

Munisipaliteit

Munisipale-geboue
Privaatsak X4
LAINGSBURG, 6900
Tel. (023) 551 1019
Faks No. (023) 5511 019

Laingsburg



Municipality

Municipal Buildings
Private Bag X4
LAINGSBURG, 6900
Tel. (023) 551 1019
Fax No. (023) 5511 019

E-pos / E-mail : scm@laingsburg.gov.za

NOTICE: 77 / 2022
FORMAL WRITTEN PRICE QUOTATION: 02 / 10 / 2022

APPOINTMENT OF A REGISTERED AUCTIONEER

Bids are hereby invited for the appointment of a registered professional auctioneer to provide auctioneering services to dispose of municipal movable assets.

Only service providers registered with the South African Institute of Auctioneers (SAIA) may quote. Certified copy of registration certificate to be submitted.

Bids must meet the above registration requirement and score a minimum of **70** out of **100** for functionality to be considered further for evaluation.

Bids may only be submitted on the bid documentation issued by the Municipality. Bid documents are available from Laingsburg Municipality, Municipal Buildings, 02 Van Riebeeck Street, Laingsburg, from **14 October 2022** during working hours (08:00 – 16:15).

Bids must reach the SCM Offices by no later than **25 October 2022 at 12:00** via the following means of communication:

1. Email: scm@laingsburg.gov.za; or
2. Posted to LAINGSBURG MUNICIPALITY, PRIVATE BAG X4, LAINGSBURG, 6900 or **delivered by hand** at the 02 Van Riebeeck Street, Municipal Buildings, Laingsburg.

The lowest, or any bid shall not necessarily be accepted and the Council reserves the right to accept any part of the bid.

The bid will be subject to Council's Supply Chain Management Policy, the Preferential Procurement Policy Framework Act and Preferential Procurement Regulations of 2017.

Any enquiries with regards to this bid can be directed to Mr. Keith Gertse on tel. 023 55 11 019 or e-mail: scm@laingsburg.gov.za.

Suppliers must be registered on the Centralised Supplier Database (CSD).


.....
J BOOYSEN
MUNICIPAL MANAGER

14 OCTOBER 2022



MUNISIPALITEIT MUNICIPALITY uMASIPALA

FORMAL WRITTEN PRICE QUOTATION

NOTICE NUMBER:		77 / 2022	
RFQ NUMBER:		SCM-8-2: FWPQ: 02-10-2022	
RFQ DESCRIPTION:		Appointment of a Registered Auctioneer	
CLOSING DATE:	25 OCTOBER 2022	CLOSING TIME:	12H00
Email: scm@laingsburg.gov.za ; or <u>Post</u> to: MUNICIPAL BUILDINGS 02 VAN RIEBEECK STREET LAINGSBURG 6900		NB: 1. All bids must be submitted on the official forms – (not to be retyped) 2. Bids must be completed in black and white 3. No bids will be considered from persons in the service of the state	
Name of Bidder:			
Total Bid Price:			
Estimated Delivery / Completion Period:		See detailed Terms of Reference	
B-BBEE Status Level of Contributor:			
Preference Points Claimed:			
B-BBEE certificates or Sworn Affidavits submitted with the bid document MUST be VALID ORIGINAL BBEE CERTIFICATES or VALID CERTIFIED COPIES OF THE B-BBEE CERTIFICATES OR SWORN AFFIDAVITS			

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LAINGSBURG MUNICIPALITY
FORMAL WRITTEN PRICE QUOTATION NOTICE AND INVITATION TO BID

ADVERTISED IN:	MUNICIPAL NOTICE BOARD, MUNICIPAL WEBSITE		
RFQ NO:	FWPQ-02-10-2022	NOTICE NO:	77 / 2022
PUBLISHED DATE:	14 OCTOBER 2022	DEPARTMENT:	FINANCIAL SERVICES
Formal Written Price Quotation:	APPOINTMENT OF A REGISTERED AUCTIONEER		
CLOSING TIME AND DATE:	NO LATER THAN 12H00	ON THE DATE:	25 OCTOBER 2022
	Bids must be submitted on the official forms and must be returned via: Email: scm@laingsburg.gov.za ; or Posted to: MUNICIPAL BUILDINGS 02 VAN RIEBEECK STREET LAINGSBURG 6900		
BID RULES:			
<div>1. Bids are to be completed in accordance with the conditions and bids rules contained in the bid document.</div> <div>2. Bids may only be submitted on the bid documentation issued by the Municipality.</div> <div>3. The Laingsburg Municipality does not bind itself to accept the lowest or any tender and reserves the right to accept any tender, as it may deem expedient.</div> <div>4. Bids are subject to the Laingsburg Municipality Supply Chain Management Policy.</div> <div>5. Price (s) quoted must be valid for at least thirty (30) days from date of your offer.</div> <div>6. Price (s) quoted must be firm and must be indicated;</div> <div>7. Only those suppliers who complies with specifications will be eligible for points.</div> <div>8. The successful provider will be the one scoring the highest points.</div> <div>9. Payments to the successful bidder in terms of this contract will be processed within 30 days after receipt of a valid tax invoice for goods and/or services rendered to the satisfaction of the municipality.</div> <div>10. The lowest or any bid shall not necessarily be accepted and the Municipality reserves the right to accept any part of the bid.</div> <div>11. Do not dismember this Bid Document (do not take it apart or put documents between its pages).</div> <div>12. All other documents of the submission must be attached behind this bid document.</div> <div>13. Please note that any suspicious collusive bidding behaviour and restrictive practices by bidders will be reported to the Competition Commission for investigation and possible imposition of administrative penalties.</div> <div>14. Bidders who are not yet registered are required to register on the Central Suppliers Database (CSD). Bidders can register on the official website – www.csd.gov.za.</div>			
Tenders shall be evaluated in terms of the Preferential Procurement Regulations, 2017		Bidders may claim preference points in terms of their B-BBEE status level of contribution.	
Preferential Procurement Point System Applicable		80/20	Local Content Requirement N/A
CIDB Registration Required	None	Validity Period	30 Days
Site Meeting/Information Session	None		
ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:		ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:	
Section:	Financial Services	Section:	Supply Chain Management
Contact Person:	Mr. Keith Gertse	Contact Person:	Mr. Keith Gertse
Tel:	023 55 11 019	Tel:	023 55 11 019
Email:	kigertse@laingsburg.gov.za	Email:	kigertse@laingsburg.gov.za
Authorised by:	Mr. J Booysen	Municipal Manager	

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)					
BID NUMBER:	FWPQ-02-10-2022	CLOSING DATE:	25 OCTOBER 2022	CLOSING TIME:	12:00
DESCRIPTION	APPOINTMENT OF A REGISTERED AUCTIONEER				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
MUNICIPAL BUILDINGS					
02 VAN RIEBEECK STREET					
PRIVATE BAG X4					
LAINGSBURG					
6900					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT <input type="checkbox"/> Yes <input type="checkbox"/> No		
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]		
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE	R	
SIGNATURE OF BIDDER		DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT	FINANCE		CONTACT PERSON	KEITH GERTSE	
CONTACT PERSON	KEITH GERTSE		TELEPHONE NUMBER	023-5511019	
TELEPHONE NUMBER	023-5511019		FACSIMILE NUMBER	023-5511019	
FACSIMILE NUMBER	023-5511019		E-MAIL ADDRESS	kjgertse@laingsburg.gov.za	
E-MAIL ADDRESS	scm@laingsburg.gov.za				

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:										
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p>										
2. TAX COMPLIANCE REQUIREMENTS										
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.</p> <p>2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>										
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS										
<table style="width: 100%; border: none;"> <tr> <td style="width: 70%;">3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?</td> <td style="width: 30%; text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> </table> <p>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</p>	3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO	3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO	3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO	3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO	3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO									
3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO									
3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO									
3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO									
3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO									

**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:

4. DECLARATION OF INTEREST

- 4.1. No bid will be accepted from persons in the service of the state¹.
- 4.2. 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.
- 4.3. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**
- 4.3.1. Full Name of bidder or his or her representative:

- 4.3.2. Identity Number:

- 4.3.3. Position occupied in the Company (director, trustee, hareholder²):

- 4.3.4. Company Registration Number:

- 4.3.5. Tax Reference Number:

- 4.3.6. VAT Registration Number:

- 4.3.7. The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.
- 4.3.8. Are you presently in the service of the state? **YES / NO**
- a) 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.

4.3.9. Have you been in the service of the state for the past twelve months?

YES / NO

a) If yes, furnish particulars:

.....

4.3.10. 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

a) If yes, furnish particulars:

.....

4.3.11. 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

a) If yes, furnish particulars:

.....

4.3.12. Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?

YES / NO

a) If yes, furnish particulars:

.....

4.3.13. Are any spouse, child or parent of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?

YES / NO

a) If yes, furnish particulars:

.....

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

a) If yes, furnish particulars:
.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

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

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

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

5.1. GENERAL CONDITIONS

5.1.1. 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).

5.1.2. 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;

5.1.3. Point for this shall be awarded for:

- a) Price; and
- b) B-BBEE Status Level of Contributor.

5.1.4. 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

5.1.5. 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.

5.1.6. 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.

5.2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“Functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - B-BBEE Status level certificate issued by an authorized body or person;
 - A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 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;

5.3. POINTS AWARDED FOR PRICE

5.3.1. THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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 = Price of bid under consideration
- P_{\min} = Price of lowest acceptable bid

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

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

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

5.5. BID DECLARATION

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

5.6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 5.1.4 AND 5.4.1

5.6.1. B-BBEE Status Level of Contributor: . = (maximum of 10 or 20 points)
(Points claimed in respect of paragraph 5.7.1 must be in accordance with the table reflected in paragraph 5.4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

5.7. SUB-CONTRACTING

5.7.1. Will any portion of the contract be sub-contracted?
(**Tick applicable box**)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

5.7.2. If yes, indicate:

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

- b) The name of the sub-contractor.....
- c) The B-BBEE status level of the sub-contractor.....
- d) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
-----	--	----	--

- e) 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 least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

5.8. DECLARATION WITH REGARD TO COMPANY/FIRM

5.8.1. Name of company/firm:

5.8.2. VAT Registration number:

5.8.3. Company registration number:

5.8.4. TYPE OF COMPANY / FIRM

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

[Tick applicable box]

5.8.5. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

5.8.6. COMPANY CLASSIFICATION

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

[Tick applicable box]

5.8.7. MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account Number:

Stand Number:

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

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

- a) The information furnished is true and correct;
- b) The preference points claimed are 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 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;
- d) 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 –
 - i. disqualify the person from the bidding process;
 - ii. recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - iii. 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;
 - iv. 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
 - v. Forward the matter for criminal prosecution.

WITNESSES

1.
2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

.....

6. DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

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

6.1. General Conditions

- 6.1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 6.1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 6.1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 6.1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 6.1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

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

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve

Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

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

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

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

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
--	-------------------------------------

N / A

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

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

- 6.3.1. If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

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

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

IN RESPECT OF BID NO.

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

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thdti.gov.za/industrialdevelopment/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

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

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

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

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

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

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

7. DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 7.1. This Municipal Bidding Document must form part of all bids invited.
- 7.2. 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.
- 7.3. The bid of any bidder may be rejected if that bidder, or any of its directors have:
- 7.3.1. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - 7.3.2. been convicted for fraud or corruption during the past five years;
 - 7.3.3. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - 7.3.4. 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).
- 7.4. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		

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

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

8. CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 8.1. This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 8.2. 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.
- 8.3. 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:
 - 8.3.1. take all reasonable steps to prevent such abuse;
 - 8.3.2. 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
 - 8.3.3. 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.
- 8.4. 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.
- 8.5. 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.

I, the undersigned, in submitting the accompanying bid:

**SCM/8/2 – FWPQ-02-10-2022 – APPOINTMENT OF A REGISTERED
AUCTIONEER**

(Bid Number and Description)

in response to the invitation for the bid made by:

LAINGSBURG MUNICIPALITY

(Name of Municipality)

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

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

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

- 8.6. 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.
- 8.7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - 8.7.1. prices;
 - 8.7.2. geographical area where product or service will be rendered (market allocation)
 - 8.7.3. methods, factors or formulas used to calculate prices;
 - 8.7.4. the intention or decision to submit or not to submit, a bid;
 - 8.7.5. the submission of a bid which does not meet the specifications and conditions of the bid; or
 - 8.7.6. Bidding with the intention not to win the bid.
- 8.8. 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.
- 8.9. 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.

8.10. 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

LAINGSBURG MUNICIPALITY
CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES

(To be signed in the presence of a Commissioner of Oaths)

I, the undersigned, in submitting the accompanying bid, declare that I am duly authorised to act on behalf of:

(name of the enterprise)

Hereby acknowledges that according to SCM Regulation 38(1) (d) (i), the Municipality may reject the tender of the tenderer if any municipal rates and taxes or municipal service charges owed by the Tenderer or any of its directors/members/partners to the Laingsburg Municipality, or to any other municipality or municipal entity, are in arrears for more than 3 (three) months.

That to the best of my personal knowledge, neither the firm nor any director/member/partner of said firm is in arrears on any of its municipal accounts with any municipality in the Republic of South Africa, for a period longer than 3 (three) months.

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;

PHYSICAL BUSINESS ADDRESS(ES) OF THE TENDERER

MUNICIPAL ACCOUNT NUMBER

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)

Number of sheets appended by the tenderer to this schedule (If nil, enter NIL)

Therefore hereby agrees and authorises the Laingsburg Municipality to deduct the full amount outstanding by the Tenderer or any of its directors/members/partners from any payment due to the tenderer; and			
I further hereby certify that the information set out in this schedule and/or attachment(s) hereto is true and correct. The Tenderer acknowledges that failure to properly and truthfully complete this schedule may result in the tender being disqualified, and/or in the event that the tenderer is successful, the cancellation of the contract.			
NAME (PRINT)		SIGNATURE	
CAPACITY		DATE	
NAME OF ENTERPRISE			

<p align="center">COMMISSIONER OF OATHS</p> <p>Signed and sworn to before me at _____, on this _____ day of _____ 20__</p> <p>by the Deponent, who has acknowledged that he/she knows and understands the contents of this Affidavit, it is true and correct to the best of his/her knowledge and that he/she has no objection to taking the prescribed oath, and that the prescribed oath will be binding on his/her conscience.</p> <p>COMMISSIONER OF OATHS:-</p> <p>Position: _____</p> <p>Address: _____</p> <p>Tel: _____</p>	<p>Apply official stamp of authority on this page:</p>
---	---

LAINGSBURG MUNICIPALITY	
SPECIFICATIONS / TERMS OF REFERENCE	
RFQ Number:	FWPQ-02-10-2022
RFQ Description:	Appointment of a Registered Auctioneer
1. Background	
1.1. The Municipality is having number of assets that are unserviceable and redundant that requires being disposed, hence the need to appoint an auctioneer.	
2. Current State	
2.1. A council resolution was taken on the 3 rd October 2022 to dispose of all unserviceable and redundant municipal movable assets.	
3. Scope of Work	
3.1. Please refer to Annexure A for full Terms of References.	
4. Invalid Bids	
4.1. The following will render the bid invalid:	
4.1.1. The bid is not submitted on the official Form of Offer; 4.1.2. The bid document is not completed in non-erasable handwritten, or printed, ink, or toner; 4.1.3. The Form of Offer has not been signed with an original signature; 4.1.4. The Form of Offer is signed, but the name of the bidder is not stated, or is indecipherable.	
5. Non-Responsive Bids	
5.1. Valid bids will be declared non-responsive and eliminated from further evaluation if:	
5.1.1. The bidder has been listed on the National Treasury's Register for Tender Defaulters in terms of the Prevention and combating of Corrupt Activities Act, Act 12 of 2004, or has been listed of the National Treasury's List of Restricted Suppliers and who is therefore prohibited from doing business with the public sector. 5.1.2. The bidder is prohibited from doing business with the Laingsburg Municipality. 5.1.3. The bidder does not comply with the Specification(s). 5.1.4. The bidder does not comply with the instructions as contained in the Price Schedule and/or Contract Price Adjustments and Rate of Exchange Variation (where applicable). 5.1.5. The bidder does not comply with the production of local content (if applicable)	
5.2. Bidders will be declared non-responsive if the tenderer fails to adhere to a written request (within the specified period set out in such request) to:	
5.2.1. Comply with the general conditions applicable to tenders as set out in the Laingsburg Municipality's SCM Policy; 5.2.2. Comply with one or more of the provisions contained in the Conditions of Tender. 5.2.3. Comply with any other terms and conditions of the bid as contained in the bid documents; 5.2.4. Register on the Central Supplier Database; 5.2.5. Complete and/or sign any declarations and or/authorisations; 5.2.6. Submit an original valid tax clearance certificate or tax compliance pin from the South African Revenue Services (SARS) certifying that the taxes of the bidder are in order; 5.2.7. Comply with any applicable Bargaining Council agreements where applicable;	

5.3.5.3. Paragraph 5.1 & 5.2 above are not closed lists.

6. General Specifications

- 6.1. The Municipality reserves the right to accept alternative bids. The Municipality is not bound to accept the lowest or any bid and reserve the right to accept any bid either wholly or a part thereof.
- 6.2. The submission of a bid signifies complete acceptance of the conditions contained in these instructions, the form of bid and the annexures.
- 6.3. Bids may only be submitted on the official bidding document. The bidding documents must be fully completed and signed.
- 6.4. Report must be provided to the Municipality on a monthly basis in respect of all work done and hours with full rates. (If applicable)
- 6.5. Successful bidder will be compelled to employ local labour in the specific area. (If applicable)
- 6.6. Council will reserve the right to appoint more than one successful bidder or any combination. (If applicable)

7. SPECIFICATION REQUIREMENTS

- 7.1. Specification's requirements are listed on Annexure A.

8. QUALIFIED BIDS

- 8.1. Qualified bids may be disregarded at the discretion of the Municipality.

9. DOCUMENTATION REQUIRED

9.1. THE FOLLOWING DOCUMENTATION MUST BE SUBMITTED AS PART OF THE FWPQ:

- 9.1.1. Tax Compliance Pin and/or Tax Clearance Certificate
- 9.1.2. Valid BBBEE Certificate or Sworn Affidavit
- 9.1.3. Latest Municipal Account / Lease Agreement
- 9.1.4. Central Supplier Database (CSD) Number
- 9.1.5. Completed Annexures (If applicable)
- 9.1.6. Registration Certificate with the South African Institute of Auctioneers (SAIA).

10. OCCUPATIONAL HEALTH AND SAFETY REQUIREMENTS

- 10.1.1. The service provider must adhere to all statutory requirements.

11. PRICING REQUIREMENTS

- 11.1. Bid prices must be in ZAR Currency (Rand).
- 11.2. The rates must remain firm for the period of 12 months (Only for annual contracts)
- 11.3. Rates must be inclusive of Value-added-Tax of 15%

12. EVALUATION

- 12.1. Bids will be evaluated on a comparative basis, which is the reason for the design of the bid specification.
- 12.2. All bids received shall be evaluated in accordance with the Municipal Finance Management Act, Act 56 of 2003 (read with its accompanying supply chain management regulations), Laingsburg SCM Policy, and the Preferential Procurement Policy Framework Act, Act 5 of 2000 (read with its accompanying regulations).
- 12.3. Points will be awarded to bidders who are eligible for preferences in terms of **LBM 6.1: Preference Point Claim Schedule** (where preferences are granted in respect of B-BBEE contribution).

LAINGSBURG MUNICIPALITY	
PRICING SCHEDULE for SERVICES	
RFQ Number:	FWPQ-02-10-2022
RFQ Description:	APPOINTMENT OF A REGISTERED AUCTIONEER
PLEASE NOTE:	<ol style="list-style-type: none"> Prices quoted must be inclusive of VAT. Document MUST be completed in non-erasable black ink. All tariffs (Price) must include all processes that are necessary to deliver the project as per terms contained in this specification. No claims for transport, labour and material will be accepted. Please indicate your tariffs per unit for the services required as indicated in the table below:

DESCRIPTION	COST
Auction fees (%)	
Any other costs, including travelling etc.	
SUBTOTAL	
VAT 15% (IF VAT REGISTERED)	
TOTAL	

Signature of Bidder: _____

Date: _____

LAINGSBURG MUNICIPALITY	
Form of Offer and Acceptance	
RFQ NUMBER:	FWPQ-02-10-2022
RFQ DESCRIPTION:	APPOINTMENT OF A REGISTERED AUCTIONEER
1. Part A: OFFER	
<p>1.1. The Laingsburg Municipality has solicited offers to enter into a contract in respect of the abovementioned works.</p> <p>1.2. The bidder, identified in the Offer signature block, has examined the draft contract as listed in the Acceptance section and agreed to provide this Offer.</p> <p>1.3. By the representative of the Bidder, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance, the Bidder offers to perform all of the obligations and liabilities of the Laingsburg Municipality 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.</p>	
2. THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VAT IS:	
<p>3. This Offer may be accepted by the Laingsburg Municipality by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the Tenderer, whereupon the Tenderer becomes the party named as the Contractor in the conditions of contract</p>	

Signature(s)		
Name(s)		
Capacity		
For the tenderer:	(Insert name and address of organisation)	
Name of witness:		Date
Signature of witness:		

LAINGSBURG MUNICIPALITY	
Form of Offer and Acceptance	
TENDER NUMBER:	FWPQ-02-10-2022
TENDER DESCRIPTION:	APPOINTMENT OF A REGISTERED AUCTIONEER
4. Part B: ACCEPTANCE	
<p>4.1. 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.</p>	
<p>4.2. Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto listed in the Returnable 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 Form of Offer and Acceptance. No amendments to or deviations from said documents are valid unless contained in this Schedule.</p>	
<p>4.3. 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.</p>	

Signature(s):			
Name(s):			
Capacity:			
For the Employer:	Laingsburg Municipality 02 Van Riebeeck Street LAINGSBURG, 6900		
Name of witness:		Date:	
Signature of witness:			

DECLARATION BY BIDDER			
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.			
NAME (PRINT)			SIGNATURE
CAPACITY			DATE
NAME OF ENTERPRISE			
WITNESS 1		WITNESS 2	

ANNEXURE A

LAINGSBURG MUNICIPALITY

FORMAL WRITTEN PRICE QUOTATION

BID NOTICE: NOTICE NO. 77 - 2022

BID NUMBER: SCM-8-2: FWPQ: 02-10-2022

BID DESCRIPTION: APPOINTMENT OF A REGISTERED AUCTIONEER

Introduction

The Laingsburg Municipality would like to appoint a registered professional service provider to provide auctioneering services to dispose of municipal movable assets.

Background

The Municipality is having number of assets that are unserviceable and redundant that requires being disposed, hence the need to appoint an auctioneer.

Scope of Work

Laingsburg Municipality requires the services of a capable and experience auctioneering service provider to conduct an auction.

Municipal movable assets includes, but is not limited to:

1. Equipment;
2. Scrap metal;
3. Other materials

General Conditions

The successful service provider will be required to conduct the auction as soon as possible after appointment. It is envisaged that the auction must have been completed before the end of this year.

No auctioneer's commission or fees will be payable by the Laingsburg Municipality.

The buyer at the auction will be responsible for the payment of the buyer's commission which may be payable to the Auctioneer.

The auction will take place on a date set by the Municipality and the Auctioneer.

Auction(s) of movable assets will be conducted at the designated Municipal premises identified in Laingsburg.

The Municipality will make available a preliminary list of moveable assets to be auctioned.

No offer may be accepted by the auctioneer prior to the auction and/or after a bid has been closed at auction.

The Municipality is VAT registered and VAT must be paid on all sales of municipal movable assets, except passenger vehicles, irrespective of whether or not the buyer/auctioneer is VAT registered.

The Auctioneer must, as part of the sales conditions, announce that the bid price on items will be exclusive of VAT and commission payable.

The Auctioneer will be responsible for the handling of public enquiries regarding auction.

Logistics to be coordinated by service provider.

Supplementary administrative services relating to the conduct of auction to be handled by appointed service provider.

Any supplementary services deemed necessary by the appointed service provider to enhance the conduct of auctions, subject to the Municipality's prior approval shall be the responsibility of the appointed service provider.

Bidders must have experience in auctioneering.

Bidders must have a full-time occupied office in the Western Cape from where business is conducted. Proof of address to be submitted. This is specified to minimize cost and practicality in meeting with the supplier.

The goods to be sold may be viewed by the public during such times and dates as specified by the Municipality at least one day before the sale.

At the commencement of the sale the auctioneer shall announce the conditions of sale, as prescribed in English by the Municipality. No additional conditions that are contradictory to these conditions shall be made or announced.

Auctions shall be conducted in English.

On the day of the auction the auctioneer shall be at the auction site at least two (2) hours before commencement of the auction, to register prospective buyers.

The auctioneer must be assisted by at least two competent clerks at the auction at own expense.

The auctioneer shall provide a public address system in good working order for the day of the auction.

All auctions and transactions shall be conducted in the RSA currency.

The net proceeds of the auction shall be paid to the Municipality within twenty-four (24) hours after the auction, in cash or by means of EFT transfer. The value of the payment shall be the gross amount realized from the auction less commission (VAT on the commission earned, included).

The Municipality's auction list/catalogue shall be supplemented by the auctioneer with the following:

- The names and addresses of the purchasers (if required by the Municipality).
- The amount realized for each lot.
- The gross amount realized.
- The right is reserved by the Municipality to cancel the auction at any time.

The auctioneer shall inspect all goods before the commencement of the auction to ensure that lot numbers and descriptions are correct and acquaint himself/herself with the condition of the goods. Buyers should take note that lots are sold "**voetstoots**" and that no claims will be considered by virtue of incorrect description, quantity, quality, condition or any other grounds.

All prospective buyers shall be registered by the auctioneer. Where applicable, registration shall occur after payment of a registration fee, determined by the Municipality in co-operation with the auctioneer.

The auctioneer is responsible for obtaining payment from the purchaser(s) before completion of the auction. The auction will be considered as completed two hours after the last bid has been knocked down or as determined by the municipality's representative providing the extended period falls on the same day of the auction.

The auctioneer shall only knock down a bid for a registered buyer. Buyers should take note that ownership of the goods sold, and risk shall pass to the buyer as soon as payment for the purchase has been received. Goods will be released by the municipality's representative only after payment has been received and upon production of an auctioneer's receipt of sales slip.

In cases of unsatisfactory performance by contractors, the Municipality is entitled to take corrective steps for example to cancel the contract and make alternative arrangements for the rendering of the service. Should these steps result in a loss of income or additional costs to the Municipality, the Municipality is entitled to claim damages, retain security or impose a penalty.

The auctioneer is responsible for the payment of VAT on the commission earned and the payment thereof to the South African Revenue Services.

The auctioneer shall not be part or party to a "Ring". Should any active association with a "Ring" be proved to the satisfaction of the Municipality, the contract with the auctioneer may be cancelled with immediate effect.

The term "Ring" means the grouping together of prospective buyers who manipulate prices as well as other buyers to take part in the auction.

The following conditions, regarding the removal of goods must be brought under the attention of the buyers:

- All lots must be removed by the buyer "**in toto**" within five (5) working days of the date of the sale on his/her own risk and cost. If for any reason acceptable to the Municipality he/ cannot remove the lots within the pre-scribed working days, extension may be granted by the Municipality.

- If the buyer fails to take possession of the goods within the time specified herein, the Municipality has the right to, without further communication, confiscate and dispose of the goods as it may deem fit, without any reimbursement to the buyer. If the buyer wishes to take possession of the goods after the expiry of the period of retrieval, the Municipality can grant approval.

The Municipality's representative at the auction sale has the right to settle any disputes on the decision to withdraw articles for which no suitable prices are obtained, at his/her discretion.

Provision must be made for buyers to pay before the end of the auction without interrupting the auction. **Receipts will only be issued to registered buyers.**

All monies received at the auction shall be recorded in a receipt book in triplicate. The original and first copy shall be furnished to the buyer and the Municipality's respectively.

The auctioneer is to note that any quotation which is not accompanied by all the information called for, or which is not properly completed or signed, may be disregarded.

Conditions of Sale

TO BE READ OUT IN ENGLISH BY THE AUCTIONEER BEFORE COMMENCEMENT OF THE SALE

1. The right of admission is reserved.
2. The Municipality shall, at any time, have the right to stop the auction, or to withdraw a lot, or lots, or part of a lot, without providing reasons.
3. The buyer shall be the highest bidder. Should any dispute arise between two or more bidders, the lot or lots shall be put up again and resold or in consultation with the municipality's representative the auctioneer may declare the buyer.
 - a. Lots may be grouped, or any lot may be divided at the discretion of the municipality's representative, provided buyers have no objection.
 - b. The order or sequence in which the lots will be sold may be changed at the discretion of the municipality's representative, provided buyers have no objection.
4. The officer who attends the auction on behalf of the Municipality shall have the right, if necessary, to stop the auction or to withdraw any lot or lots if satisfactory bids are not obtained or to sell any lot or lots provisionally, subject to confirmation before the end of the auction.
5. The auctioneer reserves the right to demand payment from a buyer once the bid has been knocked down.
6. Should a buyer abscond after a bid has been knocked down to him and payment is not received, the buyer shall forfeit the deposit and the lot concerned may be sold to another buyer at the same price after expiry of the maximum time of two hours allowed for payment after the last bid. At the discretion of the municipality's representative the maximum time may be extended but not later than the day on which the auction takes place.
7. In these instances, the registered buyer forfeits the registration fee and the fee falls to the Municipality.

8. Goods are sold "**voetstoots**" and no claims will be considered by the Municipality by virtue of incorrect description, quantity, inferior quality, condition, or any other grounds whatsoever. No guarantees will be given in this regard. Prospective buyers are therefore advised to inspect the lots or have the goods inspected before an offer is made. A bid shall be taken as proof that the bidder has acquainted him/herself with the condition of lots for which she/he bids.
9. As soon as a lot has been knocked down for a registered buyer, the risk shall pass to the buyer as soon as payment for the purchase has been received and no complaints will be considered thereafter.
10. Lots purchased, may be removed at a time determined by the Municipality. The release of any lots purchased will only be given by the municipality's representative upon producing of the auctioneer's sales slip, in duplicate. The duplicate delivery note, signed by the buyer or his representative, will be retained by the Municipality as proof of delivery.
11. All lots must be removed by the buyer "**in toto**" within five (5) working days of the date of the sale on his own risk and cost. If for any reason acceptable to the Municipality he/she cannot remove the lots within the prescribed working days, extension may be granted by the Municipality.
12. If the buyer fails to take possession of the goods within the specified time herein, the Municipality has the right to, without further communication, confiscate and dispose of the goods as it may deem fit, without any reimbursement to the buyer. If the buyer wishes to take possession of the goods after the expiry of the period of retrieval the Municipality can grant approval, provided that the storage costs have been paid, as well as the storage costs for any extended periods.
13. Buyers may attend either personally or be represented to supervise the loading of their lot or lots, but it must be distinctly understood that no complaints will be entertained after each lot has been knocked down.
14. The Municipality is under no obligation to provide an assistance with the loading or removal of goods purchased.
15. Buyers, their representatives and workmen, their vehicles and equipment, will be allowed on the Municipality's premises at their own risk. The Municipality accepts no responsibility for their safety or for the safety of their property.
16. No buyer, his representative or workmen will be permitted to remain on Municipality's premises at times other than the Municipality's normal working hours.
17. Buyers are not permitted to enter into any transaction on Municipality's premises for the resale of any goods purchased at the sale.
18. Payment will be accepted by the auctioneer in **cash or EFT transfer only**.

FUNCTIONALITY

The assessment on functionality will be done in terms of the evaluation criteria and minimum threshold as specified.

The minimum qualifying score for functionality is **70** out of **100**.

Bidders who fail to achieve the minimum qualifying score on functionality will be disqualified for further evaluation of price and B-BBEE status.

No.	Description	Weights	Score
1	Track record on similar projects Bidders are requested to submit appointment and reference letters of a similar nature on the letterhead of the municipality (Letter must not be older than three (3) years: <ul style="list-style-type: none"> • 5 contracts = 20 points • 6 – 10 contracts = 30 points • Above 10 contracts = 40 points 	40	
2	Financial Viability Submission of letter from the Bank (we reserve the right to verify) Bank rating A = 40 points Bank rating B = 30 points Bank rating C = 20 points Bank rating D = 10 points Banking rating E downwards = 0 points	40	
3	Service provider must be registered with the South African Institute of Auctioneers (SAIA). Certified copy of SAIA registration certificate must be attached.	20	
	TOTAL	100	