TENDER 08/2019

NAMAKWA DISTRICT MUNICIPALITY

TRAINING - MUNICIPAL FINANCE MANAGEMENT PROGRAMME (MFMP)

NAME OF SERVICE PROVIDER

ADDRESS: ........................................................................................................................................

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

TEL: ........................................................................................................................................

FAX: ........................................................................................................................................

Mr. CJ Fortuin
Municipal Manager
Private Bag X20
Van Riebeeck Street
SPRINGBOK, 8240

TEL: 027 712 8000
FAX: 027 712 8040
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TENDER 08/2019
TRAINING - MUNICIPAL FINANCE MANAGEMENT PROGRAMME (MFMP)

Tenders are hereby invited for the Supply of Training Services as detailed in the tender document.

Tender documents are available during business hours as of Friday, 01 February 2019 from the Supply Chain office (Mrs. L. Richards) Namakwa District Municipality, Van Riebeeck Street, Springbok or it can be downloaded from the Municipal website www.namakwa-dm.gov.za or it can be downloaded from e-tender portal.

The sealed tenders clearly marked: Tender 08/2019 : Training - Municipal Finance Management Programme (MFMP) must be placed in the tender box at the Namakwa District Municipal office, Van Riebeeck Street, Springbok on or before 18 February 2019 at 08:00. A formal opening session will be held soon after the closing time of the tender.

THE FOLLOWING CONDITIONS WILL APPLY:

- Price(s) must be valid for at least ninety (90) days from the tender closing date.
- Price(s) must be firm and must be inclusive of VAT.
- This tender will be evaluated in terms of the 80/20 preference point system as prescribed in the Preferential Procurement Regulations 2017. The original MBD 1, MBD 4, MBD 6.1, MBD 7.2, MBD 8 & MBD 9 forms must be completed and submitted together with your tender if it is in excess of R 10 000.
- An original or originally certified B-BBEE certificate, or orginally certified Sworn Affidavit must be submitted with your tender offer. If it’s not original or originally certified it will not be taken into account for preference points.
- Training providers must be accredited with SETA/ETQA
- A valid tax compliance pin number on an official document of SARS and a tax clearance certificate in order for the municipality to verify tax compliance, must submitted with the tender document.
- Potential service providers must be registered on the Central Supplier Database.
• Potential service providers who were found guilty of fraud or corruption or who willfully neglected reneged on or failed to comply with any government, municipal or other public sector contract during the past five years, will be excluded from this process.

• Potential service providers (or any of the directors) whose municipal rates and taxes or municipal services charges are in arrears for three months, at the municipality or any other municipality or entity, might be excluded from this process. Please submit a municipal account (not older than 3 (three) months as proof of payment with your tender. If the bidder is not responsible for municipal rates, a Sworn Affidavit or a Lease Agreement must be submitted which indicate the reasons why a municipal account cannot be submitted.

• The lowest or only tender will not necessarily be accepted.

• No late, faxed or e-mailed tenders will be accepted.

• Potential service providers will be subject to security screening.

NB: No Bid will be considered from persons in the service of the state.

Failure to comply with these conditions may invalidate your offer.

The Municipality reserves the right to cancel or withdraw the request for tender at anytime without prior notice.

Yours faithfully

[Signature]

CJ FORTUIN
MUNICIPAL MANAGER

DATE

30/01/19
NAMAKWA DISTRICT MUNICIPALITY  
TENDER: 08/2019  
TRAINING-MUNICIPAL FINANCE MANAGEMENT PROGRAMME (MFMP)

T1.1 TENDER DATA

This table provides generic tender data which shall be used in all procurement conducted in accordance with the provisions of this standard.

Table E.1

<table>
<thead>
<tr>
<th>Sub Clause</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The tender data are standard conditions of tender as contained in Annex F of SANS 294:2004</td>
</tr>
<tr>
<td></td>
<td>The standard conditions of tender for procurements make several references to the tender data. The tender data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the standard condition of tender.</td>
</tr>
<tr>
<td></td>
<td>Each item of data given below is cross-referenced to the sub clause in the standard conditions of tender to which it mainly applies.</td>
</tr>
</tbody>
</table>

F.1.1 The employer is Namakwa District Municipality

F.1.2 The tender documents issued by the employer comprise:

**TENDER PROCEDURES**

*Part T1: Tender Procedures*

T1.1 Tender Notice and Invitation to Tender
T1.2 Tender Data

*Part T2: Returnable Documents*

T2.1 List of Returnable Documents
T2.2 Returnable Schedules

**CONTRACT**

*Part C1: Agreement and Contract Data*

C1.1 Form of Offer and Acceptance
C1.2 Contract Data

*Part C2: Pricing data*

C2.1 Pricing Instructions
C2.2 Activity Schedule

*Part C3: Scope of Works*

C3.1 Description of works

Annexure A

F 1.4 THE EMPLOYER'S AGENT IS:

Name: .... NAMAKWA DISTRICT MUNICIPALITY
Address: .... VAN RIEBEECK STREET, PRIVATE BAG X 20, SPRINGBOK, 8240
Tel: (027) 712 8000
Fax: (027) 712 8040…..
E-mail: lizellee@namakwa-dm.gov.za
Only those service providers who satisfy the following eligibility criteria are eligible to submit tenders:
- Directors of the service provider must not be in service of the state.
- Service provider must not have been found guilty of fraud or corruption during the past 5 years.
- Service provider must not have willfully neglected, reneged on or failed to comply with any government contract during the past 5 years.
- Must be registered on Central Supplier Database
- The service provider’s tax related matters must be in order with SARS.
- The service provider’s municipal bill must be up to date or payment arrangement must be in place with the Local Municipality.
- Training providers must be accredited
- Trainers/facilitators must be subject matters experts and /or qualified Education, Training and Development (ETD) Practitioners or registered trainers

The employer’s address for delivery of tenders is:

Location of tender box: NAMAKWA DISTRICT MUNICIPALITY

Physical address: ............ VAN RIEBEECK STREET

..................................................SPRINGBOK

Identification details: ... TENDER NOTICE 08/2019 : TRAINING-MUNICIPAL FINANCE MANAGEMENT PROGRAMME(MFMFP)

The closing time for submission of quotations are: 09:00 hours on 18 February 2019

Telephonic, telegraphic, telex, facsimile or e-mailed tenders will not be accepted. Electronic signatures will not be accepted on any returnable document, any document signed electronically will be regarded by the employer as non-responsive

The tender validity period is 90 days.

The following certificates are to be provided:
- A valid tax compliance pin number on an official document of SARS
- PROOF of SETA/ETQA registration
- B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE OR SWORN AFFIDAVIT (TO BE ELIGIBLE FOR PREFERENCE POINTS)
- CSD REGISTRATION REPORT

The Procedure for evaluation of responsive tenders is:
Methods: ...2........ (Financial offer &preferences)

The financial offer will be scored using Formula 2 of table 4 (SANS 294:2004) where the value of W1 is:
- 80 where the financial value inclusive of VAT of one or more responsive quotations equals or is less than R 50 000 000-00.

Up to 20 evaluation points, based on the B-BBEE status level of a service provider, will be awarded to the service provider who submit a valid B-BBEE status level verification certificate.
T2: RETURNABLE DOCUMENTS

The following documents are to be completed and returned as they constitute the tender. Whilst many of the returnables are required for the purpose of evaluating the tender, some will form part of the subsequent contract, as they form the basis of the offer. For this reason, it is very important that service providers return all information requested.

T2.1 LIST OF RETURNABLE DOCUMENTS

1. RETURNABLE DOCUMENTS REQUIRED FOR TENDER EVALUATION PURPOSES
   (Included hereafter for completion)
   
   MBD 1: Invitation to bid and term of conditions of bidding
   MBD 4: Declaration of Interest
   MBD 6.1: Preference Points Claim Form - in terms of the Preferential Procurement Regulations 2017
   MBD 7.2: Contract Form – Rendering of services
   MBD 8: Declaration of Bidders past Supply Chain Management Practices
   MBD 9: Certificate of Independent Bid Determination

T2.2 LIST OF RETURNABLE SCHEDULES

2. RETURNABLE SCHEDULES FOR TENDER EVALUATION PURPOSES
   (to be attached with submission)
   
   Schedule 1A: Tax compliance pin number and Tax clearance certificate
   Schedule 1B: Proof of SETA/ETQA
   Schedule 1C: Municipal Bill (copy) (not older than 3 months)
   Schedule 1D: B – BBEE status level verification certificate or sworn affidavit
   Schedule 1E: Proof of CSD Registration
**MBD 1: INVITATION TO BID AND TERM AND CONDITIONS FOR BIDDING**

**NAMAKWA DISTRICT MUNICIPALITY**

**PART A**  
**INVITATION TO BID**

<table>
<thead>
<tr>
<th>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE NAMAKWA DISTRICT MUNICIPALITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>BID NUMBER: 08/2019</td>
</tr>
<tr>
<td>DESCRIPTION</td>
</tr>
<tr>
<td>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).</td>
</tr>
<tr>
<td>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX</td>
</tr>
<tr>
<td>SITUATED AT</td>
</tr>
</tbody>
</table>

**NAMAKWA DISTRICT MUNICIPALITY**

**VAN RIEBEECK STREET**

**SPRINGBOK**

**8240**

**SUPPLIER INFORMATION**

<table>
<thead>
<tr>
<th>NAME OF BIDDER</th>
</tr>
</thead>
<tbody>
<tr>
<td>POSTAL ADDRESS</td>
</tr>
<tr>
<td>STREET ADDRESS</td>
</tr>
<tr>
<td>TELEPHONE NUMBER</td>
</tr>
<tr>
<td>CODE</td>
</tr>
<tr>
<td>CELLPHONE NUMBER</td>
</tr>
<tr>
<td>CODE</td>
</tr>
<tr>
<td>FACSIMILE NUMBER</td>
</tr>
<tr>
<td>CODE</td>
</tr>
<tr>
<td>E-MAIL ADDRESS</td>
</tr>
<tr>
<td>VAT REGISTRATION NUMBER</td>
</tr>
<tr>
<td>TAX COMPLIANCE STATUS</td>
</tr>
</tbody>
</table>

**B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE**

<table>
<thead>
<tr>
<th>[TICK APPLICABLE BOX]</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-BBEE STATUS LEVEL SWORN AFFIDAVIT</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

* [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]*
<table>
<thead>
<tr>
<th>Part</th>
<th>Question</th>
<th>Answer</th>
<th>Part</th>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</td>
<td>☐ Yes ☐ No</td>
<td>B</td>
<td>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td></td>
<td>[IF YES ENCLOSE PROOF]</td>
<td></td>
<td></td>
<td>[IF YES, ANSWER PART B:3 ]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL NUMBER OF ITEMS OFFERED</td>
<td></td>
<td></td>
<td>TOTAL BID PRICE</td>
<td>R</td>
</tr>
<tr>
<td></td>
<td>SIGNATURE OF BIDDER</td>
<td></td>
<td></td>
<td>DATE</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CAPACITY UNDER WHICH THIS BID IS SIGNED</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>BIDDING PROCEDURE ENQUIRES MAY BE DIRECTED TO:</td>
<td></td>
<td></td>
<td>TECHNICAL INFORMATION MAY BE DIRECTED TO:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DEPARTMENT</td>
<td>FINANCE</td>
<td></td>
<td>CONTACT PERSON</td>
<td>Jenevive Raci</td>
</tr>
<tr>
<td></td>
<td>CONTACT PERSON</td>
<td>Lizelle Richards</td>
<td></td>
<td>TELEPHONE NUMBER</td>
<td>027 341 8000</td>
</tr>
<tr>
<td></td>
<td>TELEPHONE NUMBER</td>
<td>0277180000</td>
<td></td>
<td>FACSIMILE NUMBER</td>
<td></td>
</tr>
<tr>
<td></td>
<td>FACSIMILE NUMBER</td>
<td>0277128041</td>
<td></td>
<td>E-MAIL ADDRESS</td>
<td><a href="mailto:jeneviver@namakwa-dm.gov.za">jeneviver@namakwa-dm.gov.za</a></td>
</tr>
<tr>
<td></td>
<td>E-MAIL ADDRESS</td>
<td><a href="mailto:lizellee@namakwa-dm.gov.za">lizellee@namakwa-dm.gov.za</a></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# 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 PREFERENCES PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENCES 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**

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?</td>
<td></td>
<td></td>
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<tr>
<td>3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?</td>
<td></td>
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</tr>
</tbody>
</table>

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:**

.................................................................
MBD 4: DECLARATION OF INTEREST

NAMAKWA DISTRICT MUNICIPALITY

MBD 4

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:

³MSCM 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.

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:


<table>
<thead>
<tr>
<th>Full Name</th>
<th>Identity Number</th>
<th>State Employee Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>


Signature  

Date

Capacity

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

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


1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable;

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:

<table>
<thead>
<tr>
<th></th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRICE</td>
<td></td>
</tr>
<tr>
<td>B-BBEE STATUS LEVEL OF CONTRIBUTOR</td>
<td></td>
</tr>
<tr>
<td>Total points for Price and B-BBEE must not exceed</td>
<td>100</td>
</tr>
</tbody>
</table>

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:

\[ Ps = 80 \left(1 - \frac{Pt - P_{\text{min}}}{P_{\text{min}}} \right) \]

or

\[ Ps = 90 \left(1 - \frac{Pt - P_{\text{min}}}{P_{\text{min}}} \right) \]

Where

- \( Ps \) = Points scored for price of bid under consideration
- \( Pt \) = Price of bid under consideration
- \( P_{\text{min}} \) = 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:
<table>
<thead>
<tr>
<th>B-BBEE Status Level of Contributor</th>
<th>Number of points (90/10 system)</th>
<th>Number of points (90/20 system)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>10</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>9</td>
<td>18</td>
</tr>
<tr>
<td>3</td>
<td>6</td>
<td>14</td>
</tr>
<tr>
<td>4</td>
<td>5</td>
<td>12</td>
</tr>
<tr>
<td>5</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>7</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Non-compliant contributor</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>Designated Group: An EME or QSE which is at last 51% owned by:</th>
<th>EME</th>
<th>QSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black people</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Black people who are youth</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people who are women</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people with disabilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people living in rural or underdeveloped areas or townships</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cooperative owned by black people</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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 proprietor
☐ 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.

<table>
<thead>
<tr>
<th>WITNESSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. ..................................................</td>
</tr>
<tr>
<td>2. ..................................................</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SIGNATURE(S) OF BIDDERS(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE: ....................................</td>
</tr>
<tr>
<td>ADDRESS: ............................</td>
</tr>
<tr>
<td>.......................................</td>
</tr>
</tbody>
</table>
MBD 7.2: CONTRACT FORM – RENDERING OF SERVICES

NAMAKWA DISTRICT MUNICIPALITY

MBD 7.2

CONTRACT FORM – RENDERING OF SERVICES

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

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)………………………………………………. in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number………………………… at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.

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

   (i) Bidding documents, viz
       - Invitation to bid;
       - Tax clearance certificate;
       - Pricing schedule(s);
       - Filled in task directive/proposal;
       - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
       - Declaration of interest;
       - Declaration of Bidder's past SCM practices;
       - Certificate of Independent Bid Determination;
       - Special Conditions of Contract;

   (ii) General Conditions of Contract; and

   (iii) Other (specify)

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

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

5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

<table>
<thead>
<tr>
<th>NAME (PRINT)</th>
<th>CAPACITY</th>
<th>SIGNATURE</th>
<th>NAME OF FIRM</th>
<th>DATE</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>WITNESSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
</tr>
</tbody>
</table>

DATE: ___________________________
CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

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

2. An official order indicating service delivery instructions is forthcoming.

3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

<table>
<thead>
<tr>
<th>DESCRIPTION OF SERVICE</th>
<th>PRICE (ALL APPLICABLE TAXES INCLUDED)</th>
<th>COMPLETION DATE</th>
<th>B-BBEE STATUS LEVEL OF CONTRIBUTION</th>
<th>MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (IF APPLICABLE)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

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

NAME (PRINT) ...........................................

SIGNATURE ...........................................

OFFICIAL STAMP

WITNESSES
1 ...........................................
2 ...........................................

DATE: .........................................
MBD 8: DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES

NAMAKWA DISTRICT MUNICIPALITY

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.

<table>
<thead>
<tr>
<th>Item</th>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>Is the bidder or any of its directors listed on the National Treasury’s Database of Restricted Suppliers as companies or persons 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 Accounting Officer/Authority of the institution that imposed the restriction after the <em>audi alteram partes</em> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury’s website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>4.1.1</td>
<td>If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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)?

The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the homepage.

| 4.2 | 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?

| 4.3 | Yes | No |

4.3.1 If so, furnish particulars:

<table>
<thead>
<tr>
<th>Item</th>
<th>Question</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.4</td>
<td>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?</td>
</tr>
</tbody>
</table>

| 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 |

4.5.1 If so, furnish particulars:

<table>
<thead>
<tr>
<th>Item</th>
<th>Question</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.7</td>
<td></td>
</tr>
</tbody>
</table>

| Yes | No |

CERTIFICATION

I, THE UN DERSIGNED (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
This Municipal Bidding Document (MBD) must form part of all bids invited.

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). Collusive bidding is a pe se prohibition meaning that it cannot be justified under any grounds.

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.

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.

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

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

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

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: ___________________________ that:

(Name of Bidder)

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

   (a) has been requested to submit a bid in response to this bid invitation;
   (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
   (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
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\(^a\) 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.

\(^a\) 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 69 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

Js9141w4
NAMAKWA DISTRICT MUNICIPALITY
TENDER: 08/2019
TRAINING-MUNICIPAL FINANCE MANAGEMENT PROGRAMME
(MFMP)

SCHEDULE 1A

TAX COMPLIANCE PIN NUMBER AND TAX CLEARANCE CERTIFICATE

PLEASE ATTACH HERE
NAMAKWA DISTRICT MUNICIPALITY
TENDER: 08/2019
TRAINING- MUNICIPAL FINANCE MANAGEMENT PROGRAMME (MFMP)

SCHEDULE 1B

PROOF OF SETA/ETQA

PLEASE ATTACH HERE
NAMAKWA DISTRICT MUNICIPALITY
TENDER: 08/2019
TRAINING- MUNICIPAL FINANCE MANAGEMENT PROGRAMME
(MFMP)

SCHEDULE 1C

MUNICIPAL BILL

PLEASE ATTACH HERE
NAMAKWA DISTRICT MUNICIPALITY
TENDER: 08/2019
TRAINING-MUNICIPAL FINANCE MANAGEMENT PROGRAMME
(MFMP)

SCHEDULE 1D

B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE

PLEASE ATTACH HERE
NAMAKWA DISTRICT MUNICIPALITY
TENDER: 08/2019
TRAINING-MUNICIPAL FINANCE MANAGEMENT PROGRAMME (MFMP)

SCHEDULE 1E

CSD REGISTRATION

PLEASE ATTACH HERE
NAMAKWA DISTRICT MUNICIPALITY  
TENDER: 08/2019  
TRAINING-MUNICIPAL FINANCE MANAGEMENT PROGRAMME (MFMP)  

C1.1: FORM OF OFFER AND ACCEPTANCE  

1.1 OFFER  

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

TRAINING-MUNICIPAL FINANCE MANAGEMENT PROGRAMME (MFMP)  

The Service Provider, identified in the Offer signature block below, has examine the documents listed in the Tender Data and addenda thereto as listed in the Tender Schedules, and by submitting this Offer has accepted the Conditions of Tender.  

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

THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS:  

Rand (in words): R ............................................(figures).  

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

For the Service Provider:  

Signature  

Name  

Capacity  

Name and address of organisation:  

Signature and name of witness:  

Signature  

Name  

Date: ........................................................................  

1.2 ACCEPTANCE

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

The terms of the contract, are contained in

<table>
<thead>
<tr>
<th>Part</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part 1</td>
<td>Agreement and Contract Data, <em>(which includes this Agreement)</em></td>
</tr>
<tr>
<td>Part 2</td>
<td>Pricing Data</td>
</tr>
<tr>
<td>Part 3</td>
<td>Scope of Work</td>
</tr>
<tr>
<td>Part 4</td>
<td>Site Information</td>
</tr>
</tbody>
</table>

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

Deviations from and amendments to the documents listed in the quotation data and any addenda thereto listed in the Service Provider Schedules as well as any changes to the terms of the Offer agreed by the Tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Agreement. No amendments to or deviations from said documents are valid unless contained in this Schedule, which must be duly signed by the authorized representative(s) of both parties.

The Service Provider shall within two weeks after receiving a completed copy of this Agreement, including the Schedule of Deviations (if any), contact the Employer's agent (whose details are given in the Contract Data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the Conditions of Contract identified in the Contract Data at, or just after, the date this Agreement comes into effect. Failure to fulfill any of these obligations in accordance with those terms shall constitute a repudiation of this Agreement.

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

**For the Employer:**

*Signature* .................................................................

*Name* .................................................................

*Capacity* .................................................................

Name and address of organization:

Namakwa District Municipality
Van Riebeeck Street
Springbok
8240

*Signature and name of witness:*

*Signature* .................................................................

*Name* .................................................................

*Date* .................................................................
1.3 SCHEDULE OF DEVIATIONS

The extent of deviations from the quotation documents issued by the employer before the tender closing date is limited to those permitted in terms of the conditions of quotation.

A Service Provider's covering letter shall not be included in the final contract document. Should any matter in such letter, which constitutes a deviation as aforesaid, be the subject of agreements reached during the process of offer and acceptance, the outcome of such agreement shall be recorded here.

Any other matter arising from the process of offer and acceptance either as a confirmation, clarification or change to the quotation documents, and which it is agreed by the parties becomes an obligation of the contract, shall also be recorded here.

Any change or addition to the tender documents arising from the above agreements and recorded here shall also be incorporated into the final draft of the contract.

1. Subject
Details

2. Subject
Details

3. Subject
Details

4. Subject
Details

5. Subject
Details

6. Subject
Details

By the duly authorized representatives signing this schedule of deviations, the employer and the Service Provider agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the tender data and addenda thereto as listed in the Service Provider schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the Service Provider and the employer during this process of offer and acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the Service Provider of a completed signed copy of this agreement shall have any meaning or effect in the contract between the parties arising from this agreement.
For the Service Provider:

Signature(s) .......................................................... ..........................................................

Name(s) .......................................................... ..........................................................

Capacity .......................................................... ..........................................................

(Name and address of organisation)

Name and signature of witness ........................................ Date ........................................

For the employer:

Signature(s) .......................................................... ..........................................................

Name(s) .......................................................... ..........................................................

Capacity .......................................................... ..........................................................

(Name and address of organisation)

Name and signature of witness ........................................ Date ........................................
C1.2 CONTRACT DATA

CONTRACT DATA FOR:
TRAINING- MUNICIPAL FINANCE MANAGEMENT PROGRAMME (MFMP)

PART 1: DATA PROVIDED BY THE EMPLOYER

CONDITIONS OF CONTRACT

The General Conditions of Contract shall apply. Copies are available on the National Treasury website at www.treasury.gov.za and are also available from the office of the Employer.

CONTRACT SPECIFIC DATA

The following contract specific data are applicable to this Contract:

Compulsory Data

<table>
<thead>
<tr>
<th>Ref Clause</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 1</td>
<td>The name of the Employer is NAMAKWA DISTRICT MUNICIPALITY</td>
</tr>
<tr>
<td>Clause 1</td>
<td>The address of the Employer is:</td>
</tr>
<tr>
<td></td>
<td>Name: NAMAKWA DISTRICT MUNICIPALITY</td>
</tr>
<tr>
<td></td>
<td>Address: VAN RIEBEECK STREET, SPRINGBOK.</td>
</tr>
<tr>
<td></td>
<td>Tel: 027 712 8000 Fax: 027 712 8040</td>
</tr>
<tr>
<td></td>
<td>E-mail: <a href="mailto:lizellee@namakwa-dm.gov.za">lizellee@namakwa-dm.gov.za</a></td>
</tr>
<tr>
<td>Clause 1</td>
<td>The Project is: TRAINING- MUNICIPAL FINANCE MANAGEMENT PROGRAM (MFMP)</td>
</tr>
<tr>
<td>Clause 3.4 &amp; 4.3.2</td>
<td>The authorized &amp; designated representative of the employer is Ms. J Rool</td>
</tr>
<tr>
<td>Clause 3.5</td>
<td>The location of Performance of the project is in Namakwa District Municipal Area</td>
</tr>
<tr>
<td>Clause 3.6</td>
<td>The service provider may not release public or media statements or publish material relating to the services or project under any circumstances</td>
</tr>
<tr>
<td>Clause 8.2.1</td>
<td>The Contract is concluded when both parties have signed the agreement.</td>
</tr>
<tr>
<td>Clause 9.1</td>
<td>Copyright of documents prepared for the project shall be vested with the employer.</td>
</tr>
<tr>
<td>Clause 12.1</td>
<td>Interim settlement of disputes to be by mediation / adjudication</td>
</tr>
<tr>
<td>Clause 12.2/12.3</td>
<td>Final settlement is by litigation / arbitration</td>
</tr>
<tr>
<td>Clause 12.2.1</td>
<td>In the event that the parties fail to agree on a mediator, the mediator is nominated by employer.</td>
</tr>
<tr>
<td>Ref Clause</td>
<td>DESCRIPTION</td>
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<tr>
<td>Clause (1)</td>
<td>The name of the Service Provider is:</td>
</tr>
<tr>
<td>Clause (1)</td>
<td>The address of the Service Provider is:</td>
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<td></td>
<td>Name:</td>
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<td></td>
<td>Address:</td>
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<td></td>
<td>Tel: Fax:</td>
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<td></td>
<td>E-mail:</td>
</tr>
<tr>
<td>Clause 1</td>
<td>The period of performance is:</td>
</tr>
<tr>
<td>Clause 5.3</td>
<td>The authorized and designated representative of the service provider is:</td>
</tr>
<tr>
<td></td>
<td>Name:</td>
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</tbody>
</table>
C2.1: PRICING INSTRUCTIONS

1. The activity schedule must be read in conjunction with the conditions of the tender, conditions of contract and scope of works. Detailed descriptions of the activities to be priced are provided in the scope of work.

2. For the purpose of the Activity Schedule, the following words shall have meanings hereby assigned to them:

   - **Unit**: The unit of measurement for each item of work.
   - **Quantity**: The number of units of work for each item.
   - **Rate**: The agreed payment per unit of measurement.
   - **Amount**: The product of the quantity and the agreed rate for an item.
   - **Sum**: An agreed lump sum payment amount for an item, the extent of which is described in the Scope of Work, but the quantity of work that is not measured in any units.

3. A rate, sum, percentage fee and/or price as applicable, is to be entered against each item in Activity Schedule. An item against which no price is entered will be considered to be covered by the other prices or rates in the Activity Schedule.

4. The rates, sums, percentage fees, and prices in the Schedule of Activities are to be fully inclusive prices for the work described under the several items. Such prices and rates cover all costs and expenses that may be required in and for the execution of the work described in accordance with the provisions of the Scope of Work, and shall cover the cost of all general risks, liabilities, and obligations set forth or implied in the Contract Data, as well as overhead charges and profit.

5. While the Employer has every intent to complete the full scope of works, the Employer reserves the right to reduce or increase the scope of works according to the dictates of the budget, or to terminate this contract, with adjustment to the agreed rates, sums, or fees and without payment of any penalty in this regard. The Service Provider shall however be entitled to pro-rata payment for all services carried out in terms of any adjustment to the Scope of Work or, in the case of termination, remuneration and/or reimbursement.
C3: SCOPE OF WORK

NAMAKWA DISTRICT MUNICIPALITY
TENDER 08/2019

TRAINING-MUNICIPAL FINANCE MANAGEMENT PROGRAMME (MFMP)

C3.1 PURPOSE
The purpose of these terms of reference is to request a suitable service provider to submit a quote with regard to training on the above mentioned schedule to the Namakwa District Municipality

C3.2 APPLICABLE STANDARDS
The Service Provider shall take cognizance of, and adhere to, all applicable National and International Standards in the execution of his work.

C3.3 EVALUATION
Step 1: Compliance with minimum requirements of the bids

All bids will be evaluated to determine compliance with requirements and conditions of the bid documents and terms of reference. Bidders not complying with requirements/conditions of the bid documents and terms of reference will be eliminated from the evaluation process.

Step 2: Evaluation in terms of price and preference points

The Namakwa district Municipality does not bind itself to only choose the bidder with the lowest price but the bidder with the highest points.

Training: MUNICIPAL FINANCE MANAGEMENT PROGRAMME (MFMP)

COMPULSORY REQUIREMENTS

- Training providers must be accredited. Their must indicate with which SETA/ETQA and their registration number (Please submit proof)

- Training must be given on the dates as decided by Namakwa District Municipality.

- Training material must be outcome based and linked to unit standards.

- Training must be offered at the requested level with the appropriate credits.

- Trainers/facilitators must be subject matters experts and/or qualified Education, Training and Development (ETD) Practitioners or registered trainers (Please provide proof)

- Formative and or summative assessment must be done by registered assessors. (Please submit proof of assessors registration)

- Training must be held In-House

- Training venue will be provided by the Municipality

- Catering must be excluded from the tender price
### Annexure A

Please indicate whether you provide the requested unit standard with required NQF level and credits. (Please provide proof)

<table>
<thead>
<tr>
<th>Number of persons</th>
<th>Unit standard &amp; description</th>
<th>Credits &amp; NQF Level</th>
<th>Yes provide unit standard with NQF level &amp; credits</th>
<th>No. Do not provide unit standard with NQF level and credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>116345 – Apply the principles of budgeting within a municipality</td>
<td>NQF Level 5, credits 15</td>
<td></td>
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<tr>
<td>7</td>
<td>116364 - Plan a municipal budgeting and reporting cycle</td>
<td>NQF Level 6, 8 credits</td>
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<tr>
<td>7</td>
<td>116363 - Prepare and analyse municipal financial reports</td>
<td>NQF Level 6, 12 credits</td>
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<tr>
<td>2</td>
<td>116358 - Contribute to the strategic planning process in a South African municipality</td>
<td>NQF Level 6, 15 credits</td>
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<tr>
<td>6</td>
<td>116341 - Conduct performance management to a South African municipal environment</td>
<td>NQF Level 6, 12 credits</td>
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<tr>
<td>2</td>
<td>116342 - Apply approaches to managing municipal income and expenditure within a multi-year framework</td>
<td>NQF Level 6, 15 credits</td>
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<td>4</td>
<td>116362 - Manage a municipality's assets and liabilities</td>
<td>NQF Level 6, Credits 11</td>
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<td>8</td>
<td>116339 - Apply risk management in South African municipalities</td>
<td>NQF Level 6, 10 Credits</td>
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<tr>
<td>7</td>
<td>116351 - Conduct auditing planning and implementation in a South African municipality</td>
<td>NQF Level 5, 12 Credits</td>
<td></td>
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<tr>
<td>7</td>
<td>119348 - Apply selected GRAP (Generally Recognised Accounting Practices) to periodic accounting reporting process</td>
<td>NQF Level 5, 12 Credits</td>
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<tr>
<td>7</td>
<td>119350 - Apply accounting principles and procedures in the preparation of reports and decision making</td>
<td>NQF Level 5, 15 Credits</td>
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<td>8</td>
<td>119334 - Discuss the selected legislative regulatory framework governing the public-sector management and administration environment</td>
<td>NQF Level 5, 12 Credits</td>
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<tr>
<td>2</td>
<td>116348 – Conduct stakeholder consultation around municipal finance programmes</td>
<td>NQF Level 6, 8 Credits</td>
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<tr>
<td>2</td>
<td>116361 - Interpret South African legislation and policy affecting municipal financial management</td>
<td>NQF Level 6, 8 Credits</td>
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<td>7</td>
<td>116343 - Apply the principles of ethics in a municipal environment</td>
<td>NQF Level 6, 10 Credits</td>
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<td>8</td>
<td>119331 - Conduct working capital management activities in accordance with sound financial management policy</td>
<td>NQF Level 5, 12 Credits</td>
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<td>8</td>
<td>119341 - Apply cost management information systems in the preparation of management reports</td>
<td>NQF Level 5, 15 Credits</td>
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<tr>
<td>9</td>
<td>119343 - Apply operations research principles and tools in the management of project activities and resources</td>
<td>NQF Level 5, 15 Credits</td>
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<tr>
<td>9</td>
<td>119352 - Apply principles of information systems to public finance and administration</td>
<td>NQF Level 5, 12 Credits</td>
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<tr>
<td>9</td>
<td>116353 - Participate in the design and implementation of municipal supply chain management</td>
<td>NQF Level 6, 12 Credits</td>
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<tr>
<td>Number of delegates</td>
<td>Unit standard</td>
<td>Duration</td>
<td>Rate</td>
<td>Total cost</td>
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</table>
INSTRUCTION TO POTENTIAL SERVICE PROVIDERS

ALL TENDER CONDITIONS MUST BE STRICTLY ADHERED TO, FAILING WHICH THIS TENDER SUBMISSION WILL BE DECLARED NON-RESPONSIVE

1.1 Any portion of the Tender Document not completed will be interpreted as "not applicable".

1.2 The Namakwa District Municipality reserves the right to accept:
   • the whole tender or part of a tender or any item or part of any item or accept more than one tender (in the event of a number of items being offered) and the Namakwa District Municipality is not obliged to accept the lowest or any tender.

1.3 The Namakwa District Municipality will not be held responsible for any expenses incurred by potential service providers in preparing and submitting quotations.

1.4 The Namakwa District Municipality may, after the closing date, request additional information or clarification of tenders in writing.

1.5 The Namakwa District Municipality's representative for the purpose of this quote shall be:
   Name: Ms Jenavive Rooi
   Tel. No: (027) 712 8000/8011
   Email: jenaviver@namakwa-dm.gov.za

2. VALIDITY PERIOD

2.1 Any tender submitted shall remain valid, irrevocable and open for written acceptance by the Namakwa District Municipality for a period of ninety (90) days from the closing date. By submitting a quotation, the potential service provider undertakes not to withdraw his quote or to amend it during the aforesaid period of ninety (90) days.

3. SPECIAL CONDITIONS OF CONTRACT

THESE SPECIAL CONDITIONS CONTRACT (Scc) SUPPLEMENT MUST BE READ WITH THE CORRESPONDING PROVISIONS OF THE GENERAL CONDITIONS OF CONTRACT (GCC) ISSUED BY NATIONAL TREASURY.


3.1 Standards

Failure to comply with the standards and Specification as set out in the tender document shall constitute a material breach and the Namakwa District Municipality reserves the right to cancel the Contract in terms of Clause 23 of the GCC.

3.2 Payment - Clause 16 of GCC

All invoices must be forwarded to the following address:

Namakwa District Municipality, Private Bag X 20, Springbok, 8240.
4. \textbf{SETTLEMENT OF DISPUTES – CLAUSE 27 OF GCC:}


a) Persons aggrieved by decisions or actions taken by the Namakwa District Municipality in the implementation of its supply chain management system, may lodge within 14 days of the decision or action, a written objection or complaint or query or dispute against the decision or action.