



OVERSTRAND MUNICIPALITY

TENDER NO. SC 1126/2001: SALE OF ERF 11154 (A PORTION OF ERF 384) HERMANUS FOR AN ONCOLOGY UNIT

Name of Tenderer:	
Contact Person:	
Contact Number:	
Tender Amount Offered:	R (including VAT)
Tender Amount in Words:	
Signature:	
Date:	

FORM OF OFFER: Page 19

SEPTEMBER 2011

DIRECTORATE : INFRASTRUCTURE & PLANNING
SECTION : PLANNING AND PROPERTY ADMINISTRATION
TENDER NO : SC 1126/2001

TITLE: SALE OF ERF 11154 (A PORTION OF ERF 384) HERMANUS IN THE OVERSTRAND MUNICIPAL AREA FOR AN ONCOLOGY UNIT

TABLE OF CONTENTS

The Tender

PART T1: TENDERING PROCEDURES

T1.1	Tender Notice and Invitation to Tender	4
T1.2	Tender Data and Specifications	5

PART T2: RETURNABLE DOCUMENTS

T2.1	List of Returnable documents	9
T2.2	Financial Backing and Resources	10
T2.3	Authority for Signatory.....	11
T2.4	Joint Ventures	12
T2.5	Compulsory Enterprise Questionnaire	13
T2.6	Record of Addenda	17

The Contract

PART C1: AGREEMENT AND CONTRACT DATA

C1.1	Form of Offer and Acceptance	19
------	------------------------------------	----

PART C2: PRICING DATA

C2.1	Pricing Instruction.....	22
------	--------------------------	----

PART C3: SCOPE OF TENDER

C3.1	Scope of Tender.....	24
------	----------------------	----

Annexures:

ANNEXURE A	- Location Map.....	28
ANNEXURE B	- Site Map.....	29
ANNEXURE C	- Approved Diagram	30
ANNEXURE D	- Services Report	31

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

Part T1: Tendering Procedures

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

DIRECTORATE : INFRASTRUCTURE & PLANNING
SECTION : PLANNING AND PROPERTY ADMINISTRATION
TENDER NO : SC 1126/2001

TITLE: SALE OF ERF 11154 (A PORTION OF ERF 384) HERMANUS IN THE OVERSTRAND MUNICIPAL AREA FOR AN ONCOLOGY UNIT

T1.1 TENDER NOTICE AND INVITATION TO TENDER



TENDER NO: SC 1126/2001

Tenders are hereby invited for: **Sale of ERF 11154 (A Portion of ERF 384) Hermanus for an Oncology Unit.**

Tender documents, in English, are obtainable from Friday, 09 September 2011, at the offices of the Supply Chain Management Unit, Overstrand Municipality, Magnolia Avenue, Hermanus, Tel. 028 313 8064 from Mr. Ayanda Mili between 08h30 and 15h30, upon payment of a non-refundable tender participation fee of R115.00 per set. Bank guaranteed cheques are to be made payable to "Overstrand Municipality". Alternatively the documents can be downloaded free of charge from the website: www.overstrand.gov.za

Sealed tenders, with "**Tender No. SC 1126/2011: Sale of ERF 11154 (A Portion of ERF 384) Hermanus for an Oncology Unit.**" clearly endorsed on the envelope, must be deposited in **Tender Box No. 5** at the offices of the Overstrand Municipality, Magnolia Avenue, Hermanus. Bids may only be submitted on the bid documentation provided by the Municipality.

The closing date and time of the tender is **on 14 October 2011 at 12h00** and will be opened in public immediately thereafter in the Committee Room, Hermanus Administration.

Tenders must be valid for 120 days after the closing date.

The Overstrand Municipality does not bind itself to accept the highest or any Tender and reserves the right to accept any tender, as it may deem expedient. Tenders are subject to the Standard Conditions of Tender, and the Supply Chain Management Policy and the Administration of Immoveable Property Policy of the Overstrand Municipality.

Please refer technical enquiries to **Alta Marais** at telephone number: **028 313 8102**.

MR. S.MULLER
DIRECTOR: INFRASTRUCTURE & PLANNING

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

DIRECTORATE : INFRASTRUCTURE & PLANNING
SECTION : PLANNING AND PROPERTY ADMINISTRATION
TENDER NO : SC 1126/2001

TITLE: SALE OF ERF 11154 (A PORTION OF ERF 384) HERMANUS IN THE OVERSTRAND MUNICIPAL AREA FOR AN ONCOLOGY UNIT

T1.2 TENDER DATA & SPECIFICATIONS

Clause number	
	The conditions of tender are the standard conditions of tender as published in Government Gazette No 31823. The Standard Conditions of Tender for Procurement makes several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the standard conditions of tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.
F.1.1	The OWNER is Overstrand Municipality
F.1.2	The tender document issued by the owner comprises: Part T1: Tendering Procedures T1.1 Tender notice and invitation to tender T1.2 Tender data and specifications Part T2: Returnable Schedules T2.1 List of returnable documents T2.2 Financial Backing and Resources T2.3 Authority for Signatory T2.4 Joint Ventures T2.5 Compulsory Enterprise Questionnaire T2.6 Record of Addenda Part C1: Agreements and Contract Data C1.1 Form of offer and acceptance Part C2: Pricing Data C2.1 Pricing instructions Part C3: Scope of Tender C3.1 Scope of tender
F.1.4	The owner's representative is: Name: Mrs A Marais Address: Directorate: Infrastructure & Planning Po Box 20 Magnolia Avenue Hermanus 7200 Tel: 028 313 8900 Fax: 028 313 2093 E-mail: amarais@overstrand.gov.za
F1.5.1	Overstrand Municipality reserves the right to accept any or none of the tenders submitted and it is not obligated to accept the highest tender / bid. Furthermore the Municipality reserves the right to award to any bidder of the Municipality's choice to ensure a fair and equitable distribution of the Municipality's property to all people of the Western Cape Province in particular, and RSA in general.
F.2.1	Only those tenderers satisfying the following eligibility criteria are eligible to submit tenders: 1. Tender Entities that have proven financial backing and financial resources. 2. Valid Original Tax Clearance Certificate.
F.2.7	There are no compulsory clarification or site meetings.
F.2.12	No alternative offers will be considered.
F.2.13.3	Parts of each tender offer communicated on paper shall be submitted as an original, plus 1 (one) copy.

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

F.2.13.5	<p>The owner's address for delivery of tender offers and identification details to be shown on each tender offer package are: LOCATION OF TENDER BOX: Overstrand Municipality, Administration Building, Magnolia Avenue, Hermanus PHYSICAL ADDRESS: Overstrand Municipality, Magnolia Avenue, Hermanus IDENTIFICATION DETAILS: TENDER NO. SC 1126/2001: SALE OF ERF 11154 (A PORTION OF ERF 384) HERMANUS IN THE OVERSTRAND MUNICIPAL AREA</p>
F.2.13	A two-envelope procedure will not be followed.
F.2.15	The closing time for submission of tender offers is 12h00 on Friday, 14 October 2011.
F.2.15	Mailed, Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.
F.2.16	The tender offer validity period is 120 days.
F.2.23	The tenderer is required to submit with his tender an Original Valid Tax Clearance Certificate issued by the South African Revenue Services.
F.3.4	<p>The time and location for opening of the tender offer is: TIME: Immediately after 12h00 on Friday, 14 October 2011. VENUE: Overstrand Municipality, Administration Building, Magnolia Avenue, Hermanus. Tenders will be opened as soon as possible after the closing time for tenders at 12h00.</p>
F.3.11	<p>THE 90/10 PREFERENCE POINT SYSTEMS A maximum of 80 or 90 points is allocated for price on the following basis:</p> <p style="text-align: center;">90/10</p> $P_s = 90 \left(1 + \frac{P_t - P_h}{P_h} \right)$ <p>Where P_s = Points scored for price of bid under consideration P_t = Rand value of bid under consideration P_h = Rand value of highest acceptable bid</p> <p>Scoring Preferences</p> <p>In terms of Regulation 13(2) preference points for HDI's are calculated on their percentage shareholding in a business, provided that they are actively involved in and exercise control over the enterprise. The following formula is prescribed in Regulation 13(5)(c):</p> $NEP = NOP \times \frac{EP}{100}$ <p>Where NEP = Points awarded for equity ownership by an HDI NOP = The maximum number of points awarded for equity ownership by an HDI in that specific category EP = The percentage of equity ownership by an HDI within the enterprise or business, determined in accordance with the definition of HDI's.</p> <p>OR as indicated in the MBD forms</p>
F3.13.1	<p>Tender offers will only be accepted if:</p> <ol style="list-style-type: none"> the tenderer submits an original valid Tax Clearance Certificate issued by the South African Revenue Services the tenderer is not in arrears for more than 3 months with municipal rates and taxes and municipal service charges; the tenderer or any of its directors is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; and the tenderer has not abused the Municipality's Supply Chain Management System.

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

F.3.11.3	Description of FINAL EVALUATION CRITERIA:		Evaluation points for tenders > R500 000.00
	• Price		90
	- Based on the monetary offer (highest price)		
	• Empowerment		10
	- HDI – MBD 6.2 (ANNEXURE G)		6
	- Women MBD 6.2 (ANNEXURE G)		2
	- Disabled MBD 6.2 (ANNEXURE G)		2
	TOTAL		100

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

Part T2: Returnable Schedules

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

DIRECTORATE : INFRASTRUCTURE & PLANNING
SECTION : PLANNING AND PROPERTY ADMINISTRATION
TENDER NO : SC 1126/2001

TITLE: SALE OF ERF 11154 (A PORTION OF ERF 384) HERMANUS IN THE OVERSTRAND MUNICIPAL AREA FOR AN ONCOLOGY UNIT

T2.1 LIST OF RETURNABLE DOCUMENTS

Failure to comply with the requirements as listed below will render the bid non-responsive and will lead to disqualification.

The tenderer must complete the following returnable documents

1. RETURNABLE SCHEDULES REQUIRED FOR TENDER EVALUATION PURPOSES
 - 1.1 Proof of financial backing and financial resources. – Compulsory.
 - 1.2 Authority for Signatory
2. OTHER DOCUMENTS REQUIRED
 - 2.1 Certificate of Authority for Joint Ventures (If Applicable)
 - 2.2 Documents supporting points claimed with regard to the Tender Qualification Criteria (Refer to **page 7**). – Compulsory.
 - 2.3 MBD 2 Tax Clearance Certificate Requirements. – Compulsory.
 - 2.4 MBD 4 Declaration of Interest. – Compulsory.
 - 2.5 MBD 6.2 Preference Points Claim Form
 - 2.6 MBD 8 Declaration of Bidder's Past Supply Chain Management Practices. – Compulsory.
 - 2.7 MBD 9 Certificate of Independent Bid Determination. – Compulsory.
 - 2.8 MBD 15 Certificates for Payment of Municipal Services. – Compulsory.
3. RETURNABLE SCHEDULES THAT WILL BE INCORPORATED INTO THE CONTRACT
 - 3.1 Record of Addenda
 - 3.2 Compulsory Enterprise Questionnaire
4. FORM OF OFFER AND ACCEPTANCE (C1.1). – Compulsory.

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

DIRECTORATE : INFRASTRUCTURE & PLANNING
SECTION : PLANNING AND PROPERTY ADMINISTRATION
TENDER NO : SC 1126/2001

TITLE: SALE OF ERF 11154 (A PORTION OF ERF 384) HERMANUS IN THE OVERSTRAND MUNICIPAL AREA FOR AN ONCOLOGY UNIT

T2.2 PROOF OF FINANCIAL BACKING AND FINANCIAL RESOURCES

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

T2.3 AUTHORITY FOR SIGNATORY

In the case of a tender being submitted on behalf of a Company, Close Corporation or Partnership, assurance shall be given at the time of submission of the tender that the tender has been signed by someone properly authorized thereto by virtue of the Articles of Association, or resolution of the Directors, Members or Partners, or other authority as applicable. Signatories shall confirm their authority by completing the form below and attaching a copy of the relevant authority duly signed and dated.

I, the undersigned, declare that I am duly authorized to sign the offer on the form of offer and acceptance on behalf of

by virtue of the Articles of Association/Resolution of the Board of Directors* or

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

* Delete whichever is not applicable, or if neither is applicable, indicate alternate authority.

NAME:

CAPACITY:

SIGNATURE:

DATE:

WITNESSES: 1.

2.

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

DIRECTORATE : INFRASTRUCTURE & PLANNING
 SECTION : PLANNING AND PROPERTY ADMINISTRATION
 TENDER NO : SC 1126/2001

TITLE: SALE OF ERF 11154 (A PORTION OF ERF 384) HERMANUS IN THE OVERSTRAND MUNICIPAL AREA FOR AN ONCOLOGY UNIT

T2.4 CERTIFICATE OF AUTHORITY FOR JOINT VENTURES (if applicable)

This Returnable Schedule is to be completed by joint ventures.

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorize Mr./Ms.

....., authorized signatory of the company

....., acting in the capacity of lead partner, to sign

all documents in connection with the tender offer and any contract resulting from it on our behalf.

NAME OF FIRM	ADDRESS	DULY AUTHORISED SIGNATORY
Lead partner		Signature Name Designation
		Signature Name Designation
		Signature Name Designation
		Signature Name Designation

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

T2.5 COMPULSORY ENTERPRISE QUESTIONNAIRE

The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted.

Section 1: Name of enterprise:

Section 2: VAT registration number, if any:

Section 3: CIDB registration number, if any: N/A

Section 4: Particulars of sole proprietors and partners in partnerships

Name*	Capacity	Identity number*	Personal income tax number*

* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

Section 5: Particulars of companies and close corporations

Company registration number

Close corporation number

Tax reference number

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____
Page 13 of 55

Section 6: Record in the service of the state

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

<input type="checkbox"/> a member of any municipal council. <input type="checkbox"/> a member of any provincial legislature. <input type="checkbox"/> a member of the National Assembly or the National Council of Province. <input type="checkbox"/> a member of the board of directors of any municipal entity. <input type="checkbox"/> an official of any municipality or municipal entity.	<input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999). <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity. <input type="checkbox"/> an employee of Parliament or a provincial legislature.
---	--

If any of the above boxes are marked, disclose the following:

Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

* Insert separate page if necessary

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____
 Page 14 of 55

Section 7: Record of spouses, children and parents in the service of the state

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:

<input type="checkbox"/> a member of any municipal council. <input type="checkbox"/> a member of any provincial legislature. <input type="checkbox"/> a member of the National Assembly or the National Council of Province. <input type="checkbox"/> a member of the board of directors of any municipal entity. <input type="checkbox"/> an official of any municipality or municipal entity.	<input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999). <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity. <input type="checkbox"/> an employee of Parliament or a provincial legislature.
---	--

If any of the above boxes are marked, disclose the following:

Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

* Insert separate page if necessary

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

The undersigned, who warrants that he / she is duly authorized to do so on behalf of the enterprise:

- (i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- (ii) confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- (iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- (iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- (iv) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

Signed: _____ Date: _____
Name: _____ Position: _____
Enterprise name: _____

Name of Tenderer: _____ Signature of Tenderer: _____
Date: _____

Part C1: Agreement and Contract Data

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

DIRECTORATE : INFRASTRUCTURE & PLANNING
SECTION : PLANNING AND PROPERTY ADMINISTRATION
TENDER NO : SC 1126/2001

TITLE: SALE OF ERF 11154 (A PORTION OF ERF 384) HERMANUS IN THE OVERSTRAND MUNICIPAL AREA FOR AN ONCOLOGY UNIT

C1.1 FORM OF OFFER AND ACCEPTANCE

1.1.1. OFFER

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

TENDER NO: SC 1126/2001

TITLE: SALE OF ERF 11154 (A PORTION OF ERF 384) HERMANUS IN THE OVERSTRAND MUNICIPAL AREA

The tenderer, identified in the offer signature block, has examined the documents listed in the tender data and addenda thereto as listed in the returnable 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 as described in the tender document including compliance with all its terms and conditions according to their true intent and meaning.

THE OFFERED PRICE INCLUSIVE OF VALUE ADDED TAX IS:

Rand.....

..... (in words);

R..... (in figures)

This offer may be accepted by the Municipality by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the tenderer before the end of the period of validity stated in the tender data.

Signature(s)

Name(s)

Capacity

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

For the tenderer

(Name and address of organization/ tenderer)

Name and signature of witness Date

1.1.2. ACCEPTANCE

By signing this part of this Form of Offer and Acceptance, the Municipality identified below, accepts the tenderer's offer. Acceptance of the tenderer's offer shall form an agreement between the Municipality and the tenderer upon the terms and conditions contained in this agreement and in the Deed of Sale to be concluded that is the subject of this agreement.

The tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), arrange for the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the agreement. 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 comes into effect on the date when the tenderer receives one fully completed original copy of this document. Unless the tenderer (now Developer) within five working days of the date of such receipt notifies the Municipality in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

Signature(s)

Name(s)

Capacity for the Municipality

**OVERSTRAND MUNICIPALITY
Magnolia Avenue
Hermanus**

Name and signature of witness Date

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

Part C2: Pricing Data

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

DIRECTORATE : INFRASTRUCTURE & PLANNING
SECTION : PLANNING AND PROPERTY ADMINISTRATION
TENDER NO : SC 1126/2001

TITLE: SALE OF ERF 11154 (A PORTION OF ERF 384) HERMANUS IN THE OVERSTRAND MUNICIPAL AREA FOR AN ONCOLOGY UNIT

C2.1 PRICING INSTRUCTION

The Purchase Price will be payable as follows:

- 10% of the purchase price on acceptance of the offer.
- Remainder of purchase price is payable on the date of transfer.
- The tenderer must provide the total amount offered for the property (inclusive of Value Added Tax (Use C1.1 Form of Offer and Acceptance)

Tender Number	Property Description	Tender Price (VAT included)
SC 1126/2001	ERF 11154 (a portion of Erf 384) Hermanus	

Signed at _____ on this _____ day of _____ 2011
in the presence of the undersigned witnesses.

As Witnesses:

TENDERER:

1. _____

2. _____

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

Part C3: Scope of Tender

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

DIRECTORATE : INFRASTRUCTURE & PLANNING
SECTION : PLANNING AND PROPERTY ADMINISTRATION
TENDER NO : SC 1126/2001

TITLE: SALE OF ERF 11154 (A PORTION OF ERF 384) HERMANUS IN THE OVERSTRAND MUNICIPAL AREA FOR AN ONCOLOGY UNIT

C3.1 SCOPE OF TENDER

1. INTRODUCTION

- 1.1. The Overstrand Municipality has decided to dispose of the property known as Erf 11154 (a portion of 384), Hermanus. The Municipality owns the land which is undeveloped.
- 1.2. The objective of this exercise is to enable the Bid Adjudication Committee to select the best submission in terms of both financial ability and concept appropriateness for the site.
- 1.3. The document is self-explanatory and interested parties are encouraged to read through it carefully, so as to familiarise themselves with both the overall intent of Council, as well as with the procedures for the award.

2. THE TENDER PROCESS

The process to be followed in this proposal call shall be as follows:

- 2.1. The submission of a tender proposal must be in accordance with **Paragraph 8** of this document.
- 2.2. The submission of a tender price as well as information regarding the source of funds and the financial offer made must be clearly set out in the applicant's submission as per the requirements set out in **Paragraph 9** of this document.
- 2.3. The submissions will be evaluated and adjudicated by a duly constituted evaluation and adjudication committee. It should be noted that the Municipality is not obliged to accept any of the tenders submitted.
- 2.4. A Deed of Sale will be entered into with the successful tenderer as soon as possible after the tender has been awarded.
- 2.5. On awarding the tender, a payment of the required 10% (ten percent) of the agreed purchase price is payable immediately at acceptance of the offer.
- 2.6. On awarding of the tender, the transfer of the ownership of the land portions to the tenderer will proceed forthwith.
- 2.7. Sale shall be subject to the successful tenderer obtaining the required license within 6 months of the date of acceptance of the offer.

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

3. THE ROLE OF THE PROPERTY WITHIN THE NATURE OF ITS LOCALITY

- 3.1. The site is located at the corner of De Goede and Church Streets, Hermanus. (See Annexures A & B)
- 3.2. The site may only be used for the development of an Oncology Unit.

4. PROPERTY DESCRIPTION AND DETAILS

- 4.1. Erf no. and size: ERF 11154 (a portion of Erf 384) Hermanus, 6620m² in extent.
- 4.2. Zoning status: The current zoning is for Institutional Zone.
- The surrounding land uses vary and include Residential and Institutional.
- An approved diagram of the property is attached per Annexure C.

5. DEVELOPMENT PARAMETERS**5.1. Development Directives**

Development should comply with the provisions of Section 7 of the Scheme Regulations for Institutional Zone (Oncology Unit) as promulgated in terms of the Land Use Planning Ordinance, No. 15 of 1985.

5.2. Non-Developable area.

N/A

5.3. Accesses and Road provision

Access to the property will be from De Goede Street, Hermanus. See the location map attached per Annexures A & B.

5.4. Height Restrictions

Height of buildings is limited to 2 storeys.

5.5. Not allowed

Any use not mentioned in the provisions of Section 7 of the Scheme Regulations for Institutional Zone is considered to be inappropriate.

5.6. Allowed Uses

The property may only be used for the purpose of establishing an Oncology Unit in terms of the license application to the Health Department of the Western Cape Province. Related land uses are allowed.

5.7. Parking

All the required parking must be provided on-site. Parking must be provided on the basis of one parking bay per bed to the satisfaction of the Director: Infrastructure and Planning.

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

6. INFRASTRUCTURE

- 6.1. Water, sewer and electricity connections for Residential purposes are available. Upgrading of the services is subject to the Services Report attached per Annexure D.

7. ZONING RIGHTS

- 7.1. The property is zoned Institutional Zone.
- 7.2. The property will be sold as it stands, "voetstoots".

8. METHOD OF SUBMISSION

- 8.1. The submission and purchase price offered must be submitted in a sealed envelope and endorsed '**TENDER SC 1126/2001: SALE OF ERF 11154 (A PORTION OF ERF 384) HERMANUS.**' It must be deposited in the **Tender Box No. 5** in the foyer of the Municipal Offices, Magnolia Avenue, Hermanus, before **12 noon on Friday, 14 October 2011.** Proposals which are not submitted in a sealed envelope or proposals received after closing time and date will not be considered.
- 8.2. The Municipality is not obliged to accept the highest bid or any of the proposals submitted.
- 8.3. The Municipality may wish to interview prospective organisations or individuals prior to awarding the tender to any bidder.
- 8.4. The decision of the Municipality will be final.

9. SUBMISSION REQUIREMENTS AND EVALUATION

- 9.1. Submissions are invited from all parties with the financial means and experience to submit a proposal for the purchase of the land.
- 9.2. The tenderers will be required to submit a tender deposit of ten thousand rand (R10 000) on submission of the tender. This amount must be in the form of a bank guaranteed payment (only guaranteed by an accredited financial institution) in favour of the Overstrand Municipality and valid for 120 days from the date of the closure of the tender. Failure to comply with this requirement will lead to the disqualification of the tenderer. This guarantee will be returned to the tenderers after the awarding process has been completed. The tender deposit will be forfeited by a tenderer should he cancel/withdraw his tender at any time after the closing date of the tender.
- 9.3. The submission of supporting documentation as proof is required to qualify for points to be awarded.

10. ACCEPTANCE / VALIDITY PERIOD

The tender shall remain irrevocably open for acceptance by the Municipality for a period of 120 days calculated from the date of the closing of tenders.

11. VALUE OF THE PROPERTY

The indicative value of the property is R4,600,000 (excluding VAT).

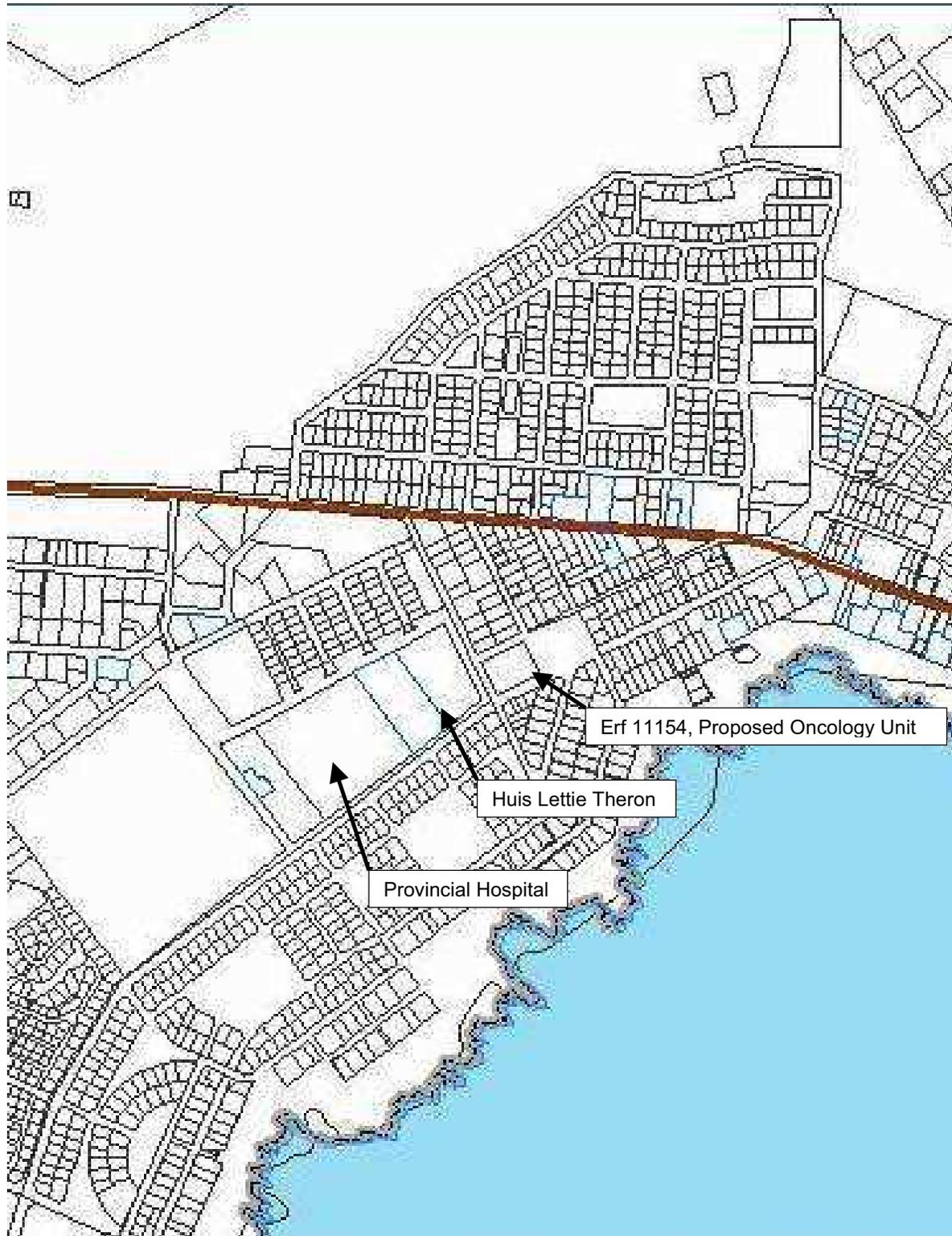
Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

Annexures

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____



Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____



Name of Tenderer: _____ Signature of Tenderer: _____

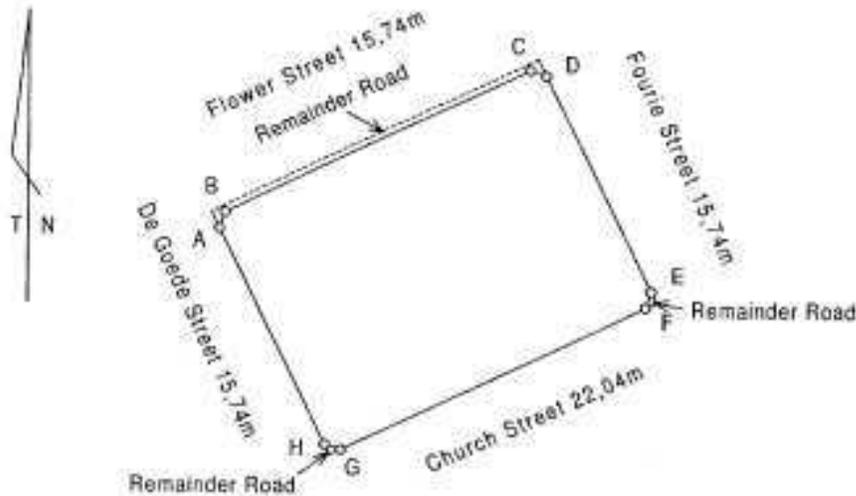
Date: _____

SITE PLAN OF REMAINDER FOR PARKING PURPOSES

CERTIFIED COPY FOR REGISTRATION
 FOR SURVEYOR GENERAL
 DATE: 20 MAY 2010

SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES Y System: WG19° X			S.G. No. 1542/2010
		Constants:	± 0.00	± 0.00	
AB 4.45	199 05 40	A	-21 288.25	+3810 454.26	Approved <i>[Signature]</i>
BC 88.17	244 09 40	B	-21 289.71	+3810 450.06	
CD 4.45	289 05 40	C	-21 369.06	+3810 411.63	for SURVEYOR- GENERAL 2010.05.20
DE 64.00	334 01 20	D	-21 373.26	+3810 413.09	
EF 4.45	19 05 40	E	-21 401.30	+3810 470.62	
FG 88.17	64 09 40	F	-21 399.84	+3810 474.82	
GH 4.45	109 05 40	G	-21 320.49	+3810 513.25	
HA 64.00	154 01 20	H	-21 316.28	+3810 511.80	
	70G2	⊕	-21 351.83	+3810 604.38	
	81G2	⊕	-21 274.31	+3810 442.19	

Description of Beacons
 A,B,C,D,E,F,G,H : 12mm Round Iron Peg



Scale 1:1500

The figure represents **ABCDEF GH** 6620 square metres of land being

Erf 11154 (a Portion of Erf 11102) HERMANUS
 situate in the Overstrand Municipality

Administrative District of Caledon
 Province of Western Cape

Surveyed in April 2010 by me

PF Spronk
 Professional Land Surveyor
 Registration Number PLS-0779

This diagram is annexed to No. d.d. i.f.o. Registrar of Deeds	The original diagram is S.G. No. 1541/2010 Transfer Grant	File S/2479/42 V1 S.R. 666/2010 G.P. Comp.AINW-1184(M3874) AINW-1193(M3875) LPI C0130013
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Erf 11154 Hermanus

THIS DIAGRAM REPRESENTS A
 CLOSED PUBLIC PLACE

EXEMPT FROM PROVISION 37 OF ACT
 10 OF 1930
 SECTION 1(G)

APPROVED IN TERMS OF SECT. 25
 OF ORDA. 15/1985
 REF. 2854 HMK
 DATE 26 September 2009

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____ Page 30 of 55

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR REZONING, SUBDIVISION AND CONSENT USE:
ERF 384, CHURCH STREET**

Water	:	See condition no. 12
Sewer	:	See condition no. 12
Roads and traffic	:	See condition no. 16
Stormwater	:	See condition no. 15
Electricity	:	See condition no. 13

Conditions:

1. that a development contribution be paid by the developer to supplement municipal services and amenities in accordance with the relevant legislation and as determined by the Council. The development contribution will be the amount as determine by the Council policy at the date of clearances. Payment to be made simultaneously but prior to transfer and rates clearance certificate being issued of any erf or prior to such erf being put to the approved use or such use being extended, as the case may be.
2. that the developer at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be proved;
 - 2.1 the Director: Infrastructure and Planning may require the developer to construct internal, link, and/or bulk municipal services to a higher capacity than warranted by the development for purposes of allowing other existing or future developments to also utilise such services, provided;
 - 2.2 the rates and prices of such work be established in terms of a system which is fair, equitable, transparent and cost effective;
 - 2.3 if link municipal services have already been provided, the developer to contribute towards the cost thereof, the Director: Infrastructure and Planning to determine the amount of such contribution in terms of a system which is fair and equitable;
3. that servitudes for municipal services be registered in favour of the Council at the developer's cost in respect of all main services to be taken over by the Council and all existing municipal services concerned crossing private property;

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

4. that the developer indemnifies and keep the Council indemnified against all actions, proceedings, claims and demands, costs, damages and expenses arising out of the establishment of the township, the provision of services to the township or the use of servitude areas or municipal property:
 - 4.1 for a period which shall commence on the date that the installation of the services to the township are commenced with and shall expire after completion of the maintenance period;
 - 4.2 the developer to submit an acceptable public liability insurance policy to the Council and to pay the premium in advance for the period as set out above before any work concerned may commence;
 - 4.3 the insurance to be to an amount which shall not be less than that required by the SAACE;
 - 4.4 such indemnification against loss, claims or damages, to include claims pertaining to consequential damages by third parties and whether as a result of the damage to or interruption of or interference with the Council's services or apparatus or otherwise;
5. that a plan of all existing services be submitted to the Director: Infrastructure and Planning, by the developer and that any of the services that need to be relocated, be done by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning:
 - 5.1 way-leaves must be obtained from the Operational Manager;
 - 5.2 such way-leaves to be obtained prior to any excavation on public property or property where existing services are located;
6. that the developer may enter into an agreement with the Council to install or upgrade bulk and/or link municipal services and amenities at an agreed cost, subject to the following:
 - 6.1 such costs to be established in accordance with a system which is fair, equitable, transparent, competitive and cost effective;
 - 6.2 such costs shall be set-off against (part or full) development contributions payable in respect of engineering services;

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

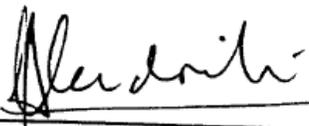
- 6.3 to the extent that such costs exceed the development contributions payable, the Council will refund the developer the difference with interest calculated at the prime rate, when funds are available;
7. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SABS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be used as the standard design and construction criteria with which such plans must comply;
 8. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Director: Infrastructure and Planning, prepared by an ECSA registered professional engineer/technologist, be submitted to the Director: Infrastructure and Planning for his prior approval;
 9. the Director: Infrastructure and Planning to be notified in writing of all deviations from the Standard Design and Construction Criteria when plans are submitted for his approval and such deviations to be separately approved in writing by the Director: Infrastructure and Planning;
 10. that all municipal civil and electrical services installed or constructed by the developer, be maintained after completion thereof for a maintenance period, as described in the General Condition of Contract for works of Civil Engineering Construction – 2004, of 12 months, and
 11. that a Certificate of Completion together with as-built services plans be provided by the independent professional engineer/technologist to the Overstrand Municipality. As-built plans to be on quality paper, together with a DXF file thereof;
 12. that messers CES consulting engineers be appointed by the applicant to prepare a report indicating the capacity available in the water and sewerage reticulation networks and that required;
 13. that a consulting engineer be appointed by the applicant to prepare a report indicating the capacity available in the electricity network and that required;
 14. that it should be noted that no capacity is currently available in the electricity network;
 15. that a consulting engineer be appointed by the applicant to prepare a stormwater management plan in order to ensure that the pre-development run-off is maintained and to indicate the capacity available in the existing reticulation network and that required;

Name of Tenderer: _____

Signature of Tenderer: _____

Date: _____

- 16. that a consulting engineer be appointed by the applicant to prepare a Traffic Impact Assessment (TIA) in order to ensure that safe access is gained to the proposed development, sufficient parking is provided and that traffic congestion in the adjacent roads are minimised;
- 17. that a site development plan be submitted to Directorate: Infrastructure and Planning (Project Management and Development Control) for approval;
- 18. that the requirements according to the engineering reports mentioned in Paragraphs 9,10,12 and 13 be implemented in the site development plan;
- 19. that an approved refuse collection area/room to sufficiently accommodate the refuse generated by the development and which is to be proved with the following:
 - a. properly ventilated;
 - b. a cement floor;
 - c. a tap and running water, as well as a drainage point which is connected to the sewer network;
 - d. is a position nearest to an access road for the development and be accessible for the refuse truck at all times, to the satisfaction of the Director: Infrastructure and Planning;
- 20. that a service agreement be entered into between the developer and Council;
- 21. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer;



 DENNIS HENDRIKS
 MANAGER: PROJECT MANAGEMENT
 & DEVELOPMENT CONTROL

21 / 05 / 08

 DATE

Name of Tenderer: _____ Signature of Tenderer: _____



**PART B – ADMINISTRATIVE REQUIREMENTS IN TERMS OF
THE SUPPLY CHAIN MANAGEMENT POLICY**

Name of Tenderer: _____ Signature of Tenderer: _____

Date: _____

CONTENTS

	PAGE NUMBER
PART B – ADMINISTRATIVE REQUIREMENTS IN TERMS OF THE SUPPLY CHAIN MANAGEMENT POLICY	35
1. TENDER NOTICE & INVITATION TO TENDER	37
2. MBD 2 – TAX CLEARANCE CERTIFICATE REQUIREMENTS AND APPLICATION FORM.....	38
3. MBD 4 – DECLARATION OF INTEREST	39
4. MBD 6.2 – PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2001 - SALES	42
5. MBD 8 – DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES.....	49
6. MBD 9 – CERTIFICATE OF INDEPENDENT BID DETERMINATION.....	51
7. MBD 15 – CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES.....	54

1. TENDER NOTICE & INVITATION TO TENDER**TENDER NO. SC 1126/2011****SALE OF ERF 11154 (A PORTION OF ERF 384) HERMANUS FOR AN ONCOLOGY UNIT.**

Tenders are hereby invited for: **Sale of ERF 11154 (A Portion of ERF 384) Hermanus for an Oncology Unit.**

Tender documents, in English, are obtainable from Friday, 09 September 2011, at the offices of the Supply Chain Management Unit, Overstrand Municipality, Magnolia Avenue, Hermanus, Tel. 028 313 8064 from Mr. Ayanda Mili between 08h30 and 15h30, upon payment of a non-refundable tender participation fee of R115.00 per set. Bank guaranteed cheques are to be made payable to "Overstrand Municipality". Alternatively the documents can be downloaded free of charge from the website: www.overstrand.gov.za

Sealed tenders, with "**Tender No. SC 1126/2011: Sale of ERF 11154 (A Portion of ERF 384) Hermanus for an Oncology Unit.**" Clearly endorsed on the envelope, must be deposited in **Tender Box No. 5** at the offices of the Overstrand Municipality, Magnolia Avenue, Hermanus. Bids may only be submitted on the bid documentation provided by the Municipality.

The closing date and time of the tender is **on 14 October 2011 at 12h00** and will be opened in public immediately thereafter in the Committee Room, Hermanus Administration.

Tenders must be valid for 120 days after the closing date.

The Overstrand Municipality does not bind itself to accept the highest or any Tender and reserves the right to accept any tender, as it may deem expedient. Tenders are subject to the Standard Conditions of Tender, and the Supply Chain Management Policy and the Administration of Immovable Property Policy of the Overstrand Municipality.

Please refer technical enquiries to **Alta Marais** at telephone number: **028 313 8102**.

2. MBD 2 – TAX CLEARANCE CERTIFICATE REQUIREMENTS AND APPLICATION FORM

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

1. In order to meet this requirement, bidders are required to complete in full the TCC 0001 form, "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be accepted.
4. In bids where Consortia / Joint Ventures / Sub-Contractors are involved, each party must submit a separate Tax Clearance Certificate.
5. Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za
6. Applications for the Tax Clearance Certificates 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



3. MBD 4 – DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid:

3.1.	Full Name of bidder or his or her representative														
3.2.	Identity Number														
3.3.	Position occupied in the Company (director, shareholder etc.)														
3.4.	Company Registration Number														
3.5.	Tax Reference Number														
3.6.	VAT Registration Number														

3.7.	Are you presently in the service of the state?	YES	NO
3.7.1.	If so, furnish particulars:		
3.8.	Have you been in the service of the state for the past twelve months?	YES	NO

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.



3.8.1.	If so, furnish particulars:		
3.9.	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
3.9.1.	If so, furnish particulars:		
3.10.	Are you aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?	YES	NO
3.10.1.	If so, furnish particulars:		
3.11.	Are any of the company's directors, managers, principle shareholders or stakeholders in the service of the state?	YES	NO
3.11.1.	If so, furnish particulars:		
3.12.	Is any spouse, child or parent of the company's directors, managers, principle shareholders or stakeholders in the service of the state?	YES	NO
3.12.1.	If so, furnish particulars:		



4. DECLARATION

I, the undersigned (name) _____, certify that the information furnished in paragraph 3 above is correct.

I accept that the state may act against should this declaration prove to be false.

SIGNATURE		DATE	
NAME OF SIGNATORY			
POSITION			
NAME OF COMPANY			



4. MBD 6.2 – PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2001 - SALES

NB:

Before completing this form, bidders must study the general conditions, definitions and directives applicable in respect of Equity Ownership by Historically Disadvantaged Individuals (HDIs), as prescribed in the *Preferential Procurement Regulations, 2001*.

1. GENERAL CONDITIONS

- 1.1. The following preference point systems are applicable to all bids:
 - 1.a.1.the 80/20 system for requirements with a Rand value of up to R500 000; and
 - 1.a.2.the 90/10 system for requirements with a Rand value above R500 000.
- 1.2. The value of this bid is estimated to exceed R500 000 and therefore the 90/10 system shall be applicable.
- 1.3. Preference points for this bid shall be awarded for:
 - Price
 - Specific contract participation goals, as specified in the attached forms.
- 1.4. The points for this bid are allocated as follows:

	POINTS
1.4.1. PRICE	90
1.4.2. SPECIFIC CONTRACT PARTICIPATION GOALS	10
(a) Historically Disadvantaged Individuals:	
(i) who had no franchise in national elections before the 1983 and 1993 Constitutions	6
(ii) who is a female	2
(iii) who has a disability	2
Total points for Price, HDIs and other RDP- goals must not exceed	100

Separate Preference Points Claim Forms will be used for the promotion of the specific goals for which points have been allocated in paragraph 1.4.2 (b) above.

- 1.5. Failure on the part of a bidder to fill in and/or to sign this form may be interpreted to mean that preference points are not claimed.
- 1.6. The seller 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 seller.

2. GENERAL DEFINITIONS

- 2.1. "Acceptable bid" means any bid which, in all respects, complies with the specifications and conditions of bid as set out in the bid document.
- 2.2. "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, works or services.

- 2.3. “*Comparative price*” means the price after the factors of a non-firm price and all unconditional discounts that can be utilised have been taken into consideration.
- 2.4. “*Consortium or joint venture*” means an association of persons for the purpose of combining their expertise, property, capital, efforts, skills and knowledge in an activity for the execution of a contract.
- 2.5. “*Contract*” means the agreement that results from the acceptance of a bid by an organ of state.
- 2.6. “*Specific contract participation goals*” means the goals as stipulated in the Preferential Procurement Regulations 2001.
- 2.7. “*Control*” means the possession and exercise of legal authority and power to manage the assets, goodwill and daily operations of a business and the active and continuous exercise of appropriate managerial authority and power in determining the policies and directing the operations of the business.
- 2.8. “*Disability*” means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being.
- 2.9. “*Equity Ownership*” means the percentage ownership and control, exercised by individuals within an enterprise.
- 2.10. “*Historically Disadvantaged Individual (HDI)*” means a South African citizen:
- 2.10.1. Who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (act no 110 of 1983) or the Constitution of the Republic of South Africa, 1993, (act no 200 of 1993) (“the interim constitution”); and/or
- 2.10.2. Who is a female; and/or
- 2.10.3. Who has a disability;
- 2.10.4. Provided that a person who obtained South African citizenship on or after the coming to effect of the interim constitution, is deemed not to be a HDI;
- 2.11. “*Management*” means an activity inclusive of control and performed on a daily basis, by any person who is a principal executive officer of the company, by whatever name that person may be designated, and whether or not that person is a director.
- 2.12. “*Owned*” means having all the customary elements of ownership, including the right of decision-making and sharing all the risks and profits commensurate with the degree of ownership interests as demonstrated by an examination of the substance, rather than the form of ownership arrangements.
- 2.13. “*Person*” includes reference to a juristic person.
- 2.14. “*Rand value*” means the total estimated value of a contract in Rand denomination that is calculated at the time of bid invitations and includes all applicable taxes and excise duties.
- 2.15. “*Small, Medium and Micro Enterprises (SMMEs)*” bears the same meaning assigned to this expression in the National Small Business Act, 1996 (No 102 of 1996).
- 2.16. “*Trust*” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person.
- 2.17. “*Trustee*” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ESTABLISHMENT OF HDI EQUITY OWNERSHIP IN AN ENTERPRISE



- 3.1. Equity ownership shall be equated to the percentage of an enterprise which is owned by individuals classified as HDIs, or in the case of a company, the percentage shares that are owned by individuals classified as HDIs, who are actively involved in the management and daily business operations of the enterprise and exercise control over the enterprise, commensurate with their degree of ownership.
- 3.2. Where individuals are not actively involved in the management and daily business operations and do not exercise control over the enterprise commensurate with their degree of ownership, equity ownership may not be claimed.

4. ADJUDICATION USING A POINT SYSTEM

- 4.1. The bidder obtaining the highest number of points will be awarded the contract.
- 4.2. Points scored will be rounded off to 2 decimal places.
- 4.3. In the event of equal points scored, the bid will be awarded to the bidder scoring the highest number of points for specified goals.

5. POINTS AWARDED FOR PRICE

- 5.1. The 80/20 or 90/10 Preference Point Systems

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

80/20	or	90/10
$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	or	$P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$

Where:

- P_s = Points scored for price of bid under consideration
- P_t = Rand value of bid under consideration
- P_{min} = Rand value of lowest acceptable bid

6. POINTS AWARDED FOR HISTORICALLY DISADVANTAGED INDIVIDUALS

- 6.1. In terms of Regulation 13 (2) preference points for HDI's are calculated on their percentage shareholding in a business, provided that they are actively involved in and exercise control over the enterprise. The following formula is prescribed in Regulation 13 (5) (c):

$$NEP = NOP \times \frac{EP}{100}$$

Where:

- NEP = Points awarded for equity ownership by an HDI
- NOP = The maximum number of points awarded for equity ownership by an HDI in that specific category
- EP = The percentage of equity ownership by an HDI within the enterprise or business, determined in accordance with the definition of HDI's.

- 6.2. Equity claims for a trust will only be allowed in respect of those persons who are both trustees and beneficiaries and who are actively involved in the management of the trust.



- 6.3. Documentation to substantiate the validity of the credentials of the trustees contemplated above must be submitted.
- 6.4. Public companies and tertiary institutions do not qualify for HDI preference points.
- 6.5. A consortium or joint venture may, based on the percentage of the contract value managed or executed by their HDI-members, be entitled to preference points in respect of an HDI.

7. BID DECLARATION

Bidders who claim points in respect of equity ownership must complete the Bid Declaration at the end of this form.

8. EQUITY OWNERSHIP CLAIMED IN TERMS OF PARAGRAPH 2.10 ABOVE. POINTS TO BE CALCULATED FROM INFORMATION FURNISHED IN PARAGRAPH 9.9.

Ownership	% owned	Points claimed
(i) Equity ownership by persons who had no franchise in the national elections		
(ii) Equity ownership by women		
(iii) Equity ownership by disabled persons*		
<i>*If points are claimed for disabled persons, indicate nature of impairment (see paragraph 2.8 above)</i>		

9. DECLARATION WITH REGARD TO EQUITY

Name of Enterprise		
VAT registration number		
Company registration number		
TYPE OF ENTERPRISE (Tick applicable box)	Partnership	
	One person business/sole trader	
	Company (Pty) Ltd	
	Close Corporation	
Describe principal business activities		
Company Classification (Tick applicable box)	Manufacturer	
	Supplier	
	Professional service provider	
	Other service providers, e.g. transporter, etc.	
Municipal Information:		
State where business is		

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MUNICIPALITY

situated:	
Registered account number:	
Stand/erf number:	
TOTAL NUMBER OF YEARS THE ENTERPRISE HAS BEEN IN BUSINESS	

10. List all shareholders by name, position, identity number, citizenship, HDI status and ownership, as relevant. Information to be used to calculate the points claimed in paragraph 8.

Name	Date/Position occupied in Enterprise	ID Number													Date RSA Citizenship obtained	* HDI Status			% of business / enterprise owned
																No franchise prior to elections	Women	Disabled	

*Indicate YES or NO

PLEASE NOTE: SUBSTANTIATING EVIDENCE MUST BE PROVIDED IF POINTS ARE CLAIMED FOR EQUITY OWNERSHIP



11. Consortium / Joint Venture

In the event that preference points are claimed for HDI members by consortia / joint ventures, the following information must be furnished in order to be entitled to the points claimed in respect of the HDI member:

Name of HDI member (to be consistent with paragraph 9.9)	Percentage (%) of the contract value managed or executed by the HDI member

12. DECLARATION

I/we, the undersigned, who warrants that he/she is duly authorised to do so on behalf of the firm certify that points claimed, based on the equity ownership indicated in paragraph 8 of the foregoing certificate, qualifies the firm for the preference(s) shown and I / we acknowledge that:

- a. The information furnished is true and correct.
- b. The Equity ownership claimed is in accordance with the General Conditions as indicated in paragraph 1 of this form.
- c. In the event of a contract being awarded as a result of points claimed as shown in paragraph 8, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.
- d. If the claims are found to be incorrect, the purchaser may, in addition to any other remedy it may have -
 - i. recover costs, losses or damages it has incurred or suffered as a result of that person's conduct; and
 - ii. 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.

SIGNATURE OF BIDDER(S):			
WITNESS 1:		WITNESS 2:	
DATE:			
ADDRESS:			



5. 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.

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? <i>(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).</i>	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)? <i>(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).</i>	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:		
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:		

5. 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:		NAME (PRINT):	
CAPACITY:		DATE:	
NAME OF FIRM:			

6. MBD 9 – CERTIFICATE OF INDEPENDENT BID DETERMINATION
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1. This Municipal Bidding Document (MBD) must form part of all bids² 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).³ Collusive bidding is a *per 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:

² Includes price quotations, advertised competitive bids, limited bids and proposals.

³ 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:

In response to the invitation for the bid made by:

OVERSTRAND MUNICIPALITY

I, the undersigned, in submitting the accompanying bid, hereby make the following statements that I certify to be true and complete in every respect:

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 consortium⁴ 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.

⁴ 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.



8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No. 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No. 12 of 2004 or any other applicable legislation.

SIGNATURE		NAME (PRINT)	
CAPACITY		DATE	
NAME OF FIRM			

7. MBD 15 – CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES

NAME OF THE BIDDER: _____

FURTHER DETAILS OF THE BIDDER'S; Director / Shareholder / Partners, etc:

Director / Shareholder / partner	Physical address of the Business	Municipal Account number(s)	Physical residential address of the Director / shareholder / partner	Municipal Account number(s)

NB: Please attach certified copy(ies) of ID document(s)

I, _____,

(full name in block letters) the undersigned, certify that the information furnished on this declaration form is correct and that I / we have no undisputed commitments for municipal services towards a municipality in respect of which payment is overdue for more than 90 days.

If the value of the transaction is expected to exceed R10 million (VAT included) I certify that the bidder has no undisputed commitments for municipal services towards a **Municipality** in respect of which payment is overdue for more than 30 days;

THUS DONE AND SIGNED for and on behalf of the Bidder, at _____, on the _____ day of _____ 20_____.

Number of sheets appended by the tenderer to this schedule (If nil, enter NIL)	
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SIGNATURE:		NAME (PRINT):	
CAPACITY:		NAME OF FIRM:	

For office use (comments):

I / We acknowledge that I / we am / are fully acquainted with the contents of the conditions of tender of this tender form and that I / we accept the conditions in all respects.

I / We agree that the laws of the Republic of South Africa shall be applicable to the contract resulting from the acceptance of *my / our tender and that I / we elect domicillium citandi et executandi in the Republic at:

I / We furthermore confirm I / we satisfied myself / ourselves as to the corrections and validity of my / our tender: that the price quoted cover all the work items specification in the tender documents and that the price cover all my / our obligations under a resulting contract and that I / we accept that any mistake(s) regarding price and calculations will be at my / our risk.

SIGNATURE		NAME (PRINT)	
CAPACITY		DATE	
NAME OF FIRM			
WITNESS 1		WITNESS 2	