & School Street
Municipal Building
KURUMAN
8460

Ga-Segonyana Local Municipality

INVITATION TO BID

Bid No: 13/2019-20

Supply and Delivery of Protective Clothing 2019-20

MBD 1

GA-SEGONYANA LOCAL MUNICIPALITY
MBD 1

PART A

RE - INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (GA-SEGONYANA LOCAL MUNICIPALITY)					
BID NUMBER:	**13/2019-20**	CLOSING DATE:	**24 JANUARY 2020**	CLOSING TIME:	**12H00**
DESCRIPTION	**SUPPLY AND DELIVERY OF PROTECTIVE CLOTHING 2019-20**				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					

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

Ga-Segonyana Local Municipality Main Building
Cnr Voortrekker and School Street
Kuruman
8460

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE			NUMBER	
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE			NUMBER	
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		**OR**	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		☐ Yes ☐ No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					

ARE YOU THE ACCREDITED REPRESENTATIVE **IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?**	☐Yes ☐No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES /WORKS OFFERED?**	☐Yes ☐No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		**TOTAL BID PRICE**	**R**
SIGNATURE OF BIDDER	.....	**DATE**	
CAPACITY UNDER WHICH THIS BID IS SIGNED			

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		**TECHNICAL INFORMATION MAY BE DIRECTED TO:**	
DEPARTMENT	Finance	CONTACT PERSON	Obakeng Gaetsewe
CONTACT PERSON	Boitumelo Sechogela	TELEPHONE NUMBER	053 712 9364
TELEPHONE NUMBER	053 712 9344	FACSIMILE NUMBER	053 712 3581
FACSIMILE NUMBER	053 712 3518	E-MAIL ADDRESS	
E-MAIL ADDRESS			

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS **WILL NOT BE** ACCEPTED FOR CONSIDERATION.

1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE**

1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

2.2 **BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.**

2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.

2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.

2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO

3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO

3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO

3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.

SIGNATURE OF BIDDER: .....

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

DATE: .....

Ga-Segonyana Local Municipality

INVITATION TO BID

Bid No: 13/2019-20

Supply and Delivery of Protective Clothing 2019-20

MBD 3.1

PRICING SCHEDULE – FIRM PRICES (PURCHASES)

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

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

Name of Bidder.....	Bid Number: 13/2019-20
Closing Time: 12H00	Closing Date: 24 January 2020

OFFER TO BE VALID FOR **90 DAYS** FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY (INCLUDING VAT)
01	523	Overall (Trouser)	R
02	523	Overall (Top)	R
03	62	Overall (Flame Retardant Trouser)	R
04	62	Overall (Flame Retardant Top)	R
05	01	Denim Overall (Trouser)	R
06	01	Denim Overall (Top)	R
07	01	Multi Pockets Trouser	R
08	03	Chino	R
09	253	Safety Shoes	R
10	62	Velskoen	R
11	03	Chelsea Boots	R
12	03	Maluti Boots	R
13	38	T-Shirts	R
14	05	Shirt (Short Sleeve)	R
15	06	Shirt (Short Sleeve)	R
16	250	Rain Coat	R

17	293	Winter Jacket	R
18	07	Soft-shell Jacket	R
19	219	Reflective Vest	R
20	20	Cap	R
21	03	Hat	R
		(PART A) SUB TOTAL	**R**

PART B (TRAFFIC UNIFORM)

22	34	Combat Trouser	R
23	16	Leather Belt	R
24	06	Kenny Jacket	R
25	11	Panthera Jacket	R
26	06	Parabellum Shoes	R
27	17	Rain Coat	R
28	34	Short Sleeve Shirt	R
29	34	Long Sleeve Shirt	R
30	64	Socks	R
31	19	Reflective Jacket	R
32	19	Jersey	R
33	18	Pullover Jersey	R
34	35	Baseball/ Golf Caps	R
35	14	Magnum Trouser	R
36	02	Magnum Viper Pro 8 Boot	R
37	04	Green Cross Shoes	R
38	12	Black Court Shoes	R
39	10	Stepout Trouser	R
40	01	Ladies Ties	R
41	02	Magnum Cap	R
42	07	Ladies Skirt	R
43	03	Ladies Bow Tie	R

44	09	Ladies Hat	R
45	02	Ladies Trouser	R
46	20	Beanie + Logo	R
47	20	High Visibility Headgear	R
48	21	White Gloves (10 Small, 11 Large)	R
49	02	Superintendent Metal Ranking Insignia	R
50	10	GR1 Metal Rank – Traffic Officer	R
51	26	GR3 Plain EPPS Rubber - Traffic Officer	R
52	40	ARM Badges	R
53	20	Traffic Stars	R
		(PART B)SUB TOTAL	**R**
		(PART A + PART B)TOTAL	**R**

- Required by: .....
- At: .....

  .....
- Brand and Model .....
- Country of Origin .....
- Does offer comply with specification? YES/NO
- If not to specification, indicate deviation(s) .....
- Period required for delivery .....
  Delivery: Firm/not firm
- Delivery basis (all delivery costs must be included in the bid price) .....

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

THE BIDDER IS REQUESTED TO PROVIDE A QUOTATION FOR THE ABOVE-MENTIONED PRODUCTS IN THE COMPANY'S LETTER HEAD VALID FOR A PERIOD OF ONE YEAR. THIS IS MUST BE DONE SEPARATELY FROM THE MBD 3.1. AND THIS DOES NOT WAVE AWAY THE RESPONSIBILITY TO PROVIDE PRICES FOR THE ABOVE-MENTIONED PRODUCTS.

Ga-Segonyana Local Municipality

INVITATION TO BID

Bid No: 13/2019-20

Supply and Delivery of Protective Clothing 2019-20

MBD 4

GA-SEGONYANA MUNICIPALITY
DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state[1].

2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

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

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

3.2 Identity Number: .....

3.3 Position occupied in the Company (director, trustee, shareholder[2]):.....

3.4 Company Registration Number: .....

3.5 Tax Reference Number:.....

3.6 VAT Registration Number: .....

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

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

3.8.1 If yes, furnish particulars.....

.....

[1]MSCM Regulations: "in the service of the state" means to be –
(a) a member of –
  (i) any municipal council;
  (ii) any provincial legislature; or
  (iii) the national Assembly or the national Council of provinces;

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

[2] Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

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

3.9.1 If yes, furnish particulars.....

.....

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?.....

YES / NO

3.10.1 If yes, furnish particulars.

.....

.....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?

YES / NO

3.11.1 If yes, furnish particulars

.....

.....

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

3.12.1. If yes, furnish particulars.

.....

.....

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

3.13.1 If yes, furnish particulars.

.....

.....

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

3.14.1 If yes, furnish particulars:

.....

.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Bidder/ Company Name

Ga-Segonyana Local Municipality

INVITATION TO BID

Bid No: 13/2019-20

Supply and Delivery of Protective Clothing 2019-20

MBD 6.1

MBD 6.1

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

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

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

---

1. GENERAL CONDITIONS

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

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

1.2

a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the ..... preference point system shall be applicable; or

b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

(a) Price; and

(b) B-BBEE Status Level of Contributor.

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

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

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

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

2. DEFINITIONS

(a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

(b) "**B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

(d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

(e) **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(f) **"functionality"** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.

(g) **"prices"** includes all applicable taxes less all unconditional discounts;

(h) **"proof of B-BBEE status level of contributor"** means:

1) B-BBEE Status level certificate issued by an authorized body or person;

2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;

3) Any other requirement prescribed in terms of the B-BBEE Act;

(i) **"QSE"** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

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

3. POINTS AWARDED FOR PRICE

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

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

80/20 **or** **90/10**

$$Ps = 80\left(1 - \frac{Pt - P\min}{P\min}\right) \quad \text{or} \quad Ps = 90\left(1 - \frac{Pt - P\min}{P\min}\right)$$

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

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

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

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

5. BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: . = ...(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(***Tick applicable box***)

YES		NO	

7.1.1 If yes, indicate:

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

ii) The name of the sub-contractor.....

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

iv) Whether the sub-contractor is an EME or QSE
(Tick applicable box)

YES		NO	

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

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		

Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

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

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....
.....
.....
.....

8.6 COMPANY CLASSIFICATION

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

[*TICK APPLICABLE BOX*]

8.7 **MUNICIPAL INFORMATION**

Municipality where business is situated: .....

Registered Account Number: .....

Stand Number:.....

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

8.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

i) The information furnished is true and correct;

ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

(a) disqualify the person from the bidding process;

(b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

(c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

(d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

(e) forward the matter for criminal prosecution.

WITNESSES	…… SIGNATURE(S) OF BIDDERS(S)
1. ……	DATE: ……
2. ……	ADDRESS ……
	……
	……

Ga-Segonyana Local Municipality

INVITATION TO BID

Bid No: 13/2019-20

Supply and Delivery of Protective Clothing 2019-20

MBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

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

1. General Conditions

1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.

1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.

1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.

1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.

1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

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

Where
x is the imported content in Rand
y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on http:/www.thedti.gov.za/industrial development/ip.jsp at no cost.

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

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

Description of services, works or goods	Stipulated minimum threshold
PART A	
Overall Trouser	100%
Overall Top/ Jacket	100%
Overall Trouser (Flame Retardant)	100%
Overall Top / jacket (Flame Retardant)	100%
Denim Indingo Overall (Trouser)	100%
Denim Indingo Overall (Top/ Jacket)	100%
Cargo Trouser (Multi Pocket)	100%
Chinos (Legendary)	100%
Safety Shoes	100%
Safety Shoes (Velskoen)	100%
Safety Shoes (Legendary Chelsea Boot)	100%
Safety Shoes (Maluti Boots)	100%
T- Shirt (Golf)	100%
Shirt (Two Tone Short Sleeve (Legendary)	100%
Shirt (Long Sleeve (Legendary)	100%
Rain Coat	100%
Winter Jackets (Two Tone Reflective Jacket)	100%
Winter Jackets (Softshell Jacket)	100%
Reflective Vest	100%.
Caps	100%
Hats	100%
PART B	
Combat Trouser	100%
Leather Belt	100%
Kenny Jacket	100%
Panthera Jacket	100%
Parabellum Shoes	100%
Rain Coat	100%
Short Sleeve Shirt	100%
Long Sleeve Shirt	100%
Socks	100%
Reflective Jacket	100%
Jersey	100%
Pullover Jersey	100%
Baseball/ Golf Caps	100%
Magnum Trouser	100%
Magnum Viper Pro 8 Boot	100%
Green Cross Shoes	100%
Black Court Shoes	100%
Stepout Trouser	100%

Ladies Ties	100%
Magnum Cap	100%
Ladies Skirt	100%
Ladies Bow Tie	100%
Ladies Hat	100%
Ladies Trouser	100%
White Gloves (10 Small, 11 Large)	100%

3. Does any portion of the goods or services offered have any imported content?
(***Tick applicable box***)

YES		NO	

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

The relevant rates of exchange information is accessible on www.resbank.co.za

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

Currency	**Rates of exchange**
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

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

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

IN RESPECT OF BID NO. .....

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

NB

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external

authorized representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

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

(a) The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that:

(i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and

(c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

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

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.
The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

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

SIGNATURE: _____

WITNESS No. 1 _____ **DATE:** _____

WITNESS No. 2 _____ **DATE:** _____

Annex C

Local Content Declaration - Summary Schedule

(C1)	Tender No.	
(C2)	Tender description:	
(C3)	Designated product(s)	
(C4)	Tender Authority:	
(C5)	Tendering Entity name:	
(C6)	Tender Exchange Rate:	Pula ____ EU ____ GBP ____
(C7)	Specified local content %	

Note: VAT to be excluded from all calculations

Calculation of local content								Tender summary			
Tender item no's	List of items	Tender price - each (excl VAT)	Exempted imported value	Tender value net of exempted imported content	Imported value	Local value	Local content % (per item)	Tender Qty	Total tender value	Total exempted imported content	Total Imported content
(C8)	(C9)	(C10)	(C11)	(C12)	(C13)	(C14)	(C15)	(C16)	(C17)	(C18)	(C19)

(C20) Total tender value	
(C21) Total Exempt imported content	
(C22) *Total* Tender value net of exempt imported content	
(C23) Total Imported content	
(C24) Total local content	
(C25) Average local content % of tender	

Signature of tenderer from Annex B

Date: _____

Annex D

Imported Content Declaration - Supporting Schedule to Annex C

(D1)	Tender No.	
(D2)	Tender description:	
(D3)	Designated Products:	
(D4)	Tender Authority:	
(D5)	Tendering Entity name:	
(D6)	Tender Exchange Rate:	Pula

EU R 9.00 GBP R 12.00

Note: VAT to be excluded from all calculations

A. Exempted imported content

				Calculation of imported content						Summary	
Tender item no's	Description of imported content	Local supplier	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Exchange Rate	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed cost excl VAT	Tender Qty	Exempted imported value
(D7)	(D8)	(D9)	(D10)	(D11)	(D12)	(D13)	(D14)	(D15)	(D16)	(D17)	(D18)

(D19) Total exempt imported value

This total must correspond with Annex C - C21

B. Imported directly by the Tenderer

				Calculation of imported content						Summary	
Tender item no's	Description of imported content	Unit of measure	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Rate of Exchange	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed cost excl VAT	Tender Qty	Total imported value
(D20)	(D21)	(D22)	(D23)	(D24)	(D25)	(D26)	(D27)	(D28)	(D29)	(D30)	(D31)

(D32) Total imported value by tenderer

C. Imported by a 3rd party and supplied to the Tenderer

				Calculation of imported content						Summary	
Description of imported content	Unit of measure	Local supplier	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Rate of Exchange	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed cost excl VAT	Quantity imported	Total imported value
(D33)	(D34)	(D35)	(D36)	(D37)	(D38)	(D39)	(D40)	(D41)	(D42)	(D43)	(D44)

(D45) Total imported value by 3rd party

D. Other foreign currency payments

			Calculation of foreign currency payments		Summary of payments
Type of payment	Local supplier making the payment	Overseas beneficiary	Foreign currency value paid	Tender Rate of Exchange	Local value of payments
(D46)	(D47)	(D48)	(D49)	(D50)	(D51)

(D52) Total of foreign currency payments declared by tenderer and/or 3rd party

(D53) Total of imported content & foreign currency payments - (D32), (D45) & (D52) above

This total must correspond with Annex C - C23

Signature of tenderer from Annex B

Date:

Annex E

Local Content Declaration - Supporting Schedule to Annex C

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

Note: VAT to be excluded from all calculations

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

(E10)	Manpower costs	(Tenderer's manpower cost)	
(E11)	Factory overheads	(Rental, depreciation & amortisation, utility costs, consumables etc.)	
(E12)	Administration overheads and mark-up	(Marketing, insurance, financing, interest etc.)	

(E13) Total local content

This total must correspond with Annex C - C24

Signature of tenderer from Annex B

Date:

Ga-Segonyana Local Municipality

INVITATION TO BID

Bid No: 13/2019-20

Supply and Delivery of Protective Clothing 2019-20

MBD 7.1

GA-SEGONYANA MUNICIPALITY

CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

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

2. The following documents shall be deemed to form and be read and construed as part of this agreement:

   (i) Bidding documents, *viz*
   - Invitation to bid
   - Tax clearance certificate
   - Pricing schedule(s)
   - Technical Specification(s)
   - Preference claims in terms of the Preferential Procurement Regulations 2001
   - Declaration of interest
   - Special Conditions of Contract;

   (ii) General Conditions of Contract; and

   (iii) Other (specify)

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

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

5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

WITNESSES

1 .....

2. .....

DATE: .....

MBD 7.1

CONTRACT FORM - PURCHASE OF GOODS/WORKS

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity as..... accept your bid under reference number .....dated.....for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).

2. An official order indicating delivery instructions is forthcoming.

3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

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

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

SIGNED AT .....ON.....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

WITNESSES

1. .....

2. .....

DATE .....

Ga-Segonyana Local Municipality

INVITATION TO BID

Bid No: 13/2019-20

Supply and Delivery of Protective Clothing 2019-20

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	Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector? **(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the *audi alteram partem* rule was applied).**	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? **(To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).**	Yes ☐	No ☐
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 ☐	No ☐
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 ☐	No ☐
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 ☐	No ☐
4.7.1	If so, furnish particulars:		

CERTIFICATION

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

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

.....	.....
Signature	**Date**
.....	.....
Position	**Name of Bidder**

Ga-Segonyana Local Municipality

INVITATION TO BID

Bid No: 13/2019-20

Supply and Delivery of Protective Clothing 2019-20

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This Municipal Bidding Document (MBD) must form part of all bids[1] invited.

2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).[2] Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:

a. take all reasonable steps to prevent such abuse;

b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and

c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

_____

(Bid Number and Description)

in response to the invitation for the bid made by:

_____

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of:_____that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

    (a) has been requested to submit a bid in response to this bid invitation;

    (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and

    (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium[3] will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
   (a) prices;
   (b) geographical area where product or service will be rendered (market allocation)
   (c) methods, factors or formulas used to calculate prices;
   (d) the intention or decision to submit or not to submit, a bid;
   (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
   (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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

Ga-Segonyana Local Municipality

INVITATION TO BID

Bid No: 13/2019-20

Supply and Delivery of Protective Clothing 2019-20

General & Special Conditions of a Contract

A. GENERAL CONDITIONS OF THE BID

1) Municipality/Council
Unless specifically indicated otherwise, municipality/council means the **Ga-Segonyana Local Municipality**.

2) BIDS
Bids must be submitted on the enclosed Bid Document. Bids will not be considered if Bid Documents are not properly completed and signed.

3) Period of validity
Bids shall be valid for a period of **ninety (90) days** from the date of the closure of Bids.
Council reserves the right to accept any Bid or portion of Bid within the above period.

4) Telegraphic/electronic Bids
Bids received by telegram, telex, or facsimile will **NOT** be considered.

5) Bids Received Late
Bids received after the closing time and date will **NOT** be considered.

6) Withdrawal of Bids
It is an express condition that **No Bid Submitted Shall Be Withdrawn**. Signing of the Bid form creates a binding and non-retractable offer that may not be unilaterally withdrawn.

7) Acceptance or Non-Acceptance of Bids
Council is not bound to accept the lowest Bid, the only Bid, or any Bid; Council reserves the right to accept any Bid or portion of any Bid. In the instance of non-acceptance of Bids, it is not necessary for Council to give reasons.

8) DELIVERY DATE
Delivery (period and place)
Bidders will confirm delivery of Bided items on the Bid form, at the place indicated.
The place of delivery shall be the office of the Ga-Segonyana Municipality at:
Cnr Voortrekker and School Street
Municipal Building
KURUMAN
8460

9) Execution
The Bidder hereby undertakes to take the necessary steps to ensure the execution of the Bid, upon the written notification of the acceptance of the Bid. If the Bidder fails to comply with the conditions of the Bid, Council is hereby authorised to cancel the contract after four weeks of written notification and Council will not be liable for any costs/expenses incurred by the Bidder. The afore-mentioned cancellation will be without jeopardising any of the rights of the municipality, or the right of the municipality to damages.

10) Warranty
All items that are found defective or not correct within one year of the date of delivery, will be replaced, repaired or corrected by the Bidder at his/her own costs, to the satisfaction of Council.

11) Material
All the material to be used must conform to the Specifications.

12) **Exemption**
The successful Bidder exempts Council from any steps, action, claims and losses that might originate from this contract.

13) Compliance to legislation
The successful Bidder undertakes to comply with all legislation, ordinances, regulations or any stipulation applicable to this contract.

14) **Price increases**
The price will be fixed for the period indicated in three (3) above, unless specifically indicated otherwise by the Bidder.

15) **Sub-Contractors**
Council will not deal with any sub-contractors. The original contractor will be held accountable in all instances.

16) **Bid form**
A Bid will not be considered if the Bid form is not signed and completed properly. Clause 18 of this document is also applicable in this regard.

17) **Validity of contract**
This Bid document is deemed to be a binding contract within the Republic of South Africa and is subject to the legislation of the land and the jurisdiction of its courts. The contract will commence only upon the provision of a contract by the Ga-Segonyana Municipality to the successful Bidder.

18) **Bid document**
No part of this Bid document may be loosened or separated. Bid documents that are not returned in full will not be considered.

19) **Payments**
Payments will be done in a South African currency at the head office of the municipality, **Cnr Voortrekker and School Street, Municipal Building, Kuruman, 8460**, after the Bided goods are received in a satisfactory condition and certified as such by the responsible official and upon receipt of an invoice. Payment does not imply that Council waives any of its rights in terms of this contract.

SPECIFICATIONS:

A. SCOPE OF WORK

NOTE: MATERIALS WILL HAVE A MUNICIPAL LOGO EMBROIDED ON THEM.
GOODS MUST BE PACKAGED PER SECTION/ DEPARTMENT WHEN DELIVERED

1. Description : Overall Trouser
   Qty : 523

   Specifications
   Fabric : Versatex 65 / 35 Polycotton Twill
   Weight : 240 gm^2
   Colour : Charcoal

   Half elasticised waistband for comfort / Metal shank button closure / Back Pocket / Tripple Needle Stitching on Inner Leg

2. Description : Overall Top/ Jacket
   Qty : 523

   Specifications
   Fabric : 100% Cotton
   Weight : 240 gm^2
   Colour : Charcoal

   Pocket Flip with Press Stud / Concealed Zip / Larger Front Pockets / Side Slits

3. Description : Overall Trouser (Flame Retardant)
   Qty : 62

   Specifications
   Fabric : 100% Cotton D59
   Weight : 270 gm^2
   Colour : Fern Green

   Tripple Needle Stitching on all seems / 25mm Vizlite 301 reflective tape / Half elasticised waistband / Concealed YKK Zip / Fabric chemically treated to resist heat and sparks / Back Pocket /

4. Description : Overall Top / jacket (Flame Retardant)
   Qty : 62

   Specifications
   Fabric : 100% Cotton D59
   Weight : 270 gm^2
   Colour : Fern Green

   Chest Pocket Flip with Press Stud Closure and pen pocket division / Tripple Needle Stitching on all seems / 25mm Vizlite 301 reflective tape / 25mm Vizlite 301 reflective tape "x" configuration on the back / Concealed YKK Zip / Zip

Guard / Fabric chemically treated to resist heat and sparks / Side Slits / Bar tags on all stress points / Larger Front Pockets

5. Description : Denim Indingo Overall (Trouser)
   Qty : 01

   Specifications
   Fabric : 100% Cotton Denim
   Weight : 12 Ounce
   Colour : Indigo

   Tripple Needle Stitching on all seems / Indingo ring – spun denim / Two large back pockets / Concealed brass YKK zip / Coin pocket

6. Description : Denim Indingo Overall (Top/ Jacket)
   Qty : 01

   Specifications
   Fabric : 100% Cotton Denim
   Weight : 12 Ounce
   Colour : Indigo

   Chest Pocket with Press Stud Closure and pen division / Larger Front Pockets / Concealed YKK Zip / Zip / Side Slits / Tripple Needle Stitching / Bar tacks on stress points

7. Description : Cargo Trouser (Multi Pocket)
   Qty : 03

   Specifications
   Fabric : Versatex 65 / 35 Polycotton Twill
   Weight : 230 gm^2
   Colour : Charcoal

   2 Cargo pockets / One with cell phone division / Both with hook and loop closure on flaps / 2 back pockets one with hook and loop closure / Coin Pockets / Tripple Needle Stitching / Bar tacks on stress points

8. Description : Chinos (Legendary)
   Qty : 03

   Specifications
   Fabric : 100% Cotton Twill
   Weight : 240 gm^2
   Colour : Khaki

   Single plated front / Two deep slant pockets with self fabric pocket bags / Back welt pocket with button closure / Double needle posting on inner leg and back rise / Turn Ups / YKK brass zip / Bar tacks on stress points

9. Description : Safety Shoes
   Qty : 253

   Specifications
   Upper : Cut from 2.0mm - 2.2mm printed water buffalo hides
   : Padded collar and tongue
   : 4 pair D Ring lace up with corrosion – resistant gunmetal coating
   : Braided lace from polyester yarn and central core

   Sole : Shoe hardness of 0.64mm – 0.65mm
   : withstand temperature up to 95°C

   Toe Cap : Steel toe cap
   : Withstand impact load of 200 joules

   Colour : Black

   Suitable for indoor and outdoor

10. Description : Safety Shoes (Velskoen)
    Qty : 62

    Colour : Kudu Tan

11. Description : Safety Shoes (Legendary Chelsea Boot)
    Qty : 03

    Specifications
    Leather Pull Tab : Incorporated into the body of the boot

    Elastic Side Gusset
    Sole : Thermal polyurethane with anti-slip. Oil and acid resistant. Withstand temperature up to 95°C.

    Colour : Brown

12. Description : Safety Shoes (Maluti Boots)
    Qty : 03

    Specifications

    Polyurethane Outersole with anti-slip and anti-static / Oil and acid resistant. / PU Sole.

    Colour : Brown

13. Description : T- Shirt (Golf)
    Qty : 38

    Specifications

Fabric : 100% Cotton Pique Knit
Weight : 220 gm^2
Colour : Fatigue

Rib Collar / Side slits with bar tacks / Regular Fit / Top Stitching on the arm holes and shoulder seams

14. Description : Shirt (Two Tone Short Sleeve (Legendary))
Qty : 05

Specifications
Fabric : 100% Cotton Twill
Weight : 135 gm^2
Colour : Fatigue and Stone

Tripple needle posting / Back Pleat / Extra Length Curved Hem / Two chest pockets with hook and loop closure / concealed inner chest pocket / Pen division / Bar tacks on stress points.

15. Description : Shirt (Long Sleeve (Legendary))
Qty : 05

Specifications
Fabric : 100% Cotton Twill
Weight : 135 gm^2
Colour : Fatigue

Tripple needle posting / Back Pleat / Extra Length Curved Hem / Two chest pockets with hook and loop closure / concealed inner chest pocket / Pen division / Bar tacks on stress points

16. Description : Rain Coat
Qty : 250

Specifications
Fabric : Polyester PVC
Weight : 185 gm^2
Colour : Navy

Extra garment with back vent / clear side panels in hood / posted seams / Head sealed seems / concealed elastic storm cuffs

17. Description : Winter Jackets (Two Tone Reflective Jacket)
Qty : 293

Specifications
Fabric : Water Resistant Oxford Polyester / Polar Fleece Lining
Weight : 140 gm^2 / 270 gm^2
Colour : Navy and High Viz Orange

Water resistant / 50mm VizLite 201 Silver reflective tape / Polar fleece lining / concealed side entry pockets with zip closure / concealed cellphone pocket / Inner chest and back safety pockets / elasticised cuffs / Stow-away hood fits into collar with hook and loop / YKK zip with puller

18. Description : Winter Jackets (Softshell Jacket)
    Qty : 07

    Specifications
    Fabric : 100% Polyester
    Weight : 315 gm^2
    Colour : Fatigue

    Outer shell with bonded fleece in contrast colour / Zip guard / Side pockets with zip closure / Adjustable cuffs / Draw cord in hem with adjustable toggles / two large inside pockets

19. Description : Reflective Vest
    Qty : 219

    Specifications
    Fabric :
    Weight :
    Colour :

20. Description : Caps
    Qty : 20

    Specifications
    Fabric : Versatex 65/35 Polycotton Twill
    Size : STD
    Colour : Fatigue / Charcoal / Grey

    6 Panel Polycotton twill cap / eyelets for airflows / Adjustable hook and loop closure

21. Description : Hats
    Qty : 03

    Specifications
    Fabric : Versatex 65/35 Polycotton Twill
    Size : STD
    Colour : Fatigue / Khaki / Charcoal

THE FOLLOWING ARE THE SPECIFICATIONS FOR THE TRAFFIC OFFICERS UNIFORM (PART B) UPON APPOINTMENT OR BEFORE THE BIDDER MIGHT BE REQUESTED TO PROVIDE SAMPLES OF THE UNIFORM TO BE PROVIDED.

22. Description : Combat Trouser
    Qty : 34

    Specifications
    Material: 65 % Polyester 35 % Cotton.
    Colour: Navy
    Style: Double seat double knees.
    Draw cord in waist and trouser bottoms.
    Zip fly. 5 x 70mm x 25 mm Stitched down beltloops.
    Two standard side pockets.
    One jet hip pocket with concealed button.
    One pleated field dressing pocket - right groin - Velcro closing.
    Two map pockets - knife pleat at back - flaps with two concealed buttons.
    Stitched in permanent trouser leg creases back and front.
    Pocket and waist band in same material as trousers.

23. Description : Baseball Cap + Logo
    Qty : 35

    Specifications
    Logo (Embroiled)
    Velcro adjustable.
    Re-enforced front for badge. Large peak

24. Description : Leather Belt
    Qty : 14

    Specifications
    With silver or bronze horseshoe buckle. Black or brown

25. Description : Reflective Jacket
    Qty : 19

    Specifications
    Colour: Lime or Orange. / Lime & Orange
    Material: Made up of full fabric and netting panels
    Reflective stripes: -
    • Double reflective stripe around waist.
    • Two stripes down either side off back
    Long sleeve with reflective back pane

26. Description : Gloves
    Qty : 21

    Specifications
    White nylon gloves (10 small, 11 large)

27. Description : Stepout Trouser
    Qty : 10

28. Description : Magnum Trouser
    Qty : 14

29. Description : Ladies Trouser
    Qty : 02

30. Description : Short Sleeve Shirt
    Qty : 32

31. Description : Long Sleeve Shirt
    Qty : 34

32. Description : Jersey
    Qty : 19

33. Description : Pullover Jersey
    Qty : 18

34. Description : Kenny Jacket
    Qty : 06

35. Description : Panthera Jacket
    Qty : 06

36. Description : Parabellum Shoes
    Qty : 15

37. Description : Magnum Viper Pro 8 Boot
    Qty : 01

38. Description : Green Cross Shoes
    Qty : 04

39. Description : Classic Magnum Boot
    Qty : 01

40. Description : Black Court Shoes
    Qty : 12

41. Description : Rain Coat
    Qty : 17

42. Description : Ladies Hat +Logo
    Qty : 07

43. Description : Ladies Skit
    Qty : 07

44. Description : Socks
    Qty : 64

45. Description : Ladies Tie
    Qty : 01

46. Description : Magnum Cap (Plain)
    Qty : 02

47. Description : Ladies Bowtie
    Qty : 03

48. Description : Beanie + Logo
    Qty : 20

49. Description : High Visibility Headgear
    Qty : 20

50. Description : Supt Metal Ranking Inspgnia
    Qty : 02

51. Description : GR 1 Metal Rank – Traffic Officer
    Qty : 10

52. Description : GR 3 Plain EPPS Rubber - Traffic Officer
    Qty : 26

53. Description : ARM Badges
    Qty : 40

54. Description : Traffic Stars
    Qty : 20

BIDS MUST MEET THE MINIMUM THRESHOLD OF 100% LOCAL CONTENT. A CERTIFICATE IN CONNECTION WITH THIS REQUIREMENT MUST BE ATTACHED TO BID.
SEE ANNEXURE C, D AND E HERETO ATTACHED.

B. CONFIDENTIALITY

1. The information contained in this document is of a confidential nature, and may only be used for purposes of responding to this bid request. This confidentially clause extends to Vendor partners and / or implementation agents, whom the Bidder may decide to involve in preparing a response to this bid request.

2 The prospective bidder shall take all such steps as may be reasonably necessary to prevent the Ga-Segonyana Municipality's confidential information form coming into the possession of unauthorised third parties. In protecting the proactive bidder's confidential information, the Municipality shall use the same degree of care, but no less than a reasonable degree of care, to prevent, the unauthorised use or disclosure of the confidential information as the prospective bidders uses to protect its own confidential information.

C. PREVIOUS EXPERIENCE

Bidder will indicate previous experience of dealing in **supply of protective clothing** as requested by the municipality in the space provided at Bullet G below.

D. COMPANY PROFILE AND CAPACITY

Bidders are expected to provide an overview of their companies. The said overview must be in a form of a **company profile** which must indicate the capacity of the company to execute the job on hand.

E. INTERVIEWS WITH BIDDERS

The Municipality reserves the right to interview bidders before and / or bids are / or after bids are awarded in order to discuss methods and approaches.

LIST OF RETURNABLE

Kindly make sure the following documentation is attached:

- TCS (with a pin)
- Company registration documents
- License relevant to the industry
- Safety requirements documentation relevant to the industry
- Vat certificate (where applicable)
- Certified Copy of a Workmen's Compensation Certificate (where applicable)
- Certified copy of Unemployment Insurance Certificate, Act 4 of 2002 (where applicable)
- Certified Copy of Identity Documents of directors
- Joint Venture Agreement (If Bidder is a Joint Venture)
- CSD Registration Report
- 100% local content certificate (Issued by the DTI)

G. WORKS PREVIOUSLY EXECUTED (RELATED TO THE SUPPLY AND DELIVERY OF PROTECTIVE CLOTHING)

- The following is a statement of major works successfully executed by myself/ my entity in recent years (**Relevant to the Supply of Protective Clothing**).
- Failure to detail the required information shall signify that the Bid is submitted by an inexperienced Bidder.

Employer	Contract Number	Contract Value	Contract Period

H. CURRENT COMMITMENTS (RELATED TO THE SUPPLY AND DELIVERY OF PROTECTIVE CLOTHING)

Employer	Contract Number	Contract Value	Contract Period

Bid No: 13/2019-20

Supply and Delivery of Protective Clothing 2019-20

SPECIAL CONDITIONS:

1. Employer

- The employer is Ga-Segonyana Local Municipality

2. Address

The Address of the employer is:

Ga-Segonyana Local Municipality
Private Bag X1522
KURUMAN
8460
Cnr Voortrekker and School Street
Municipal Building
KURUMAN
8460
053 712 9300 (Tel)
053 712 3581 (Fax)

3. Scope

- Bids are hereby invited for the **Supply of Protective Clothing** as listed in the Bid Document on an as and when needed basis procurement.

4. Objective

- To provide the municipality with the standard services and to preserve safe environment in and around the rest place of the Municipality.

5. Transfer and Cession

- The preferred bidder shall render the services himself and the use of subcontractors will not be allowed without prior written permission.
- The preferred bidder shall not cede, transfer, sell or alienate in any way the contract or any part thereof to any person or company without obtaining prior written permission thereto, provided the cessionary complies with the requirements of this contract.

6. Breach and Termination

- Should either party commit or breach the provisions of this contract or fail to remedy any breach(es) within **14 (fourteen) days** after the receipt of written complaint, the party that is not in default shall be entitled to cancel this contract per written notice delivered to the other party's domicillum citandi et executandi as per bid documents without prejudice to any other right which the non-defaulting party may have as a result of such breach.

7. Pricing

- Prices shall be fixed for a period of 90 days from date of closing.
- Where prices are regulated such rates shall apply.

8. Evaluation Criteria

Bids will be evaluated in accordance the **80/20** principle. Where **80** will be allocated for price points and **20** points will be allocated for preferential points.

For **Preferential Points** bidder(s) must attach a B-BBEE Status level Contribution Certificate authorised/ issued by **SANAS, IRBA** or a **Sworn Affidavit ((Commission of Oath).** Failure to attach, **NO** preference points will be allocated. CSD Certificate/Report **WILL NOT** be used for the purpose of evaluating preference points. **MFMA Circular 81**

Over and above the evaluation criteria the Municipality will consider the following as well:

- Previous Experience
- Financial Viability (Considering that the bidder will be issued with a purchase order, and payment thereto is made within **30 days** from the date of the invoice)

GA-SEGONYANA LOCAL MUNICIPALITY

PRICING SCHEDULE

SUPPLY AND DELIVERY OF PROTECTIVE CLOTHING 2019-20

Bid No: 13/2019-20

PART A

Item No	Item Description	Qty	Unit Price (Inc Vat)	Amount (R)
01	Overall Trouser	523		
02	Overall Top	523		
03	Overall Trouser (Flame Retardant)	62		
04	Overall Top (Flame Retardant)	62		
05	Denim Indingo Trouser	1		
06	Denim Indingo Top	1		
07	Cargo Trouser (Multi Pockets)	3		
08	Chinos Trouser (Legendary)	3		
09	Safety Shoes	253		
10	Safety Shoes (Velskoen)	62		
11	Safety Shoes (Legendary Chealsea Boots)	3		
12	Safety Shoes (Maluti Boots)	3		
13	T Shirt	38		
14	Shirt (Legendary Two Tone - Short Sleeve)	5		
15	Shirt (Legendary Two Tone - Long Sleeve)	5		
16	Rain Coat	250		
17	Winter Jacket	293		
18	Winter Jacket (Softshell)	7		
19	Reflective Vest	219		
20	Caps (Legendary)	20		
21	Hat (Legendary)			

Total (Inc Vat) _____

PART B

Item No	Item Description	Qty	Unit Price (Inc Vat)	Amount (R)
01	Combat Trouser	34		
02	Stepout Trousers	10		
03	Magnum Trouser	14		
04	Ladies Trouser	2		
05	S/S Shirts	32		
06	L/S Shirts	34		
07	Jerseys	19		
08	Pullovers	18		
09	Kenny Jacket	6		
10	Panthera Jacket	11		
11	Reflective Jacket	19		
12	Parabellum Shoes	15		
13	Magnum Viper Pro 8 Boot	1		
14	Green Croos Shoes	4		
15	Classic Magnum Boot	1		

16	Black Court Shoes	12		
17	Leather Belt	14		
18	Rain Coat	17		
19	Ladies Hat + Logo	7		
20	Ladies Skirt	7		
21	Socks	64		
22	Baseball Caps + Logo	35		
23	Ladies Ties	1		
24	Magnum Cap (Plain)	2		
25	Ladies bowtie	3		
26	Beanie + Logo	20		
27	High Visibility Headgears	20		
28	White Gloves	21		
29	Supt Metal Ranking Insignia	2		
30	GR 1 Metal Rank - Traffic Officer	10		
31	GR 3 Plain EPPS Rubber - Traffic Officer	26		
32	ARM Badges	40		
33	Traffic Stars	20		

Total (Inc Vat) _____

PART A PRICE

PART B PRICE

_____

TOTAL PRICE(Inc VAT) _____

THE PRICE ON THE BOQ MUST BE THE SAME AS THE PRICE ON THE COVER PAGE OF THE BID DOCUMENT

Ga-Segonyana Local Municipality

CONSOLIDATED LIST OF SECTIONS/ DEPARTMENT

Overall

	Size	28	30	32	34	36	38	40	42	44	46	48	50	60	62			Total
Trouser	Qty	2	20	26	62	66	104	99	66	47	20	9		2				523
	Size	28		32	34	36	38	40	42	44	46	48	50	60	62			
Top	Qty		2	20	29	61	66	101	99	66	46	22	9		2			523

Overall (Flame retardant)

	Size	28	30	32	34	36	38	40	42	44	46	48	50	Total
Trouser	Qty		4	22	6	10	10	8		2				62
	Size	28	30	32	34	36	38	40	42	44	46	48	50	
Top	Qty			4	22	6	10	10	8		2			62

Denim Indingo

	Size	28	30	32	34	36	38	40	42	44	46	48	50	Total
Trouser	Qty						1							1
	Size	28	30	32	34	36	38	40	42	44	46	48	50	
Top	Qty										1			1

Cargo Trouser (Multi Pockets)

	Size	28	32	34	36	38	40	42	Total
Trouser	Qty	1		1	1				3

Chinos (Legendary)

	Size	28	32	34	36	38	40	42	Total
Trouser	Qty	1		1	1				3

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	12	13	Total
Safety Shoes	Qty	4	14	24	55	56	57	30	11	2			253

Safety Shoe

	Size	2	3	4	5	6	7	8	9	10	11	11		Total
Velskoen	Qty	2	7	6	15	14	14	2	1	1				62

Safety Shoe

	Size	2	3	4	5	6	7	8	9	10	11	11		Total

Legendary Chealsea Boot	Qty					1	1	1						3

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	Total
Maluti Boots	Qty		1			2					3

T-Shirt

	Size	S	M	L	XL	XXL	XXXL	Total
T-Shirt	Qty	2	6	14	13	3	0	38

Shirt (Legendary Two Tone)

	Size	S	M	L	XL	XXL	XXXL	Total
Short Sleeve	Qty	1	2	1		1		5
	Size	S	M	L	XL	XXL	XXXL	Total
Long Sleeve	Qty	1	2	1		1		5

Rain Coat

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Rain Coat	Qty	18	92	66	57	15	2			250

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Winter Jacket	Qty	19	104	83	67	18	2			293

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Softshell Jacket	Qty	1	3	1		2				7

Reflective Vest

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Reflective Vest	Qty	13	77	60	55	12	2			219

Caps (Legendary)

	Size	one size fits ALL	Total
Caps	Qty	20	20

Hat (Legendary)

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Hat	Qty	1		2					3

Ga-Segonyana Local Municipality

Meter Readers

Overall

	Size	28	32	34	36	38	40	42	44	46	48	50	Total
Trouser	Qty		2	1		1	1		1		1		7
	Size	28	32	34	36	38	40	42	44	46	48	50	
Top	Qty			2	1		1	1		1		1	7

Safety Shoe

Product / item	Size	6	7	8	9	10	Total
Safety Shoes (Velskoen)	Qty	1	4	1	1	0	7

T-Shirt

Product / item	Size	S	M	L	XL	XXL	XXXL	Total
T-Shirt	Qty	1	2	2	1	1	0	7

Rain Coat

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Rain Coat	Qty	1	2	2	1	1			7

Winter Jacket

Product / item	Size	S	M	L	XL	XXL	XXXL	Total
Winter Jacket	Qty	1	2	2	1	1	0	7

Ga-Segonyana Local Municipality

Roads

Overall

	Size	28	32	34	36	38	40	42	44	46	48	50	Total
Trouser	Qty	0	2	10	14	10	8	12	4	4	2		66
	Size	28	32	34	36	38	40	42	44	46	48	50	
Top	Qty			2	10	14	10	8	12	4	4	2	66

Safety Shoe

	Size	4	5	6	7	8	9	10	11	Total
Safety Shoes	Qty	1	6	11	6	3	2	3	1	**33**

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Winter Jacket	Qty	3	11	6	11	1	1		33

Rain Coat

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Rain Coat	Qty	3	11	6	11	1	1		33

Reflective Vest

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Reflective Vest	Qty	3	11	6	11	1	1		33

Ga-Segonyana Local Municipality

Stormwater and Drainage

Overall

	Size	28	32	34	36	38	40	42	44	46	48	50	Total
Trouser	Qty		4	2	2	14	6	2	8		2		**40**
	Size	28	32	34	36	38	40	42	44	46	48	50	
Top	Qty			4	2	2	14	6	2	8		2	**40**

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	11	Total
Safety Shoes	Qty	1	2	2	3	3	6	3				**20**

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Winter Jacket	Qty	1	8	3	7	1			20

Rain Coat

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Rain Coat	Qty	1	8	3	7	1			20

Reflective Vest

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Reflective Vest	Qty	1	8	3	7	1			20

Ga-Segonyana Local Municipality

Sewarage Plant

Overall

	Size	28	32	34	36	38	40	42	44	46	48	50	Total
Trouser	Qty					20	2	4	2	2			**30**
	Size	28	32	34	36	38	40	42	44	46	48	50	
Top	Qty						20	2	4	2	2		**30**

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	11	Total
Safety Shoes	Qty				4	7	2	2				**15**

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Winter Jacket	Qty		9	2	4				15

Rain Coat

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Rain Coat	Qty		9	2	4				15

Ga-Segonyana Local Municipality

Cemetery

Overall

	Size	28	32	34	36	38	40	42	44	46	48	50	Total
Trouser	Qty				8	2	8	2	6	6	2		**34**
	Size	28	32	34	36	38	40	42	44	46	48	50	
Top	Qty					8	2	8	2	6	6	2	**34**

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	11	Total
Safety Shoes	Qty				4	6	4		3			**17**

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Winter Jacket	Qty		3	3	7	4			17

Rain Coat

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Rain Coat	Qty		3	3	7	4			17

Ga-Segonyana Local Municipality

Parks

Overall

	Size	28	30	32	34	36	38	40	42	44	46	48	50	Total
Trouser	Qty	2	20	8	6	8	14	18	10	6	2	2		96
	Size	28	30	32	34	36	38	40	42	44	46	48	50	
Top	Qty		2	20	8	6	8	14	18	10	6	2	2	96

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	11		Total
Safety Shoes	Qty	1	2	3	14	10	11	6	1				48

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Winter Jacket	Qty	2	20	19	7					48

Rain Coat

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Rain Coat	Qty	2	20	19	7					48

Reflective Vest

	Size	S	M	L	XL				Total
Reflective Vest	Qty	2	20	19	7				48

Ga-Segonyana Local Municipality

Mechanics

Overall

	Size	28	30	32	34	36	38	40	42	44	46	48	50	Total
Trouser	Qty				4	4	4	6	6		4			28
	Size	28	30	32	34	36	38	40	42	44	46	48	50	
Top	Qty					4	4	4	6	6		4		28

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	11		Total
Safety Shoes	Qty			3	3	3	3	1	1				14

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Winter Jacket	Qty		3	5	4	2				14

Rain Coat

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Rain Coat	Qty		3	5	4	2				14

Ga-Segonyana Local Municipality

Electricity

Overall (Flame retardant)

	Size	28	30	32	34	36	38	40	42	44	46	48	50	Total
Trouser	Qty		4	10	2	6	6	2		2				32
	Size	28	30	32	34	36	38	40	42	44	46	48	50	
Top	Qty			4	10	2	6	6	2		2			32

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	11		Total
Safety Shoes	Qty			2	3	5	2	3	1				16

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Winter Jacket	Qty	5	4	5	1	1				16

Rain Coat

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Rain Coat	Qty	5	4	5	1	1				16

Ga-Segonyana Local Municipality

Caravan Park

Overall

	Size	28	30	32	34	36	38	40	42	44	46	48	50	Total
Trouser	Qty			2	4	2	2	8	2	2				22
	Size	28	30	32	34	36	38	40	42	44	46	48	50	
Top	Qty				2	4	2	2	8	2	2			22

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	11		Total
Strassbergers Shoes	Qty	1	1	5	2	2							11

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Winter Jacket	Qty	1	2	6	2					11

T- Shirt

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
T- Shirt	Qty	1	2	6	2					11

Ga-Segonyana Local Municipality

Cleansing

Overall

	Size	28	32	34	36	38	40	42	44	46	48	60	62	Total
Trouser	Qty		4	26	20	24	22	20	8	4		2		130
	Size	28	32	34	36	38	40	42	44	46	48	60	62	
Top	Qty			4	26	20	24	22	20	8	4		2	130

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	Total
Safety Shoes	Qty	2	5	9	10	12	15	9	2	1	65

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Winter Jacket	Qty	5	25	16	13	5	1		65

Rain Coat

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Rain Coat	Qty	5	25	16	13	5	1		65

Reflective Vest

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Reflective Vest	Qty	5	25	16	13	5	1		65

Ga-Segonyana Local Municipality

Fire Fighters

Overall (Flame retardant)

	Size	28	30	32	34	36	38	40	42	44	46	48	50	Total
Trouser	Qty			12	4	4	4	6						30
	Size	28	30	32	34	36	38	40	42	44	46	48	50	
Top	Qty				12	4	4	4	6					30

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	11		Total
Safety Shoes	Qty		1	2	1	1	8	2					15

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Winter Jacket	Qty	1	7	5	2					15

Rain Coat

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Rain Coat	Qty	1	7	5	2					15

Reflective Vest

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Reflective Vest	Qty	1	7	5	2				15

Ga-Segonyana Local Municipality

Road Workers/ Painters

Overall

	Size	28	32	34	36	38	40	42	44	46	48	60	62	Total
Trouser	Qty			4	4	4	4	2	2					20
	Size	28	32	34	36	38	40	42	44	46	48	60	62	
Top	Qty				4	4	4	4	2	2				20

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	Total
Safety Shoes	Qty				2	3	3	2			10

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Winter Jacket	Qty		2	3	4	1			10

Reflective Vest

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Reflective Vest	Qty		2	3	4	1			10

Ga-Segonyana Local Municipality

Halls/Buildings/ Cleaners

Overall

	Size	28	30	32	34	36	38	40	42	44	46	48	50	Total
Trouser	Qty			4	4	4	6	16	6	4				44
	Size	28	30	32	34	36	38	40	42	44	46	48	50	
Top	Qty				4	4	4	6	16	6	4			44

Safety Shoe

	Size	2	3	4	5	6	7	8	9	10	11		Total
Strassbergers Shoes	Qty	2	4	3	6	5	2						22

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Winter Jacket	Qty		8	8	4	2				22

Ga-Segonyana Local Municipality

Safety/ Evacuation Staff

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	Total
Strassbergers Shoes	Qty	2	2	4	6	5	1				20

T- Shirts

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
T- Shirts	Qty		2	6	10	2			20

Caps

	Size	one size fits ALL	Total
Caps	Qty	20	20

Reflective Vest

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Reflective Vest	Qty		2	6	10	2			20

Ga-Segonyana Local Municipality

Stores

Overall

	Size	28	32	34	36	38	40	42	44	46	48	60	62	Total
Trouser	Qty			1		3				2				6
	Size	28	32	34	36	38	40	42	44	46	48	60	62	
Top	Qty			3						3				6

Denim Indigo

	Size	28	32	34	36	38	40	42	44	46	48	60	62	Total
Trouser	Qty					1								1
	Size	28	32	34	36	38	40	42	44	46	48	60	62	
Top / Jacket	Qty									1				1

Shirt (Legendary Two Tone)

	Size	S	M	L	XL	XXL	XXXL	XXXL			Total
Short Sleeve Shirt	Qty			1		1					2
	Size	S	M	L	XL	XXL	XXXL	XXXL			Total
Long Sleeve Shirt	Qty			1		1					2

Winter Jacket (Jacket Fatique)

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Softshell Jacket	Qty			1		2				3

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	Total
Velskon	Qty					1			1		2

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	Total
Legendary Chelsea Boot	Qty			1		1	1				3

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	Total
Boot Cabreta	Qty					1					1

Reflective Vest

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Reflective Vest	Qty					1			1

Ga-Segonyana Local Municipality

Housing Inspectors

Shirt (Legendary Two Tone)

	Size	S	M	L	XL	XXL	XXXL	XXXL			Total
Short Sleeve Shirt	Qty	1	2								3
	Size	S	M	L	XL	XXL	XXXL	XXXL			Total
Long Sleeve Shirt	Qty	1	2								3

Cargo Trouser (Multi Pockets)

	Size	28	32	34	36	38	40	42	Total
Trouser	Qty	1		1	1				3

Chinos (Legendary)

	Size	28	32	34	36	38	40	42	Total
Trouser	Qty	1		1	1				3

Winter Jacket

	Size	S	M	L	XL	XXL	XXXL	XXXL		Total
Softshell Jacket	Qty	1	2							3

Safety Shoe

	Size	3	4	5	6	7	8	9	10	11	Total
Maluti Boots	Qty		1			2					3

Hat (Legendary)

	Size	S	M	L	XL	XXL	XXXL	XXXL	Total
Hat	Qty	1		2					3

GA-SEGONYANA LOCAL MUNICIPALITY

PRICING SCHEDULE

SUPPLY AND DELIVERY OF PROTECTIVE CLOTHING 2019-20

Bid No: 13/2019-20

PART B

Item No	Item Description	Qty	Unit Price (Inc Vat)	Amount (R)
01	Combat Trouser	34		
02	Stepout Trousers	10		
03	Magnum Trouser	14		
04	Ladies Trouser	2		
05	S/S Shirts	32		
06	L/S Shirts	34		
07	Jerseys	19		
08	Pullovers	18		
09	Kenny Jacket	6		
10	Panthera Jacket	11		
11	Reflective Jacket	19		
12	Parabellum Shoes	15		
13	Magnum Viper Pro 8 Boot	1		
14	Green Croos Shoes	4		
15	Classic Magnum Boot	1		
16	Black Court Shoes	12		
17	Leather Belt	14		
18	Rain Coat	17		
19	Ladies Hat + Logo	7		
20	Ladies Skirt	7		
21	Socks	64		
22	Baseball Caps + Logo	35		
23	Ladies Ties	1		
24	Magnum Cap (Plain)	2		
25	Ladies bowtie	3		
26	Beanie + Logo	20		
27	High Visibility Headgears	20		
28	White Gloves	21		
29	Supt Metal Ranking Insignia	2		
30	GR 1 Metal Rank - Traffic Officer	10		
31	GR 3 Plain EPPS Rubber - Traffic Officer	26		
32	ARM Badges	40		
33	Traffic Stars	20		

Total (Inc Vat) _____

GA-SEGONYANA LOCAL MUNICIPALITY

Sizes Quantity

Bid No: 13/2019-20

PART B TRAFFIC OFFICERS UNIFORM

Item Description	Size										Total
	30	32	34	36	38	40	42	44	46	48	
Combat Trouser	4	2	10	4	4	2	2	2	2	2	34
Stepout Trousers	2		2	4			2				10
Magnum Trouser		2	2		4			2	2	2	14
Ladies Trouser								2			2

Size	S	M	L	XL	XXL	XXXL					Total
S/S Shirts	4	14	10	2	2						32
L/S Shirts	4	12	14	2	2						34

Size	S	M	L	XL	XXL	XXXL					Total
Jerseys	2	8	8		1						19
Pullovers	2	9	6	1							18

Size	S	M	L	XL	XXL	34	38	40	42	44	Total
Leather Belt	2	5	2	1	1		2	1	1	1	14

Size	S	M	L	XL	XXL	XXXL					Total
Kenny Jacket	1	3	2								6
Panthera Jacket	1	3	7								11
Reflective Jacket	2	5	11		1						19

Size	S	M	L	XL	XXL	XXXL					Total
Rain Coat	2	5	6	3	1						17

Size	03	04	05	06	07	08	09	10	11	12	Total
Parabellum Shoes	2	2		1	5	2	1	2			15
Magnum Viper Pro 8 Boot							1				1
Green Croos Shoes			1			3					4
Classic Magnum Boot					1						1
Black Court Shoes	2	4	2	2	2						12

Size	S	M	L	XL	XXL	XXXL					Total
Ladies Hat + Logo	1	6									7

Size	32	36	46	48	Total
Ladies Skirt	2	2	1	2	7

Size		Total
Socks	One Size Fits All	64

Size		Total
Baseball Caps + Logo	One Size Fits All	35

Size	No size	Total
Ladies Ties	1	1

Size		Total
Magnum Cap (Plain)	One Size Fits All	2

Size	32	36	Total
Ladies Skirt	2	2	4

Size		Total
Ladies bowtie	No Size	3

Description	Size	Total
Beanie + Logo		20
High Visibility Headgears		20
White Gloves		21
Supt Metal Ranking Insignia		2
GR 1 Metal Rank - Traffic Officer		10
GR 3 Plain EPPS Rubber - Traffic Officer		26
ARM Badges		40
Traffic Stars	No Size	20

Ga-Segonyana Local Municipality

INVITATION TO BID

Bid No: 13/2019-20

Supply and Delivery of Protective Clothing 2019-20

SCM IMPLEMENTATION GUIDE

NATIONAL TREASURY

NO. R. 32 20 JANUARY 2017

PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000: PREFERENTIAL PROCUREMENT REGULATIONS, 2017

The Minister of Finance has, in terms of section 5 of the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000), made the regulations set out in the Schedule.

SCHEDULE

Preferential Procurement Regulations, 2017

Contents

1. Definitions
2. Application
3. Identification of preference point system, designated sector, pre-qualification criteria, objective criteria and subcontracting
4. Prequalification criteria for preferential procurement
5. Tenders to be evaluated on functionality
6. 80/20 preference point system for acquisition of goods or services for Rand value equal to or above R30 000 and up to R50 million
7. 90/10 preference point system for acquisition of goods or services with Rand value above R50 million
8. Local production and content
9. Subcontracting as condition of tender
10. Criteria for breaking deadlock in scoring
11. Award of contracts to tenderers not scoring highest points
12. Subcontracting after award of tender
13. Cancellation of tender
14. Remedies
15. Circulars and guidelines
16. Repeal of Regulations and saving
17. Short title and commencement

Definitions

1. In these Regulations, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act must bear the meaning so assigned-

"B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

"B-BBEE status level of contributor" means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

"black designated groups" has the meaning assigned to it in the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

"black people" has the meaning assigned to it in section 1 of the Broad-Based Black Economic Empowerment Act;

"Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

"co-operative" means a co-operative registered in terms of section 7 of the Co-operatives Act, 2005 (Act No. 14 of 2005);

"designated group" means-

(a) black designated groups;

(b) black people;

(c) women;

(d) people with disabilities; or

(e) small enterprises, as defined in section 1 of the National Small Enterprise Act, 1996 (Act No. 102 of 1996);

"designated sector" means a sector, sub-sector or industry or product designated in terms of regulation 8(1)(a);

"EME" means an exempted micro enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

"functionality" means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents;

"military veteran" has the meaning assigned to it in section 1 of the Military Veterans Act, 2011 (Act No. 18 of 2011);

"National Treasury" has the meaning assigned to it in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999);

"people with disabilities" has the meaning assigned to it in section 1 of the Employment Equity Act, 1998 (Act No. 55 of 1998);

"price" includes all applicable taxes less all unconditional discounts;

"proof of B-BBEE status level of contributor" means-

(a) the B-BBEE status level certificate issued by an authorised body or person;

(b) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or

(c) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act;

"QSE" means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

"Rand value" means the total estimated value of a contract in Rand, calculated at the time of the tender invitation;

"rural area" means-

(a) a sparsely populated area in which people farm or depend on natural resources, including villages and small towns that are dispersed through the area; or

(b) an area including a large settlement which depends on migratory labour and remittances and government social grants for survival, and may have a traditional land tenure system;

"stipulated minimum threshold" means the minimum threshold stipulated in terms of regulation 8(1)(b);

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

"township" means an urban living area that any time from the late 19th century until 27 April 1994, was reserved for black people, including areas developed for historically disadvantaged individuals post 27 April 1994;

"treasury" has the meaning assigned to it in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999); and

"youth" has the meaning assigned to it in section 1 of the National Youth Development Agency Act, 2008 (Act No. 54 of 2008).

Application

2. These Regulations apply to organs of state as envisaged in the definition of organ of state in section 1 of the Act.[1]

Identification of preference point system, designated sector, pre-qualification criteria, objective criteria and subcontracting

3. An organ of state must-

(a) determine and stipulate in the tender documents-

(i) the preference point system applicable to the tender as envisaged in regulation 6 or 7; or

[1] The definition of "organ of state" in section 1 of the Act in paragraph (a) to (e) includes-

- a national or provincial department as defined in the Public Finance Management Act, 1999;
- a municipality as contemplated in the Constitution;
- a constitutional institution as defined in the Public Finance Management Act;
- Parliament;
- a provincial legislature.

Paragraph (f) of the definition of organ of state in section 1 of the Act includes any other institution or category of institutions included in the definition of "organ of state" in section 239 of the Constitution and recognised by the Minister by notice in the *Government Gazette* as an institution or category of institutions to which the Act applies. Government Notice R. 501 of 8 June 2011 recognises, with effect from 7 December 2011, all public entities listed in Schedules 2 and 3 to the Public Finance Management Act, 1999, as institutions to which the Act applies. Note should be taken of notices issued from time to time in terms of paragraph (f) of this definition. The application of these Regulations is also subject to applicable exemptions approved in terms of section 3 of the Act.

(ii) if it is unclear which preference point system will be applicable, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system;

(b) determine whether pre-qualification criteria are applicable to the tender as envisaged in regulation 4;

(c) determine whether the goods or services for which a tender is to be invited, are in a designated sector for local production and content as envisaged in regulation 8;

(d) determine whether compulsory subcontracting is applicable to the tender as envisaged in regulation 9; and

(e) determine whether objective criteria are applicable to the tender as envisaged in regulation 11.

Pre-qualification criteria for preferential procurement

4.(1) If an organ of state decides to apply pre-qualifying criteria to advance certain designated groups, that organ of state must advertise the tender with a specific tendering condition that only one or more of the following tenderers may respond-

(a) a tenderer having a stipulated minimum B-BBEE status level of contributor;

(b) an EME or QSE;

(c) a tenderer subcontracting a minimum of 30% to-

(i) an EME or QSE which is at least 51% owned by black people;

(ii) an EME or QSE which is at least 51% owned by black people who are youth;

(iii) an EME or QSE which is at least 51% owned by black people who are women;

(iv) an EME or QSE which is at least 51% owned by black people with disabilities;

(v) an EME or QSE which is 51% owned by black people living in rural or underdeveloped areas or townships;

(vi) a cooperative which is at least 51% owned by black people;

(vii) an EME or QSE which is at least 51% owned by black people who are military veterans;

(viii) an EME or QSE.

(2) A tender that fails to meet any pre-qualifying criteria stipulated in the tender documents is an unacceptable tender.

Tenders to be evaluated on functionality

5.(1) An organ of state must state in the tender documents if the tender will be evaluated on functionality.

(2) The evaluation criteria for measuring functionality must be objective.

(3) The tender documents must specify-

(a) the evaluation criteria for measuring functionality;

(b) the points for each criteria and, if any, each sub-criterion; and

(c) the minimum qualifying score for functionality.

(4) The minimum qualifying score for functionality for a tender to be considered further-

(a) must be determined separately for each tender; and

(b) may not be so-

(i) low that it may jeopardise the quality of the required goods or services; or

(ii) high that it is unreasonably restrictive.

(5) Points scored for functionality must be rounded off to the nearest two decimal places.

(6) A tender that fails to obtain the minimum qualifying score for functionality as indicated in the tender documents is not an acceptable tender.

(7) Each tender that obtained the minimum qualifying score for functionality must be evaluated further in terms of price and the preference point system and any objective criteria envisaged in regulation 11.

80/20 preference point system for acquisition of goods or services for Rand value equal to or above R30 000 and up to R50 million

6.(1) The following formula must be used to calculate the points out of 80 for price in respect of a tender with a Rand value equal to or above R30 000 and up to a Rand value of R50 million, inclusive of all applicable taxes:

$$Ps = 80\left(1 - \frac{Pt - P\min}{P\min}\right)$$

Where-

Ps = Points scored for price of tender under consideration;

Pt = Price of tender under consideration; and

Pmin = Price of lowest acceptable tender.

(2) The following table must be used to calculate the score out of 20 for B-BBEE:

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

7	4
8	2
Non-compliant contributor	0

(3) A tenderer must submit proof of its B-BBEE status level of contributor.

(4) A tenderer failing to submit proof of B-BBEE status level of contributor or is a non-compliant contributor to B-BBEE may not be disqualified, but-

(a) may only score points out of 80 for price; and

(b) scores 0 points out of 20 for B-BBEE.

(5) A tenderer may not be awarded points for B-BBEE status level of contributor if the tender documents indicate that the tenderer intends subcontracting more than 25% of the value of the contract to any other person not qualifying for at least the points that the tenderer qualifies for, unless the intended subcontractor is an EME that has the capability to execute the subcontract.

(6) The points scored by a tenderer for B-BBEE in terms of subregulation (2) must be added to the points scored for price under subregulation (1).

(7) The points scored must be rounded off to the nearest two decimal places.

(8) Subject to subregulation (9) and regulation 11, the contract must be awarded to the tenderer scoring the highest points.

(9)(a) If the price offered by a tenderer scoring the highest points is not market-related, the organ of state may not award the contract to that tenderer.

(b) The organs of state may-

(i) negotiate a market-related price with the tenderer scoring the highest points or cancel the tender;

(ii) if the tenderer does not agree to a market-related price, negotiate a market-related price with the tenderer scoring the second highest points or cancel the tender;

(iii) if the tenderer scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the tenderer scoring the third highest points or cancel the tender.

(c) If a market-related price is not agreed as envisaged in paragraph (b)(iii), the organ of state must cancel the tender.

90/10 preference point system for acquisition of goods or services with Rand value above R50 million

7.(1) The following formula must be used to calculate the points out of 90 for price in respect of a tender with a Rand value above R50 million, inclusive of all applicable taxes:

Where-

$$Ps = 90\left(1 - \frac{Pt - P\min}{P\min}\right)$$

Ps = Points scored for price of tender under consideration;

Pt = Price of tender under consideration; and

Pmin = Price of lowest acceptable tender.

(2) The following table must be used to calculate the points out of 10 for B-BBEE:

B-BBEE Status Level of Contributor	Number of Points
1	10
2	9
3	6
4	5
5	4
6	3
7	2
8	1
Non-compliant contributor	0

(3) A tenderer must submit proof of its B-BBEE status level of contributor.

(4) A tenderer failing to submit proof of B-BBEE status level of contribution or is a non-compliant contributor to B-BBEE may not be disqualified, but-

(a) may only score points out of 90 for price; and

(b) scores 0 points out of 10 for B-BBEE.

(5) A tenderer may not be awarded points for B-BBEE status level of contributor if the tender documents indicate that the tenderer intends subcontracting more than 25% of the value of the contract to any other person not qualifying for at least the points that the tenderer qualifies for, unless the intended subcontractor is an EME that has the capability to execute the subcontract.

(6) The points scored by a tenderer for B-BBEE contribution in terms of subregulation (2) must be added to the points scored for price under subregulation (1).

(7) The points scored must be rounded off to the nearest two decimal places.

(8) Subject to subregulation (9) and regulation 11, the contract must be awarded to the tenderer scoring the highest points.

(9)(a) If the price offered by a tenderer scoring the highest points is not market-related, the organ of state may not award the contract to that tenderer.

(b) The organs of state may-

(i) negotiate a market-related price with the tenderer scoring the highest points or cancel the tender;

(ii) if the tenderer does not agree to a market-related price, negotiate a market-related price with the tenderer scoring the second highest points or cancel the tender;

(iii) if the tenderer scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the tenderer scoring the third highest points or cancel the tender.

(c) If a market-related price is not agreed as envisaged in paragraph (b)(iii), the organ of state must cancel the tender.

Local production and content

8.(1) The Department of Trade and Industry may, in consultation with the National Treasury-

(a) designate a sector, sub-sector or industry or product in accordance with national development and industrial policies for local production and content, where only locally produced services or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content, taking into account economic and other relevant factors; and

(b) stipulate a minimum threshold for local production and content.

(2) An organ of state must, in the case of a designated sector, advertise the invitation to tender with a specific condition that only locally produced goods or locally manufactured goods, meeting the stipulated minimum threshold for local production and content, will be considered.

(3) The National Treasury must inform organs of state of any designation made in terms of regulation 8(1) through a circular.

(4)(a) If there is no designated sector, an organ of state may include, as a specific condition of the tender, that only locally produced services or goods or locally manufactured goods with a stipulated minimum threshold for local production and content, will be considered.

(b) The threshold referred to in paragraph (a) must be in accordance with the standards determined by the Department of Trade and Industry in consultation with the National Treasury.

(5) A tender that fails to meet the minimum stipulated threshold for local production and content is an unacceptable tender.

Subcontracting as condition of tender

9.(1) If feasible to subcontract for a contract above R30 million, an organ of state must apply subcontracting to advance designated groups.

(2) If an organ of state applies subcontracting as contemplated in subregulation (1), the organ of state must advertise the tender with a specific tendering condition that the successful tenderer must subcontract a minimum of 30% of the value of the contract to-

(a) an EME or QSE;

(b) an EME or QSE which is at least 51% owned by black people;
(c) an EME or QSE which is at least 51% owned by black people who are youth;
(d) an EME or QSE which is at least 51% owned by black people who are women;
(e) an EME or QSE which is at least 51% owned by black people with disabilities;
(f) an EME or QSE which is 51% owned by black people living in rural or underdeveloped areas or townships;
(g) a cooperative which is at least 51% owned by black people;
(h) an EME or QSE which is at least 51% owned by black people who are military veterans; or
(i) more than one of the categories referred to in paragraphs (a) to (h).

(3) The organ of state must make available the list of all suppliers registered on a database approved by the National Treasury to provide the required goods or services in respect of the applicable designated groups mentioned in subregulation (2) from which the tenderer must select a supplier.

Criteria for breaking deadlock in scoring

10.(1) If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for B-BBEE.

(2) If functionality is part of the evaluation process and two or more tenderers score equal total points and equal preference points for B-BBEE, the contract must be awarded to the tenderer that scored the highest points for functionality.

(3) If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.

Award of contracts to tenderers not scoring highest points

11.(1) A contract may be awarded to a tenderer that did not score the highest points only in accordance with section 2(1)(f) of the Act.

(2) If an organ of state intends to apply objective criteria in terms of section 2(1)(f) of the Act, the organ of state must stipulate the objective criteria in the tender documents.

Subcontracting after award of tender

12.(1) A person awarded a contract may only enter into a subcontracting arrangement with the approval of the organ of state.

(2) A person awarded a contract in relation to a designated sector, may not subcontract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.

(3) A person awarded a contract may not subcontract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level of contributor than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.

Cancellation of tender

13. (1) An organ of state may, before the award of a tender, cancel a tender invitation if-

(a) due to changed circumstances, there is no longer a need for the goods or services specified in the invitation;

(b) funds are no longer available to cover the total envisaged expenditure;

(c) no acceptable tender is received; or

(d) there is a material irregularity in the tender process.

(2) The decision to cancel a tender invitation in terms of subregulation (1) must be published in the same manner in which the original tender invitation was advertised.

(3) An organ of state may only with the prior approval of the relevant treasury cancel a tender invitation for the second time.

Remedies

14.(1) Upon detecting that a tenderer submitted false information regarding its B-BBEE status level of contributor, local production and content, or any other matter required in terms of these Regulations which will affect or has affected the evaluation of a tender, or where a tenderer has failed to declare any subcontracting arrangements, the organ of state must-

(a) inform the tenderer accordingly;

(b) give the tenderer an opportunity to make representations within 14 days as to why-

(i) the tender submitted should not be disqualified or, if the tender has already been awarded to the tenderer, the contract should not be terminated in whole or in part;

(ii) if the successful tenderer subcontracted a portion of the tender to another person without disclosing it, the tenderer should not be penalised up to 10 percent of the value of the contract; and

(iii) the tenderer should not be restricted by the National Treasury from conducting any business for a period not exceeding 10 years with any organ of state; and

(c) if it concludes, after considering the representations referred to in subregulation (1)(b), that-

(i) such false information was submitted by the tenderer-

(aa) disqualify the tenderer or terminate the contract in whole or in part; and

(bb) if applicable, claim damages from the tenderer; or

(ii) the successful tenderer subcontracted a portion of the tender to another person without disclosing, penalise the tenderer up to 10 percent of the value of the contract.

(2)(a) An organ of state must-

(i) inform the National Treasury, in writing, of any actions taken in terms of subregulation (1);

(ii) provide written submissions as to whether the tenderer should be restricted from conducting business with any organ of state; and

(iii) submit written representations from the tenderer as to why that tenderer should not be restricted from conducting business with any organ of state.

(b) The National Treasury may request an organ of state to submit further information pertaining to subregulation (1) within a specified period.

(3) The National Treasury must-

(a) after considering the representations of the tenderer and any other relevant information, decide whether to restrict the tenderer from doing business with any organ of state for a period not exceeding 10 years; and

(b) maintain and publish on its official website a list of restricted suppliers.

Circulars and guidelines

15. The National Treasury may issue-

(a) a circular to inform organs of state of any matter pertaining to these Regulations; or

(b) a guideline to assist organs of state with the implementation of any provision of these Regulations.

Repeal of Regulations and saving

16.(1) Subject to this regulation, the Preferential Procurement Regulations, 2011, published in Government Notice No R. 502 of 8 June 2011 (herein called "the 2011 Regulations), are hereby repealed with effect from the date referred to in regulation 17.

(2) Any sector designated and minimum threshold determined for local production and content for purposes of regulation 9 of the 2011 Regulations and in force immediately before the repeal of the 2011 Regulations, are regarded as having been done under regulation 8(1) of these Regulations.

(3) Any tender advertised before the date referred to in regulation 17 must be dealt with in terms of the 2011 Regulations.

Short title and commencement

17. These Regulations are called the Preferential Procurement Regulations, 2017 and take effect on 1 April 2017.