67 Church Street, Mt Ayliff, 4735 Tel: +27 (0)39 254 6000 Fax: +27 (0) 39 255 0167 Web : www.umzimvubu.gov.za



813 Main Street , Mount Frere P/ Bag 9020, M t Frere , 5090 Tel: +27 (0)39 255 8500 /166 Fax: +27 (0) 39 255 0167

BID NO: UMZ/2022-23/HERITAGE SITES (LED) SERVICE PROVIDER TO CONDUCT TRAINING ON HERITAGE SITES DEVELOPMENT.

NAME OF BIDDER:

TENDER AMOUNT

CSD NUMBER:

Prepared by: Umzimvubu Local Municipality 813 Main Street Kwa-Bhaca 5090 Tel: (039) 255 8500

BID CLOSING DATE

15 September 2022



UPHUHLISO KUMNTU WONKE

Vision 2030

UMZIMVUBU LOCAL MUNICIPALITY

SERVICE PROVIDER TO CONDUCT TRAINING ON HERITAGE SITES DEVELOPMENT: UMZ/2022-23/ HERITAGE SITES DEVELOPMENT (LED)

Duly completed bids and supporting documents must be deposited in the bid box situated at the Supply Chain Management Office 813 Main Street, Kwa-Bhaca 5090 not later than **12:h00 on the 15 September 2022.**

Enquiries

Technical enquiries: Ms. L. Dina at <u>Lindile.Dina@umzimvubu.gov.za</u> and Telephone No: 039 255 8500. Supply Chain Management enquiries: Mr. Themba Mbukushe email: <u>Mbukushe.Themba@umzimvubu.gov.za</u>

Bids will remain valid for a period of 90 days after the closing date. Bids received after the closing date and time will not be considered. Umzimvubu Local Municipality does not bind itself to accept the lowest or any other bid in whole or in part.



LIST OF RETURNABLE DOCUMENTS THAT SHOULD FORM PART OF BID DOCUMENT

1.	Advertisement		
3.	Invitation to Bids	MBD 1	
5	Pricing Schedule – Firm Prices (Purchases)	MBD 3.1	
7.	Declaration of Interest	MBD 4	
8.	Preferential Points Claim	MBD 6.1	
9.	Declaration of past supply chain Management practice	MBD 8	
11.	Certificate Of Independent Bid Determination	MBD 9	
12.	Company registration certificate		
13.	Tax Clearance certificate or pin		
14.	BBBEE Certificate		
15.	Rates and Taxes		
16.	Very important notice of disqualifications		
	l		
17.	Specification		

67 Church Street, Mt Ayliff, 4735 Tel: +27 (0)39 254 6000 Fax: +27 (0) 39 255 0167 Web : www.umzimvubu.gov.za



- LOCAL MUNICIPALITY

813 Main Street , Mount Frere P/ Bag 9020, M t Frere , 5090 Tel: +27 (0)39 255 8500 /166 Fax: +27 (0) 39 255 0167

ADVERTISING DATE: 07 September 2022

UMZ/2022-23/HERITAGE SITES DEVELOPMENT (LED)

SERVICE PROVIDER TO CONDUCT TRAINING ON HERITAGE SITES DEVELOPMENT.

Bidders are hereby invited to submit proposals/Quotations for service provider to conduct training on heritage sites development as per specification.

MANDATORY DOCUMENTS TO BE SUBMITTED FAILURE TO DO SO WILL LEAD TO BE NON RESPONSIVE.

Umzimvubu Local Municipality Supply Chain Management will apply. A confirmation from SARS with a verification pin, copy of company Registration/Founding Statement/CIPC Documents. Certified BBBEE certificate and a combined BBBEE for a joint venture (non-elimination item). JV Agreement for Joint venture. 80/20 evaluation criteria. Prices quoted must be firm and must be inclusive of VAT for vat vendors. Certified ID Copies of Managing Directors/ Owners. CSD Registration, Invitation to bid, very important notice on disqualification and MBD forms 1, 4, 8 and 9 are compulsory submission and Billing Clearance certificate or Statement of Municipal Accounts or proof of residence with signed declaration or lease agreement. Certified copies of Certificates must not be later than 90 days of closing date, bidders must use or submit quotation documents prepared and issued by the municipality. **No faxed, e-mailed and late tenders will be accepted**. Umzimvubu Local Municipality reserves the right not to appoint and value for money will be the key determinant. All quotation must be deposited in the quotation box situated at **Umzimvubu Local Municipality** Offices at SCM office **813 Main Street, Mt Frere** not later than **12h00** noon on **15 September 2022**. All tenders must be clearly marked "Name of the project or Reference number". All service providers must be registered on CSD and submit proof. The municipality will not make award any award to a person or persons working for the state.

Enquiries: All technical enquiries may be directed to Ms. L. Dina & Mr T Mbukushe (SCM Manager) 039 255 8500 Mbukushe.Themba@umzumvubu.gov.za

Other enquiries regarding this Bid may be directed to the office of the Municipal Manager:

Attention: Mr G.P.T Nota

813 Main Street or P/Bag X9020

MT FRERE

5090

GPT NOTA (MUNICIPAL MANAGER)

67 Church Street, Mt Ayliff, 4735 Tel: +27 (0)39 254 6000 Fax: +27 (0) 39 255 0167 Web : www.umzimvubu.gov.za



813 Main Street , Mount Frere P/ Bag 9020, M t Frere , 5090 Tel: +27 (0)39 255 8500 /166 Fax: +27 (0) 39 255 0167

- LOCAL MUNICIPALITY -

				1100				
YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (UMZIMVUBU LOCAL MUNICIPALITY) BID NUMBER: UMZ/2022-23/ HERITAGE SITES DEVELOPMENT (LED) CLOSING DATE: 15 September 2022 CLOSING TIME: 12:00								
		. ,					USING TIVIE	. 12:00
DESCRIPTION SERVICE PROVIDER	TO CONDUCT TRA	INING ON H	IERITAG	5E 211	ES DEVELOPI	VIENT.		
THE SUCCESSFUL BIDDER WILL BE			A WRITT	EN CC	NTRACT FOR	M (MBD)	7).	
BID RESPONSE DOCUMENTS MAY BE BOX SITUATED AT (STREET ADDRESS		BID						
	/							
(Tender Box at the SCM Office)								
813 Main Street								
Kwa-Bhaca								
5090 Eastern Cape								
SUPPLIER INFORMATION								
NAME OF BIDDER								
POSTAL ADDRESS								
STREET ADDRESS								
TELEPHONE NUMBER	CODE				NUMBER			
CELLPHONE NUMBER								
FACSIMILE NUMBER	CODE				NUMBER			
E-MAIL ADDRESS								
VAT REGISTRATION NUMBER								
TAX COMPLIANCE STATUS	TCS PIN:			OR	CSD No:			
	Yes			-		Yes		
B-BBEE STATUS LEVEL	100				E STATUS	100	,	
	No				L SWORN	No		
[A B-BBEE STATUS LEVEL VERIFICAT QUALIFY FOR PREFERENCE POINTS		NORN AFFIDA	AVIT (FO	REME	S & QSEs) MU	ST BE SL	JBMITTED IN	ORDER TO
ARE YOU A FOREIGN								
ARE YOU THE ACCREDITED					ED SUPPLIER			
REPRESENTATIVE IN SOUTH	Yes	No		FOR THE GOODS		Ye	es	No
	[IF YES ENCLOSE P	ROOF1		/SERVICES /WORKS		S [EYES ANSV	VER PART B:3]
/SERVICES /WORKS OFFERED?				OFF	ERED?		0, / 0	
TOTAL NUMBER OF ITEMS								
OFFERED				тот	AL BID PRICE	R	2	
							-	
SIGNATURE OF BIDDER				DAT	F			
CAPACITY UNDER WHICH THIS BID				1 2731	_	I		
IS SIGNED								
BIDDING PROCEDURE ENQUIRIES M					INFORMATION			TO:
	Supply Chain			CONTACT PERSON Ms. L.				
			TELEPHONE NUMBER 039 255 8500					
TELEPHONE NUMBER FACSIMILE NUMBER	039 255 8500		FACSIMILE NUMBER - E-MAIL ADDRESS Dina Lindile@umzimyubu.gov.za			-		
E-MAIL ADDRESS	mbukushe.themba@	umzimvubu a				Dina.I	Lindile@umzim	ubu.gov.za
	moundane.uremod(0)	anzinvubu.y	1					

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 V CONSIDERATION.	VILL NOT BE A	ACCEPTED FOR	
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYP	ED) OR ONLII	NE	
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, OF CONTRACT.			
2. TAX COMPLIANCE REQUIREMENTS 21 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.			
 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIL ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS. 	N) ISSUED BY	SARS TO ENABLE THE	
2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILEF <u>WWW.SARS.GOV.ZA</u> .			
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 TCS CERTIFICATE / PIN / CSD NUMBER.	PARTY MUST	SUBMIT A SEPARATE	
27 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIEF MUST BE PROVIDED.	R DATABASE ((CSD), A CSD NUMBER	
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS			
3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	YES	NO	
3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?	YES	NO	
3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	YES	NO	
3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	YES	NO	
3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	YES	NO	
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER F SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTI			

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:

.....

Form of Offer and Acceptance

Offer

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract for the procurement of:

The Tenderer, identified in the Offer signature block below, has examined 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 authorised, 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:

Amount in Words	
R	(in 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 Tenderer before the end of the period of validity stated in the Tender Data, whereupon the Tenderer becomes the party named as the Contractor in the Conditions of Contract identified in the Contract Data.

Signature: (of person authorised to sign the tender):
Name: (of signatory in capitals):
Capacity: (of Signatory):
Name of Tenderer: (organisation):
Address:
Cell number: email address:
Witness:
Signature:
Name: (in capitals):
Pater

Date: [Failure of a Tenderer to sign this form will invalidate the tender]

Acceptance

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

The terms of the contract are contained in:

Agreements and contract data (which includes this agreement) Pricing on a company letter head Scope of work Questionnaire

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 tender data and any addenda thereto as listed in the tender 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.

The tenderer 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. Failure to fulfil 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, including the schedule of deviations (if any). Unless the tenderer (now Contractor) within five working 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.

Signature(s)		
Name(s)	G.P.T Nota	
Capacity For the	Municipal Manager	
Employer	UMZIMVUBU LOCAL MUNICIPALITY 813 MAIN STREET MOUNT FRERE	
Name and Signature		
of witness		Date

SCHEDULE OF DEVIATIONS

The extent of deviations from the tender documents issued by the Employer prior to the tender closing date is limited to those permitted in terms of the Tender Data and the Conditions of Tender.

A Tenderer's covering letter will not necessarily be included in the final contract document. Should any matter in such letter, which constitutes a deviation as aforesaid, become the subject of agreement 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 tender 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 agreement and recorded here shall also be incorporated into the final draft of the Contract.

1.	Subject:
Details	S
2.	Subject:
Details	¥
•	
3.	Subject:
Details	S
4.	Subject:
	¥
5.	Subject:
	¥
6.	Subject:
Details	:

By the duly authorised representatives signing this Schedule of Deviations, the Employer and the Tenderer 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 Tender Schedules, as well as any confirmation, clarification or change to the terms of the offer agreed by the Tenderer 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 Tenderer 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 TENDERER:

Signature:
Name:
Capacity:
Fenderer: (Name and address of organisation)

Witness: Signature: Name:..... Date:.....

FOR THE MUNICIPALITY

Employer:	(Name	and	address	of	organisation)
Witness:					
Signature:					
Name:					
Date:					

DECLARATION OF INTEREST

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

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

3.1	Full Name:
3.2	Identity Number:
3.3	Company Registration Number:
3.4	Tax Reference Number:
3.5	VAT Registration Number:

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.

.....

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

- (a) a member of -
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);

(e) a member of the accounting authority of any national or provincial public entity; or(f) An employee of Parliament or a provincial legislature.

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

3.9 Have you been in the service of the state for the past twelve months?
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? 3.12.1 If yes, furnish particulars. 	YES / NO
 3.13 Are any spouse, child or parent of the company's directors? Trustees, managers, principle shareholders or stakeholders In service of the state? 3.13.1 If yes, furnish particulars. 	YES / NO
 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. 3.14.1 If yes, furnish particulars: 	YES / NO

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

Full Name	Identity Number	State Employee Number

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

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

1 GENERAL CONDITIONS

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

1.2

- a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the ...80/20 Preference point system shall be applicable; or
- 1.3 Points for this bid shall be awarded for:
 - (a) Price; and
 - (b) B-BBEE Status Level of Contributor.
- 1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor Together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated Or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.2

2 DEFINITIÓNS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) "B-BBEE status level of contributor" means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) "**bid**" means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised

competitive bidding processes or proposals;

- (d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) "EME" means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **"Functionality"** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) "Prices" includes all applicable taxes less all unconditional discounts;
- (h) "Proof of B-BBEE status level of contributor" means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) "QSE" means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (*j*) **"Rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3 POINTS AWARDED FOR PRICE

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

A maximum of 80 or 90 points is allocated for price on the following basis: 80/20 or 90/10

Ps.	80_1	- <i>Pt P</i> <u>min</u>	or	<i>Ps</i> .90 1	Pt P <u>min</u>
Whe	re				
Ps	=	Points scored for	price of	bid under conside	ration
Pt	=	Price of bid unde	er conside	eration	
Pmin	=	Price of lowest a	cceptable	e bid	

4 POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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

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

2

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	J		%			

- ii) The name of the sub-contractor
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

- YES NO
- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned	EME	QSE
by:	\checkmark	
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		

			4		
Any Any					
8.	DECLARATION WIT	H REGARD TO	COMPANY/FIRM		of
8.1	Name		/ 6 : -		registration
8.2	c o m p VAT number:	a n y	/fir	m	registration
8.3	Company number:				
8.4	TYPE OF COMPAN	IY/ FIRM			
8.5	One person b Close corpora Company (Pty) Limited [TICK APPLICABLE BC DESCRIBE PRINC	DX]			
8.6	 ©@MPANY CLASS	IFICATION			
	Manufacturer Supplier Professional s	service provider providers, e.g. tra	ansporter, etc.		
8.7	MUNICIPAL INFORM	IATION			
	Municipality Registered Accou	where nt Number:	business	is	situated:
	Registered Accou	nt Number:		10	ontactoa

- 8.8 Total number of years the company/firm has been in business.
- 8.9 I/we, the undersigned, who is / are duly authorized 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 favorable 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.

WITN	IESSES
1.	
2.	SIGNATURE(S) OF BIDDERS(S)
DATE	Ξ:
ADDF	RESS

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.

Itom	Question	Voc	No
Item 4.1	Question 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?	Yes	No
	(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 <i>audi alteram partem</i> rule was applied).		
	The Database of Restricted Suppliers now resides on the National Treasury's website(<u>www.treasury.gov.za</u>) and can be accessed by clicking on its link at the bottom of the home page.		
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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes	No
4.2.1	If so, furnish particulars:		

4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes	No
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes	No
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes	No
4.7.1	If so, furnish particulars:		

CERTIFICATION

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

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

.....

Signature

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n	0	+ .	•																									

Date

.....

Position

Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
 - 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bidrigging.
 - 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of _______that:

(Name of Bidder)

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

MBD 9

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However

communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.

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

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

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

Signature

Date

Position

Name of Bidder

VERY IMPORTANT NOTICE ON DISQUALIFICATIONS:

A bid not complying with the peremptory requirements stated hereunder will be regarded as not being an "Acceptable bid", and as such will be rejected.

"Acceptable bid" means any bid which, in all respects, complies with the conditions of bid and specifications as set out in the bid documents, including conditions as specified in the Preferential Procurement Policy Framework Act (Act 5 of 2000) and related legislation as published in Government Gazette number 22549, dated 10 August 2001, in terms of which provision is made for this policy.

- 1. If any pages have been removed from the bid document, and have therefore not been submitted, or a copy of the original bid document has been submitted.
- 2. If the bid document is completed using a pencil. Only black ink must be used to complete the bid document.
- 3. The bidder attempts to influence, or has in fact influenced the evaluation and/or awarding of the contract.
- 4. The bid has been submitted after the relevant closing date and time.
- 5. If any bidder who during the last five years has failed to perform satisfactorily on a previous contract with the municipality, municipal entity or any other organ of state after written notice was given to that bidder that performance was unsatisfactory.
- The accounting officer must ensure that irrespective of the procurement process followed, no award may be given to a person –
 - (a) who is in the service of the state, or;

(b) if that person is not a natural person, of which any director, manager, principal shareholder or stakeholder, is a person in the service of the state; or;

- (C) Who is an advisor or consultant contracted with the municipality in respect of contract that would cause a conflict of Interest.
- 7. Bid offers will be rejected if the bidder or any of his directors is listed on the Register of Bid Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector
- Bid offers will be rejected if the bidder has abused the Umzimvubu Local Municipality Supply Chain Management System.

Failure to complete and sign the certificate of independent determination or disclosing of wrong information.
 Failure to submit the above will lead to immediate disqualification.



TERMS OF REFERENCE

FOR THE

"CONDUCT TRAINING ON HERITAGE SITES DEVELOPMENT"

1. TERMS OF REFERENCE TO "CONDUCT TRAINING ON HERITAGE SITES DEVELOPMENT"

1. BACKGROUND AND OVERVIEW OF THE PROJECT

1.1 INTRODUCTION

The Umzimvubu Local Municipality is within Alfred Nzo District Municipality (ANDM) which is located in the North-Eastern part of the Eastern Cape Province in South Africa, as shown in Figure 1.1 below. The District forms part of the Eastern Cape Province's boundary with the Kwa-Zulu Natal province. The District borders the Kingdom of Lesotho to the north and the district of OR Tambo in the Eastern Cape and Harry Gwala District in Kwa-Zulu Natal. The Umzimvubu Local Municipality is constituted amongst the four local municipalities within the ANDM, others being Matatiele, Mbizana and Ntabankulu Local Municipalities.



Figure 1.1: Alfred Nzo in the Eastern Cape Province and Umzimvubu Local Municipality

Umzimvubu Local Municipality is located in one of the poorest regions of South Africa within the Alfred Nzo District Municipality in the northeastern part of the Eastern Cape Province. It stretches from a border with KwaZulu-Natal to adjacent municipalities of Matatiele, to the north, Ntabankulu and Mbizana to the South as well as Mhlontlo Local Municipality within the OR Tambo District Municipality to the west. The major national road, N2, passes through the municipality and it is one of the busiest transport and passenger routes in the country.

The locality of ULM is faced with a great number of socio-economic challenges. The region is characteristic of high poverty and unemployment levels and low education and skills level. The district possesses potential in tourism related opportunities as a result of a number of attributes namely its rich history, heritage and culture etc. have been well profiled in the Tourism Development Plan.

It is common knowledge that Mzimvubu Local Municipality as a whole is littered with historical cultural and heritage sites and places some of which are the result of resistance of wars of colonial dispossession and conquest. Others are sites of cultural significance that have shaped the value systems and cultural expressions of many centuries. Historians and other commentators have written a lot about these occurrences in this area, but not the intangible heritage legacy that has been bestowed upon these communities and the district as a whole. The Mzimvubu Local Municipality has significant heritage attractions linked to the various layers of history relating to the San, Khoi, Xhosa, and the liberation struggle in more recent times.

In the South African context, the governance of heritage is premised in the main on two pieces of legislation namely: the National Heritage Council Act (NHC) 1999 and the National Heritage Resources Act (NHRA) 1999. The reason these two stand out is because they are the products of the protracted heritage policy formulation and the lynch pin around which an inclusive transformed heritage sector was predicated. National Heritage Council Act (RSA 1999) enabled the establishment of the NHC as a "juristic person" to develop, promote, and protect the national heritage, and to coordinate its management. The National Heritage Resources Act (RSA 1999d) provided for the establishment of the South African Heritage Resources Agency (SAHRA). SAHRA is the administration agency responsible for the protection of the cultural heritage of South Africa and has a much wider and more inclusive remit than its predecessor. It is expected to coordinate the identification, assessment, grading, registration, and management of heritage resources in the national estate, through an integrated and interactive system'.

1.2 OVERALL OBJECTIVE AND SPECIFIC OBJECTIVES OF THE PROJECT

1.2.1 Overall objective

The overall objective of the project is to conduct training for the Umzimvubu heritage sites for further development and improvement in both EmaXesibeni and KwaBhaca. These heritage sites can be classified as follows, but not limited to:

- i. Burial sites
- ii. Battle sites
- iii. Mission Stations
- iv. Colonial era Trading Stations and mines
- v. Natural Sites such as waterfalls, dams, natural indigenous forests, rivers, mountains or any sites of unique features

1.2.2 Specific Objectives

The specific objectives of the project require the undertaking of the following:

• Conduct training for the Umzimvubu heritage development in the following sites/areas namely:

- Culture and history of its major cultural groups: Bhaca, Xesibe, Hlubi and many other smaller communities.
- Burial sites: Xesibe Paramount Chief Jojo at eLubaleko village near his great place inside the high school yard (Daluhlanga SSS); Chief Fikeni burial place at Ndzongiseni near eMaXesibeni village town. Chief Jojo kaMjoli kaSinama who was born into the great upheavals of Mfecane and graduated into the perennial wars of Mhlangaso of the Pondos that lasted for almost the whole of the 19th century.
- Ntsizwa Mountain (formerly known as Nunge Mountain) where Shaka warriors suffered defeat with the help of snow that fell on the mountains and combined Xesibe and Bhaca warriors attacked and defeated them.
- Ntsizwa Waterfalls: These falls at eNgqubusini in Lugelweni Village are a natural phenomenon and the only waterfalls in the area. The river that feeds the falls never dry even during droughts and it used to be tourist centre for whites for much of the 20th century until their mass exodus in 1976 after the Transkei Bantustan independence
- Ntsizwa Copper & Nickel Mine which was operated by Canadian and Australian companies from 1890s until 1930s. This mine is located right next to the waterfalls and is reported to be more than 2km deep.
- The July/August 1879 Battle of Umnweba in Mnceba village and its surroundings was the bloodiest war between Pondos/Manci and Xesibe which left about 600 people dead and a new place called Ndlantaka was named to honour those bodies which were eaten by birds without being collected after the battle stalemate.
- ✓ Isiziba Sikanopoyi: The battle site where Pondo warriors drowned during battle with Bhaca who are reported to have doctored the war to cause "ilumbo" of a cow that ran towards pondos creating confusion among themselves.
- ✓ Burial sites of Jojo, Fikeni, William Nota, Mpondomise leader (Ntose) at Rode, former East Griqualand Magistrate, Frank Brownlee, Bhaca leaders, etc).
- Memorial of liberation struggle icons who come from Umzimvubu (Kongo Rebellion of 1940s and 1960 e.g. Mvalelwa who was jailed in Robben Island after leading that as well as Ntlabathi Jojo who was banished to eNQutu for 10years for his role in leading anti-trust or land-rehabilitation dispossession programme. This rebellion is placed by historians on the same scale of the muchpublicized Pondo Rebellion of 1960.
- Fort Donald is the military barracks and fort erected by Donald Strachan battalion to prevent perennial wars between Pondo and Xesibe;

- Simaka-Maka Mountain is a place where a WWII bomber airplane went down and its wreckage remained there for decades before the scrap metal was taken away;
- Goxe Caves: The place is rich in history as it is tied to the Ntsizwa story. Cattle were hidden in the area when the Zulu army was attacking ama-Bhaca;
- Ingele Mountain: Ingele Mountain is where in 1950 an aeroplane crashed on its peak killing all its occupants;
- Other sites such as the Rode Valley Trading Station and Hotel/Post Office, Mission Stations such as Gillespie, Dutyini, Rode, those of Mt Frere, Osborne, those of Mt Ayliff such as Anglican and Roman Catholic.

2. SCOPE OF WORK

Tenders are invited from suitably qualified professional service providers to conduct training and submit a well-documented report and implementation plan on how culture and heritage can be utilized for economic development in the Umzimvubu area.

2.1 Project Duration

The appointed service provider will be expected to start immediately after signing an agreement with Umzimvubu Local Municipality and the project is expected to be finished within eight (8) weeks to twelve (12) weeks.

2.3 Project Activities

This project will be implemented and managed in the following manner/phases:

Phase 1: Conduct training on heritage sites identification and mapping:

- This will entail a number of activities such as identification of historical sites, interviewing persons with knowledge of these sites, identification and collation of information on these properties;
- This phase should include an analysis and recording of each site's history such reasons for the erection, its strategic purpose and its contribution to the overall cultural identity;

3. Company Expertise Required

The management of heritage resources requires intimate knowledge and experience in the heritage discipline and therefore the following expertise constitute the key components of this project: 3.1 Heritage policy framework: It is imperative that one of the members of the organisation or institute should worked in public sector entities for a period of no less that fifteen (30) years in heritage policy framework and development. He or she should have full grasp of heritage policy development and implementation especially in the post-Apartheid South Africa and exposure to international heritage framework under the auspices of the World Heritage Organisation (WHO) and related implementing agencies.

3.2 Heritage Resources Management: One of the members should at least have a post graduate degree in Heritage Studies and have worked in heritage institutions for a period of no less than ten (10) years in heritage resources management. It is expected that such an individual will have a full understanding of South Africa's heritage legislation and regulations especially the challenges of transformation of the cultural heritage landscape to reflect the new ethos of the democratic state.

3.3 Heritage economics: Heritage resources management is increasingly becoming seen and viewed through the lens of asset management hence the there is a growing body of knowledge in heritage economics. It is therefore important that one of the members should experience of no less that five (5) years in socio-economic research and a full grasp of heritage economics. Such an individual should have a full grasp of economic policy formulation and implementation therefore and its impact in heritage resources management.

3.4 Historian: He or she should have a post graduate degree in history of South Africa with a specific focus on the wars of dispossession and conquest in the Eastern Cape and other areas. In addition, he or she should have a deep analytical capability on the heritage resources that accrued out of these historical heritage sites in the district and the province in general and above all be associated with an institution of higher learning.

4. KEY DELIVERABLES OF THE PROJECT

It is envisaged that the outputs of this project will amongst other things result in the following:

- Conduct training on heritage sites identification and mapping.
- Conduct training on validation of heritage sites:

- Identification, documentation and profiling of each site by a competent researcher.
- Identification and development of socio-economic opportunities in all heritage sites and places of cultural significance.
- A process of identifying potential sponsors who could contribute to sites development in partnership with the local municipality.
- Bringing on board private sector entities in heritage resources management thus realizing the concept public private sector partnership in this sector.
- Application of latest technologies in the digitization of heritage sites in line with the 4IR.
- Implementation that include signage, erection of monuments or narrative plates/plaque, access roads to the sites, infrastructure for some of the sites.
- Submission of a proposal for these sites to be graded and declared as provincial and national heritage sites.

5. PROJECT MANAGEMENT

In cases where the appointed service provider appoints the services of other consultants or sub-contractors, the appointed service provider will take responsibility of the work of the sub-contractors. The client will deal with the contracted service provider and not with sub-contracted consultants. The project is to be coordinated and managed by an operational team led by LED Senior Manager: Umzimvubu Local Municipality.

6. ACCOUNTABILITY AND REPORTING MECHANISM

It is expected that regular progress reports will be presented to the LED Senior Manager, twice-a-month basis. The Project Manager has the right to change frequency of reporting as and when necessary.

Bidders are requested to ensure that their proposal include the following:

• A comprehensive proposal inclusive of the methodology for conducting and expected final outcomes from the study.

- An All-inclusive Quotation.
- Activity schedule.
- Company profile with a traceable track record and references should also be submitted.
- Proof(s) of accreditation(s).
- A valid copy company Certification as issued by CIPRO.
- A valid original tax clearance certificate.

Evaluation criteria of the tenders

The bids will be evaluated in two stages, namely:

- Stage 1- Functionality
- Stage 2- Price and BBBEE Points
- ✓ Only Bidders who score 60% or more on stage 1 would be evaluated further and therefore eligible for the award.

STAGE 1 OF EVALUATION – FUNCTIONALITY

Functionality	100			
Previous Experience	40			
Capacity and Expertise	40			

• Methodology 20

STAGE 2 OF EVALUATION – PRICE & PREFERENTIAL POINTS

BBBEE POINTS	20
Price	80
TOTAL	100

✓ 40 points for company experience are spread as follows:

- Traceable record for successfully completed minimum of 5 projects of this nature/projects of similar nature a maximum of 40 points may be awarded.
- 3-4 projects completed: 30 points
- 1-2 projects completed: 20 points

NB Attach signed reference letters to score points

- ✓ 40 points for Capacity and Expertise to undertake the project:
- Company with team member(s) comprises of at least the following areas of expertise:

- a) Proven years of experience in Research: 20 points
- b) Research Scientist, Social Scientist or Tourism Development Specialist 20 points

NB Attach CV with certificates to score points

 \checkmark 20 points for Methodology

The following must be covered on the scope of work:

- Financial projections
- Action plan must articulate time frame, activities, cost as per scope of work