



**CAPE WINELANDS DISTRICT**  
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

## TENDER T 2021/076

**PROVISION OF PROFESSIONAL CIVIL ENGINEERING SERVICES FOR THE COMPILATION OF AN ORGANIC WASTE DIVERSION PLAN FOR THE CAPE WINELANDS DISTRICT MUNICIPALITY AS WELL AS FOR 4 DIFFERENT LOCAL MUNICIPALITIES WITHIN CWDM'S JURISDICTION**

Closing date: 11:00 on Friday, 11 March 2022

(RETURNABLE DOCUMENT)

Name of Tenderer			
Postal Address	..... ..... .....		
Telephone number			
E-Mail address			
TOTAL BID PRICE (INCL. VAT) (refer to page 49):			
COMPLETION PERIOD:	June 2022 or as mutually agreed upon	<b>B-BBEE LEVEL CLAIMED:</b>	

**ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:**

Financial and Strategic Support Services  
Supply Chain Management

Tel: 086 126 5263

Fax: 086 688 4173

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# THE TENDER

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## Part T1: Tendering procedures

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## **T1.1 Tender Notice and Invitation to Tender**

### **T1.1.1 TENDER NOTICE**

The Cape Winelands District Municipality invites tenders from service providers for the provision of professional engineering services for the compilation of an organic waste diversion plan for the Cape Winelands District Municipality (CWDM) as well as for 4 different local municipalities within CWDM's jurisdiction.

Technical enquiries regarding this bid may be directed to **Mr C. Swart** at tel. **0861 265 263**.

This tender will be evaluated in terms of the Preferential Procurement Regulations, 2017 that was promulgated by the Minister of Finance on 20 January 2017 in Government Gazette No 40553. Please take note of the responsiveness criteria as stipulated in the tender document.

### **PROCUREMENT PREFERENCE POINT SYSTEM: 80/20**

All prospective tenderers must ensure that they are registered and accredited on the CWDM's Supplier Database and National Treasury's Central Supplier Database.

Tender documents, in English, are available free of charge on the websites: [www.capewinelands.gov.za](http://www.capewinelands.gov.za) or <https://etenders.treasury.gov.za>. Alternatively, hard copies of the document are obtainable from the offices of the Supply Chain Management Unit, Cape Winelands District Municipality at 29 Du Toit Street, Stellenbosch, upon payment of a non-refundable fee of R 210.00 per document.

Queries relating to the issue of these documents may be addressed to **Ms E Niemand**, Tel No: **0861 265 263**, E- Mail: [elmine@capewinelands.gov.za](mailto:elmine@capewinelands.gov.za)

### **Closing date: 11:00 on Friday, 11 March 2022**

Tenders must only be submitted on the tender documentation that is issued.

Duly completed tenders must be enclosed in a (separate) sealed envelope and endorsed with the relevant tender number and description on the envelope/s. The sealed tenders must be placed in the official tender box of the District Municipality's offices at 29 Du Toit Street, Stellenbosch on the abovementioned time and dates.

All bids received will be opened in public, late proposals and proposals submitted by e-mail or fax will under no circumstances be accepted. The CWDM reserves the right to withdraw any proposal, invitation and/or to re-advertise or to reject any proposals or to accept any part of it. The CWDM does not bind itself to accepting the lowest bid or to award a contract to the bidder who scores the highest number of points.

Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.

**HF PRINS**  
**MUNICIPAL MANAGER**

**T1.1.2 INVITATION TO BID – MBD 1**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)</b>					
Tender number:	<b>T2021/076</b>	Closing date:	11/03/2022	Closing time:	<b>11h00</b>
Description	<b>Compilation of an organic waste diversion plan for the Cape Winelands District Municipality (CWDM) as well as for 4 different local municipalities within CWDM's jurisdiction.</b>				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7). BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE TENDER BOX SITUATED AT: 29 DU TOIT STREET, STELLENBOSCH</b>					
<b>SUPPLIER INFORMATION</b>					
Name of bidder					
Postal address					
Street address					
Telephone number	Code		Number		
Cell phone number					
E-mail address					
VAT registration number					
Tax compliance status	TCS PIN:		OR	CSD No:	MAAA
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	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE / SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
<b>Are you the accredited representative</b> in South Africa for the goods / services / works offered?	<input type="checkbox"/> Yes <input type="checkbox"/> No [If yes enclose proof]		<b>Are you a foreign based supplier</b> 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					
<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>					
Contact person	Christo Swart				
Telephone number	023 348 2300				
E-mail address	christo@capewinelands.gov.za				
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED</b>					
Contact person	Elmine Niemand				
Telephone number	021 888 5175				
E-mail address	elmine@capewinelands.gov.za				

**TERMS AND CONDITIONS FOR BIDDING – PART B**

**1. BID SUBMISSION:**

- 1.1. Bids must be delivered by the stipulated time to the correct address. Late bids will not be accepted for consideration.
- 1.2. All bids must be submitted on the official forms provided–(not to be re-typed) or online
- 1.3. This bid is subject to the Preferential Procurement Policy Framework Act and the Preferential Procurement Regulations, 2017, the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract.

**2. TAX COMPLIANCE REQUIREMENTS**

- 2.1 Bidders must ensure compliance with their tax obligations.
- 2.2 Bidders are required to submit their unique personal identification number (pin) issued by SARS to enable the organ of state to view the taxpayer’s profile and tax status.
- 2.3 Application for the tax compliance status (TCS) certificate or pin may also be made via e-filing. In order to use this provision, taxpayers will need to register with SARS as e-filers through the website www.sars.gov.za.
- 2.4 Foreign suppliers must complete the pre-award questionnaire in part b:3.
- 2.5 Bidders may also submit a printed TCS certificate together with the bid.
- 2.6 In bids where consortia / joint ventures / sub-contractors are involved, each party must submit a separate TCS certificate / pin / CSD number.
- 2.7 Where no TCS is available but the bidder is registered on the central supplier database (CSD), a CSD number must be provided.

**3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

- 3.1. Is the entity a resident of the republic of South Africa (RSA)?  Yes  No
- 3.2. Does the entity have a branch in the RSA?  Yes  No
- 3.3. Does the entity have a permanent establishment in the RSA?  Yes  No
- 3.4. Does the entity have any source of income in the RSA?  Yes  No
- 3.5. Is the entity liable in the RSA for any form of taxation?  Yes  No

**If the answer is “no” to all of the above, then it is not a requirement to register for a tax compliance status system pin code from the South African Revenue Service (SARS) and if not register as per 2.3 above.**

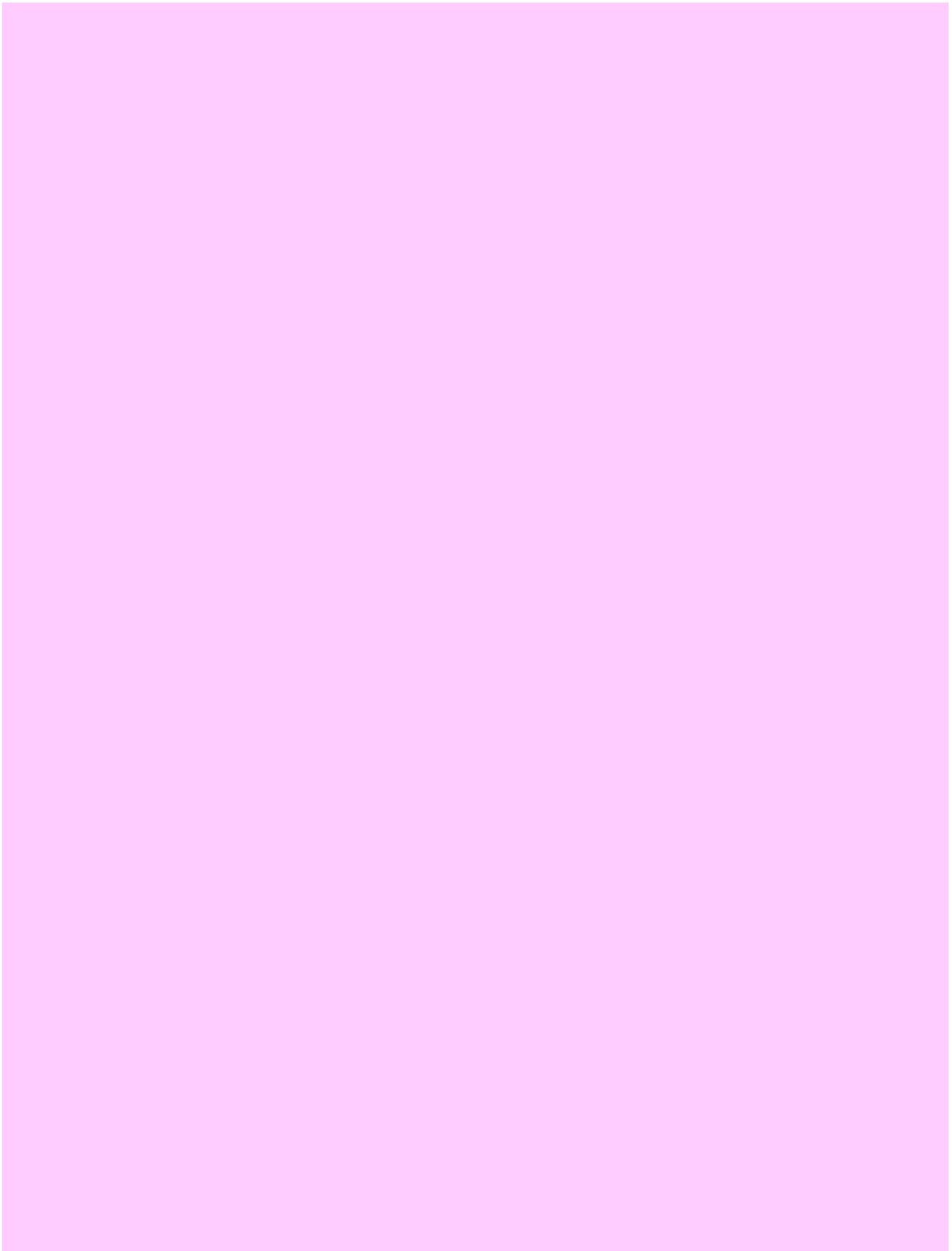
**NB: failure to provide any of the above particulars may render the bid invalid.  
No bids will be considered from persons in the service of the state.**

Signature(s): .....

Name(s): .....

Capacity for the Tenderer: .....

Date: .....



## T1.2: TENDER DATA

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The conditions of tender are the Standard Conditions of Tender as contained in Annex F of Board Notice 136 of 2015 in Government Gazette 38960 of 10 July 2015, Construction Industry Development Board (CIDB) Standard for Uniformity in Construction Procurement. See [www.cidb.org.za](http://www.cidb.org.za) which is reproduced without amendment or alteration for the convenience of tenderers as Annex A to this Tender Data.

The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the standard Conditions of Tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

The following variations, amendments and additions to the Standard Conditions of Tender as set out in the Tender Data below shall apply to this tender.

### Clause Wording

#### C.1 General

##### C.1.1 Actions

Add the following:

The employer is Cape Winelands District Municipality.

##### C.1.2 Tender Documents

Add the following:

The tender documents issued by the employer comprise of those listed in the contents page.

The Tender Document and possible drawings shall be obtained from the Employer at the physical address stated in the Tender Notice, upon payment of the fee stated in the Tender Notice.

The following documents form part of this contract:

- **VOLUME 1 :** *The General Conditions of Contract for Construction Works (Third Edition) 2015 as published by the South African Institution of Civil Engineering. This publication is available and tenderers must obtain copies at their own cost from the South African Institution of Civil Engineering (SAICE), Private Bag X200, Halfway House 1685, Tel: (011) 805 5947, Fax: (011) 805 5971, e-mail: [civilinfo@saice.org.za](mailto:civilinfo@saice.org.za).*
- **VOLUME 2 :** *The South African Bureau of Standards Standardized Specification for Construction Procurement SANS 10845, prepared by and obtainable from the South African Bureau of Standards, Private Bag X191, Pretoria 0001, Tel: (012) 428 6929, Fax: (012) 428 6928, Web site : [www.stansa.co.za](http://www.stansa.co.za).*

Volumes 1 and 2 may also be inspected, by appointment, at the offices of the Employer's Agent during normal office hours.

- **National Treasury - Government Procurement: General Conditions of Contract**

##### C.1.4 Communication and Employer's Contact

Add the following:

The Employer's agent is: C. Swart

Name : Department Technical Services  
 Address : P.O. Box 100, Stellenbosch,7599  
 Attention : Mr C. Swart  
 Tel : 023 348 2300 Fax : 023 342 8442  
 e-mail : [christo@capewinelands.gov.za](mailto:christo@capewinelands.gov.za)

**C.1.6.2 Competitive negotiation procedure***Add the following:*A competitive negotiation procedure will **not** be followed.**C.1.6.3 Proposal procedure using two-stage system***Add the following:*A two-stage system will **not** be followed.**C.2 Tenderer's obligations****C.2.1 Eligibility***Add the following:*

Only those tenderers who satisfy the following criteria are eligible to submit tenders:

**C.2.7 Clarification meeting***Add the following:*

No clarification meeting will take place.

**C.2.9 Insurance***Add the following:*

The employer will not provide any insurance for goods prior to the transfer of ownership.

**C.2.12 Alternative tender offers***Replace with:***C.2.12.1** No alternative tender offers will be accepted.**C.2.13 Submitting a Tender Offer***Add the following:*

Tenderers shall not tamper with the Tender Documents which must be submitted as issued. Tender Documents found to have been unbound may be deemed unacceptable.

Each Tenderer is required to submit under sealed cover the complete set of Tender Documents with all the required information and complete in all respects. The envelope shall be addressed to the CAPE WINELANDS DISTRICT MUNICIPALITY and endorsed as described in the Tender Notice and placed in the tender box of the CAPE WINELANDS DISTRICT MUNICIPALITY before closing date and time of tender.

Any tender which is delivered to an address other than the one stipulated in the Tender Notice will not be accepted. Uncompleted tenders must be clearly marked with the contract number, as well as "Uncompleted Tender".

**C.2.13.3** Parts of each tender offer communicated on paper shall be submitted as an original, plus zero (0) copies.**C.2.13.5** Parts of each tender offer communicated on paper shall be submitted as an original, plus zero (0) copies.**C.2.13.7** The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:Location of tender box: 29 Du Toit Street, **STELLENBOSCH**, 7600Physical address: 29 Du Toit Street, **STELLENBOSCH**, 7600Identification details: **T2021/076**Title of Tender: **Compilation of an organic waste diversion plan for the Cape Winelands District Municipality (CWDM) as well as for 4 different local municipalities within CWDM's jurisdiction.****C.2.13** A two-envelope procedure will not be followed.**C.2.15 Closing time***Add the following to clause C.2.15.1***C.2.15.1** The closing time for submission of tender offers is stated in the Tender Notice and Invitation to Tender.

Telegraphic, telephonic, telex, facsimile or e-mailed tenders offers will not be accepted.

The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:

Location of tender box: 29 Du Toit Street, **STELLENBOSCH**,7600

Physical address: 29 Du Toit Street, **STELLENBOSCH**, 7600

Identification details: **T2021/076**

Title of Tender: **Compilation of an organic waste diversion plan for the Cape Winelands District Municipality (CWDM) as well as for 4 different local municipalities within CWDM's jurisdiction.**

**C.2.16 Tender offer validity**

*Add the following to clause C.2.16.1:*

**C.2.16.1** The fact and action of handing in a tender to the Municipality is accepted as a contract between the Municipality and the bidder whereby such a tender remains valid and available for a period of ninety (90) days, calculated from the closing date as advertised for the tender, for acceptance, or non-acceptance by the Municipality. The bidder undertakes not to withdraw, or alter, the tender during this period.

**C.2.23 Certificates**

*Add the following:*

The tenderer is required to submit the certificates listed in the Returnable Documents.

**C.3.4 Opening of tender submissions**

*Add the following:*

The time and location for opening the tender offers are in accordance with C.2.15.1.

**C.3.5 Two-envelope system**

*Add the following:*

**C.3.5.1** The two-envelope system will not be followed for this contract.

**C.3.5.2** The bidder must complete Form 5 - Schedule of work successfully completed by the tenderer, as part of the Returnable Schedules in order to obtain relevant points for functionality.  
The bidder must complete Form 6 - Schedule of work successfully completed by Foreman / Project Leader, as part of the Returnable Schedules in order to obtain relevant points for functionality.  
The description of the functionality of (quality) criteria and the maximum number of evaluation points allocated to each is shown in the table below. The score for functionality (quality) will be the sum of the scores for the individual criteria:

Description	Reference	Scoring			Max Score
		Excellent (25)	Good (15)	Poor (10)	
Company's Previous Experience	(Schedule 6&7, 23-25- T.2.2.5 - T2.2.7) Returnable Schedules	More than 5 similar projects in the last 3 years	Between 3 and 5 similar projects in the last 3 years	Less than 3 projects in the last 3 years	25
Foreman / Project leader previous experience	(Schedule 6&7, 23-25- T.2.2.5 - T2.2.7) Returnable Schedules	More than 5 similar projects in the last 3 years	Between 3 and 5 similar projects in the last 3 years	Less than 3 projects in the last 3 years	25
<b>Total</b>					<b>50</b>

The tenderer must have successfully completed the similar projects in order to obtain points for functionality. (*Proof must be provided*)

- **A similar project refers to the the draughting of an Integrated Waste Management / Waste Diversion Plan. Relevant reference letters on company letter heads should be attached to this, no points will be scored if the reference letters are not provided.**

A minimum score of 30 needs to be obtained for functionality in order to be further evaluated on Price and Preference.

### **C.3.11 Evaluation of tender offers**

*Add the following*

**C.3.11.2** The method for the evaluation of tender offers is Method 1: Price and Preference.

**C.3.11.7** The financial offer will be scored using Formula 2 where W1 is;

80 where the financial value inclusive of VAT of all responsive tenders received do not exceed R50,000,000.00. Up to 100 minus W1 tender evaluation points will be awarded to tenders who duly complete the Preferential Procurement Declaration Schedule and who are found to be eligible for the preference claimed.

### **C.3.13 Acceptance of tender offer**

*Add the following to C.3.13:*

**C.3.13.1** Tender offers will only be accepted if:

- a) the tenderer is registered and in good standing with the South African Revenue Service (SARS) and has submitted the unique person identification number pin) issued by SARS to enable the organ of state to view the taxpayer's profile and tax status.
- b) the tenderer or any of its directors is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;
- c) the tenderer has not:
  - i) abused the Employer's Supply Chain Management System; or
  - ii) failed to pay municipal rates and taxes or service charges and such rates, taxes and charges are in arrears for more than three months;
  - iii) failed to perform on any previous contract and has been given a written notice to this effect;
- d) the tenderer has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the employer or potentially compromise the tender process.

Tender offers will be rejected if they show any conditional or incomplete offers and irregularities of any kind in the tender.

The Employer does not bind himself to accept the lowest priced tender, highest points tender or any tender offer. The Employer has the right to accept any part of a tender as he may deem expedient subject to negotiation with the successful tenderer for the whole tender.

### **C.3.13.2 Disputes, objections, complaints and queries**

In terms of Regulations 49 and 50 of the Local Government: Municipal Finance Management Act, 2003 – Municipal Supply Chain Management Regulations (Notice 868 of 2005):

- a) Persons aggrieved by decisions or actions taken by the Cape Winelands District Municipality in the implementation of its supply chain management system, may lodge within 14 days of the decision or action, a written objection or complaint or query or dispute against the decision or action.
- b) Objections, complaints, queries and disputes must be submitted in writing to the Municipal Manager, Cape Winelands District Municipality, 46 Alexander Street, Stellenbosch or posted to P O Box 100, Stellenbosch, 7599.

### **C.3.13.3 Appeals**

- a) In terms of Section 62 of the Systems Act 32 of 2000 a person whose rights are affected by a decision taken by the Cape Winelands District Municipality in the implementation of its supply chain management system, may appeal against that decision by giving written notice of the appeal and reasons to the Municipal Manager within 21 days of the date of the notification of the decision.
- b) An appeal must contain the following:
  - i) Reasons and/or grounds for the appeal
  - ii) The way in which the appellants rights have been affected
  - iii) Remedy sought by appellant
- c) Appeals must be submitted in writing to the Municipal Manager, Cape Winelands District Municipality, 46 Alexander Street, Stellenbosch or posted to P O Box 100, Stellenbosch, 7599

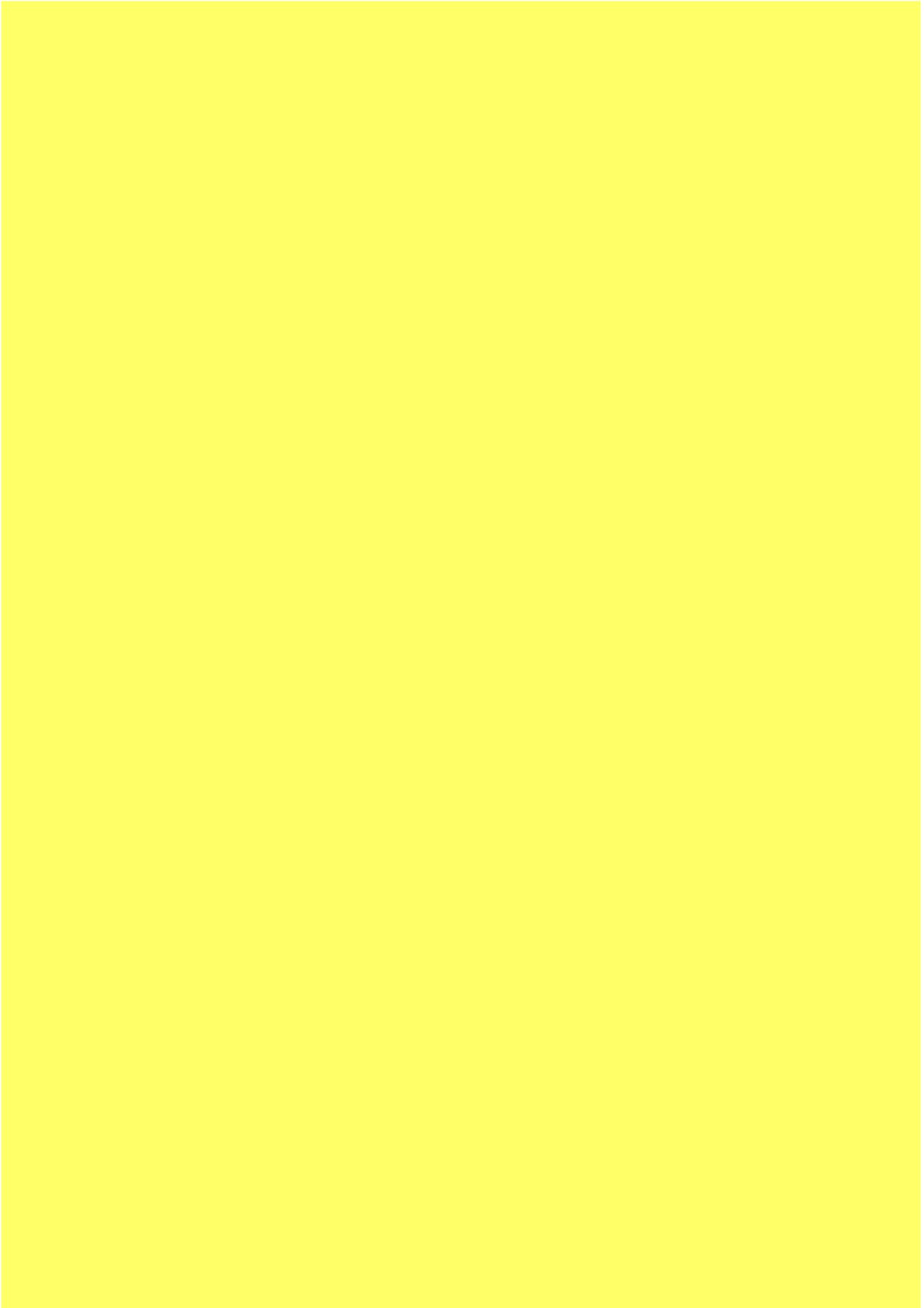
**C.3.13.4 Right to approach the courts & rights in terms of Promotion of Administrative Justice Act (Act 3 of 2000) and Promotion of Access to Information (Act 2 of 2000)**

Clauses C.3.13.2 and C.3.13.3 do not influence any affected person's rights to approach the High Court at any time or its rights in terms of the Promotion of Administrative Justice Act and Promotion of Access to Information Act.

- a) All legal process and pleadings must be served on the Municipal Manager, Cape Winelands District Municipality, 46 Alexander Street, Stellenbosch or posted to P O Box 100, Stellenbosch, 7599
- b) All requests in terms of PAJA and PAIA must be submitted in writing to Municipal Manager, Cape Winelands District Municipality, 46 Alexander Street, Stellenbosch or posted to P O Box 100, Stellenbosch, 7599

**C.3.17 Add the following to Clause F.3.17**

The number of paper copies of the signed contract to be provided by the Employer is **one (1)**.



## **PART T2: RETURNABLE DOCUMENTS**

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**T.2.1** List of Returnable Documents

**T.2.2** Returnable Schedules

## **PART T 2.1: LIST OF RETURNABLE DOCUMENTS**

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

**RETURNABLE SCHEDULES REQUIRED FOR TENDER EVALUATION PURPOSES** (included hereafter for completion)

***OTHER DOCUMENTS REQUIRED FOR TENDER EVALUATION PURPOSES*** (*appendix to schedule in document*)

**RETURNABLE SCHEDULES THAT WILL BE INCORPORATED INTO THE CONTRACT** (to be attached with submission)

**OTHER SCHEDULES AND AFFIDAVITS THAT WILL BE INCORPORATED INTO THE CONTRACT** (included hereafter for completion)

## PART T2.1 List of Returnable Documents

The following documents are to be completed and returned as they constitute the tender. Whilst many of the returnables are required for evaluating the tenders, some will form part of the subsequent contract, as they form the basis of the tender offer. For this reason, it is very important that tenderers return all information requested. The tenderer must complete the Returnable Documents in **black ink**:

	<b>Pages</b>
1: COMPULSORY ENTERPRISE QUESTIONNAIRE.....	16-17
2: AUTHORITY OF SIGNATORY .....	18
3. CERTIFICATE OF JOINT VENTURE .....	18
4. CERTIFICATE OF SOLE PROPRIETOR .....	19
5. CERTIFICATE OF CLOSE CORPORATION.....	19
6: SCHEDULE OF WORK SATISFACTORILY COMPLETED .....	20
7. SCHEDULE OF WORK SATISFACTORILY COMPLETED .....	21-22
8. PROPOSED AMENDMENTS AND QUALIFICATIONS BY TENDERER.....	23
9. DECLARATION IN TERMS OF MUNICIPAL RATES AND SERVICES .....	24
10. DECLARATION OF INTEREST (MBD 4 B) .....	25-29
11. TAX CLEARANCE REQUIREMENTS.....	30
12. JOINT VENTURE AGREEMENT, IF APPLICABLE.....	31
13. RECORD OF MINUTES AND ADDENDA TO TENDER DOCUMENTS.....	32
14. PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017 .....	33-37
15. DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES.....	38-39
16. CERTIFICATE OF INDEPENDENT BID DETERMINATION.....	40-41
17. QUESTIONNAIRE.....	42
18. CREDIT ORDER INSTRUCTION.....	43
19. CONFIRMATION OF CWDM AND CENTRAL SUPPLIER DATABASE REGISTRATION.....	44
20: RECORD OF ADDENDA TO TENDER DOCUMENTS.....	45

### Other documents required for tender evaluation purposes

Joint Venture Agreement (if applicable) – append to Schedule 3.  
 Documentary evidence / proof of registration and verification on Cape Winelands District Municipality Supplier Database. Append to Schedule 19.  
 B-BBEE Verification Certificate – append to Schedule 14.

### Returnable Schedules that will be incorporated into the Contract

20: RECORD OF ADDENDA TO TENDER DOCUMENT

Preferencing Schedule(s)

14: PREFERENCING SCHEDULE – B-BBEE STATUS LEVEL CONTRIBUTION PREFERENCE

**PART T 2.1 Returnable Document checklist**

Bidders are required to complete the schedule below indicating that all requested information has been submitted with their offer.

<b>Schedule No.</b>	<b>Document</b>	<b>Please tick if enclosed</b>
1	COMPULSORY ENTERPRISE QUESTIONNAIRE	
2	AUTHORITY OF SIGNATORY	
3	CERTIFICATE OF JOINT VENTURE	
4	CERTIFICATE OF SOLE PROPRIETOR	
5	CERTIFICATE OF CLOSE CORPORATION	
6	SCHEDULE OF WORK SATISFACTORILY COMPLETED BY THE TENDERER/ENTITY AND PROJECT LEADER	
7	SCHEDULE OF WORK SATISFACTORILY COMPLETEED BY THE TENDERER/ENTITY AND PROJECT LEADER	
8	PROPOSED AMENDMENTS AND QUALIFICATIONS BY TENDERER	
9	DECLARATION IN TERMS OF MUNICIPAL RATES AND SERVICES	
10	DECLARATION OF INTEREST (MBD 4B)	
11	TAX CLEARANCE REQUIREMENTS	
12	JOINT VENTURE AGREEMENT, IF APPLICABLE	
13	RECORD OF MINUTES AND ADDENDA TO TENDER DOCUMENTS	
14	PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017	
15	DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES	
16	CERTIFICATE OF INDEPENDENT BID DETERMINATION	
17	QUESTIONNAIRE	
18	CREDIT ORDER INSTRUCTION	
19	CONFIRMATION OF CWDM AND CENTRAL SUPPLIER DATABASE REGISTRATION	
20	RECORD OF ADDENDA TO TENDER DOCUMENTS	
	JOINT VENTURE AGREEMENT (IF APPLICABLE)	
	DOCUMENTARY EVIDENCE / PROOF OF REGISTRATION AND VERIFICATION ON CAPE WINELANDS DISTRICT MUNICIPALITY SUPPLIER DATABASE	
	B-BBEE VERIFICATION CERTIFICATE	

## PART T 2.2 Returnable Documents

### SCHEDULE 1: COMPULSORY ENTERPRISE QUESTIONNAIRE

The following particulars must be furnished. In the case of a joint venture, <b>separate</b> enterprise questionnaires in respect of each partner must be completed and submitted. <b>(Failure to do so may result in your bid being disqualified)</b>		
<b>Section 1:</b>	<b>Name of enterprise:</b> .....	
<b>Section 2:</b>	<b>VAT registration number, if any:</b> .....	
	<b>Has and original and valid TAX clearance certificate been attached under Schedule 2D?</b>	<b>Yes / No</b>
<b>Section 3:</b>	<b>Has a B-BBEE status level verification certificate been submitted?</b> <b>Yes / No</b>	
	<b>If Yes, who was the certificate issued by?</b> (Tick applicable box)	
	<input type="checkbox"/> An accounting officer as contemplated in the Close Corporation Act. <input type="checkbox"/> A verification agency accredited by the South African National Accreditation System (SANAS). <input type="checkbox"/> A registered auditor.	
	NB. A B-BBEE status level verification certificate must be submitted in order to qualify for preference points for B-BBEE.	
<b>Section 4:</b>	<b>CIDB registration number, if any:</b> .....	
<b>Section 5:</b>	<b>Particulars of sole proprietors and partners in partnership</b>	
	<b>Name*</b>	<b>Identity number*</b>
		<b>Personal income tax number*</b>
* Complete only if sole proprietor or partnership and attached separate page if more than 3 partners		
<b>Section 6:</b>	<b>Particulars of companies and close corporations</b>	
	Company registration number: .....	
	Close corporation number: .....	
	Tax reference number: .....	
<b>Section 7:</b>	<b>Record of service of the state</b>	
Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:		
<input type="checkbox"/> a member of any municipal council	<input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)	
<input type="checkbox"/> a member of any provincial legislature	<input type="checkbox"/> a member of an accounting authority of any national or provincial public entity	
<input type="checkbox"/> a member of the National Assembly or the National Council of Province	<input type="checkbox"/> an employee of Parliament or a provincial legislature	
<input type="checkbox"/> a member of the board of directors of any municipal entity		
<input type="checkbox"/> an official of any municipality or municipal entity		
<b>If any of the above boxes are marked, disclose the following:</b> (insert separate page if necessary)		

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

**Section 8: Record of spouses, children and partners in the service of the state**

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

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

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

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

\* Insert separate page if necessary

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

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

Signature:		Date:	..... / ..... / 20.....
Print Name:		Position:	

**SCHEDULE 2: AUTHORITY FOR SIGNATORY**

We, the undersigned, hereby authorize Mr/Mrs ..... acting in his/her capacity as ..... of the business trading as ..... to sign all documentation in connection with Tender.....

Name of members / directors	Signature	Date

Note: If bidders attached a copy of their Authorized Signatory it is not necessary to complete this form.

**SCHEDULE 3: CERTIFICATE FOR JOINT VENTURE**

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorized Mr/Ms ....., authorized signatory of the company ....., acting in the capacity of lead partner, to sign all documents in connection with the tender offer for Contract ..... and any contract resulting from it on our behalf.

This authorization is evidenced by the attached power of attorney signed by legally authorized signatories of all the partners to the Joint Venture.

NAME OF FIRM	ADDRESS	AUTHORISING SIGNATURE, NAME & CAPACITY
Lead partner		

**SCHEDULE 4: CERTIFICATE FOR SOLE PROPRIETOR**

---

I, ..... hereby confirm that I am the sole owner of the business trading as .....

As witnesses:

1.		Chairman:	
2.		Date:	

**SCHEDULE 5: CERTIFICATE FOR CLOSE CORPORATION**

---

We, the undersigned, being the key members in the business trading as ..... hereby authorize Mr/Ms ..... acting in the capacity of ..... to sign all documents in connection with the tender for Contract ..... and contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

**SCHEDULE 6: SCHEDULE OF WORK SATISFACTORILY COMPLETED OUT BY THE TENDERER & PROJECT LEADER**

Similar projects successfully completed		Maximum possible score
Functionality Criteria		<i>Very briefly describe your experience in the table below and attach evidence this to this schedule</i>
<b>TENDERER'S EXPERIENCE</b>	<b>Entity's Previous Experience</b>	<p>More than 5 similar projects = <b>Excellent (25)</b></p> <p>Between 3- and 5-similar projects = <b>Good (15)</b></p> <p>Less than 3 = <b>Poor (10)</b></p>
	<b>Project leader previous' experience</b>	<p>More than 5 similar projects = <b>Excellent (25)</b></p> <p>Between 3- and 5-similar projects = <b>Good (15)</b></p> <p>Less than 3 = <b>Poor (10)</b></p>

**SCHEDULE 7: SCHEDULE OF WORK SATISFACTORILY COMPLETED OUT BY THE TENDERER/ENTITY**

**Current & Completed Contracts**

EMPLOYER/ Contracting Site (Name, Tel, Fax, Email)		DESCRIPTION OF WORK	VALUE OF WORK (INCL. VAT)	DATE STARTED	DATE COMPLETED
<b>Comp. Name</b>					
Contact Person					
Tel					
Fax					
Email					
<b>Comp. Name</b>					
Contact Person					
Tel					
Fax					
Email					
<b>Comp. Name</b>					
Contact Person					
Tel					
Fax					
Email					
<b>Comp. Name</b>					
Contact Person					
Tel					
Fax					
Email					

**SCHEDULE 7 cont.: SCHEDULE OF WORK SATISFACTORILY COMPLETED OUT BY THE PROJECT LEADER**

<b>Comp. Name</b>					
Contact Person					
Tel					
Fax					
Email					
<b>Comp. Name</b>					
Contact Person					
Tel					
Fax					
Email					
<b>Comp. Name</b>					
Contact Person					
Tel					
Fax					
Email					
<b>Comp. Name</b>					
Contact Person					
Tel					
Fax					
Email					
<b>Comp. Name</b>					
Contact Person					
Tel					
Fax					
Email					

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

**SCHEDULE 8: PROPOSED AMENDMENTS AND QUALIFICATIONS**

The Tenderer should record any deviations or qualifications he may wish to make to the tender documents in this Returnable Schedule. Alternatively, a tenderer may state such deviations and qualifications in a covering letter to this tender and reference such letter in this schedule.

The Tenderer's attention is drawn to clause C.3.8 of the Standard Conditions of Tender referenced in the Tender Data regarding the Employer's handling of material deviations and qualifications.

Page	Clause or Item	Proposal

Signature:		Date:	
Print Name:		Position:	
Tenderer:			

**SCHEDULE 9: DECLARATION IN TERMS OF MUNICIPAL RATES AND SERVICES**

**PART A: PROPERTY OWNED BY ENTERPRISE OR DIRECTORS**

Please complete the following if property is owned by the enterprise, the proprietors, directors or partners in their personal capacity, which must be confirmed by the relevant municipality (**ATTACH COPY OF MUNICIPAL ACCOUNT(S) NOT OLDER THAN 30 DAYS:**

**Name of account holder:** .....

**Account number:** .....

**Account number:** .....

**FOR MUNICIPAL USE ONLY**

I/we hereby certify that the municipal account details of our client as indicated above is correct.

.....  
**Name of municipal official (print name)**

.....  
**Signature of municipal official**

**Official date stamp of municipality**

**PART B: PROPERTY LEASED BY ENTERPRISE OR DIRECTORS**

Please attach a sworn affidavit or a copy of your lease agreement if the property is leased by the enterprise or the proprietors or directors in their personal capacity, for which the aforementioned is not responsible for payment of municipal rates and taxes.

**PART C: WHERE PROPERTY IS NOT OWNED OR LEASED BY ENTERPRISE OR DIRECTORS**

Please attach a sworn affidavit from the proprietor or director of the enterprise confirming that the enterprise does not own or lease any property and that the aforementioned is not responsible for payment of any municipal rates and taxes.

I,....., **the undersigned, certify that the information furnished on this declaration form is correct and that I/we have no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 90 days.**

.....

.....

**Signature for and on behalf of the bidder**

**Date**

**SCHEDULE 10: DECLARATION OF INTEREST (MBD 4 B)**

(On behalf of the company and its directors/ members/ trustees/ principle shareholders<sup>2</sup>)

1. No bid/database registration will be accepted from persons in the service of the state<sup>1</sup>.
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/database registration. 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 the service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid/database registration in respect of owners/shareholders<sup>2</sup> of the company.**

3.1	Full Name of bidder or his or her representative		
3.2	Identity Number (person submitting this declaration)		
3.3	Position occupied in the Company (official/director/trustee/s hareholder <sup>2</sup> ):		
3.4	Company Registration Number		
3.5	Tax Reference Number		
3.6	VAT Registration Number		
3.7	The names of all directors/ members/ trustees/ principle shareholders, their individual identity numbers, personal tax reference numbers and state employee numbers must be indicated in paragraph 4 below		
3.8	Are you or any director/ member/ trustee/ principle shareholder presently in the service of the state?	Yes	No
3.8.1	If yes, furnish particulars. (Please write in Block Letters. Add separate page if more than one.		
	SA ID Number:		Relation:
	Surname:		Persal No:
	Full Names:		
	Organ of State:		Position:
3.9	Have you or any director/ member/ trustee/ principle shareholder been in the service of the state for the past twelve months?	Yes	No
3.9.1	If yes, furnish particulars. (Please write in Block Letters. Add separate page if more than one.		
	SA ID Number:		Relation:
	Surname:		Persal No:
	Full Names:		
	Organ of State:		Position:

3.10	Do you or any director/ member/ trustee/ principle shareholder have any relationship (family, friend, other) with persons in the service of the state and/or who may be involved with the evaluation and/or adjudication of this or any other prospective bid?	Yes	No
------	--	-----	----

3.10.1 If yes, furnish particulars. (Please write in Block Letters. Add separate page if more than one.)

SA ID Number:		Relation:	
Surname:		Persal No:	
Full Names:			
Organ of State:		Position:	

3.11	Are you aware of any relationship (family, friend, other) between you or any director/ member/ trustee/ principle shareholder and any persons in the service of the state who may be involved with the evaluation and/or adjudication of this or any other prospective bid?	Yes	No
------	---	-----	----

3.11.1 If yes, furnish particulars. (Please write in Block Letters. Add separate page if more than one.)

SA ID Number:		Relation:	
Surname:		Persal No:	
Full Names:			
Organ of State:		Position:	

3.12	Is any spouse, child or parent of the company's directors/ members/ trustees/ principle shareholders or stakeholders in the service of the state?	Yes	No
------	---	-----	----

3.12.1 If yes, furnish particulars. (Please write in Block Letters. Add separate page if more than one.)

SA ID Number:		Relation:	
Surname:		Persal No:	
Full Names:			
Organ of State:		Position:	

3.13	Do you or any director/ member/ trustee/ principle shareholder/ stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract.	Yes	No
------	--	-----	----

3.13.1 If yes, furnish particulars.  
 .....  
 .....

3.14	Is the supplier or any director/ member/ trustee/ principle shareholder listed on the National Treasury's database as a company or person prohibited from doing business with the public sector?	Yes	No
------	--	-----	----

3.14.1 If yes, furnish particulars.  
 .....  
 .....

3.15	Is the supplier or any director/ member/ trustee/ principle shareholder 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)?	Yes	No
3.15.1	If yes, furnish particulars. ..... .....		

3.16	Was the supplier or any director/ member/ trustee/ principle shareholder 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
3.16.1	If yes, furnish particulars. ..... .....		

3.17	Does the supplier or any director/ member/ trustee/ principle shareholder 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
3.17.1	If yes, furnish particulars. ..... ..... The municipality may not do business with individuals/businesses, including that of all the owners/partners/members/directors, whose municipal rates and taxes and/or service charges are in arrears for more than three (3) months unless arrangements have been made with the municipality to settle such arrears. Refer to SCM Regulation 38(d). (Certified copies of your <i>most current</i> accounts/statements and/or proof of any arrangement to be submitted <b>every three</b> months – provide individual information in the schedule under par. 4.		

3.18	Was any contract between the supplier 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
3.18.1	If yes, furnish particulars. ..... .....		

4	<p><b>MFMA Circular No 62 of July 2013</b> require bidders to submit the names of their directors/ trustees/ shareholders, their individual identity numbers, personal tax reference numbers and employee numbers of those who are in the service of the state as defined in the Municipal Supply Chain Management Regulations as part of their bid submissions. <b>A <u>shareholder</u> is defined as a person who <u>owns</u> shares in the company and is actively involved in the management of the company or business, and exercises control over the company.</b></p>					
	<p><b>Full name of directors / trustees / shareholders</b></p>	<p><b>Identity Number</b></p>	<p><b>% Share-holding in company</b></p>	<p><b>Personal Tax Reference Number</b></p>	<p><b>State Employee Number (Persal)</b></p>	<p><b>Municipal rates &amp; services account numbers (3.17.1)</b>  <i>Municipal clearance or most recent service account must be attached as evidence</i></p>
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

I, the undersigned, certify that the information furnished on this declaration form is true and correct. I accept that my/my company's bid/registration may be rejected and in addition to the rejection that action may be taken against me/ my company should this declaration prove to be false.

.....  
Signature Date

.....  
Capacity of Signatory Name of Bidder/Company/CC Name

**MANDATORY SECTION: THIS DECLARATION WILL NOT BE ACCEPTED IF NOT CERTIFIED:**

- <sup>1</sup> MSCM Regulations: **“in the service of the state”** means to be –
- (a) a member of –
    - (i) any municipal council;
    - (ii) any provincial legislature; or
    - (iii) the national Assembly or the national Council of provinces;
  - (b) a member of the board of directors of any municipal entity;
  - (c) an official of any municipality or municipal entity;
  - (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
  - (e) a member of the accounting authority of any national or provincial public entity; or
  - (f) an employee of Parliament or a provincial legislature.
- <sup>2</sup> **“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.

**Commissioner of Oaths**

Signed and sworn to before me at  
.....

on this the ..... day of ..... 20  
.... 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.

Commissioner of Oaths  
.....

Position:  
.....  
..

Address  
.....  
....  
.....  
.....  
.....  
.....

Tel:  
.....  
.....

**Apply official stamp of authority on this page:**

**This document is compulsory, in terms of Regulation 44 of the Supply Chain Management Regulations, to do business with any municipality – If not endorsed by a Commissioner of Oaths, or failure to submit it, will disqualify your business from the acquisitioning process. (Must be submitted annually)**

**SCHEDULE 11: TAX CLEARANCE REQUIREMENTS**

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A copy of a Tax Compliance Status Pin, printed from the South African Revenue Service (SARS) website, must accompany the bid documents. The onus is on the bidder to ensure that their tax matters are in order with SARS. In the case of a Consortium/Joint Venture every member must submit a separate Tax Compliance Status Pin, printed from the SARS website, with the bid documents.

If a bid is not supported by a Tax Compliance Status Pin as an attachment to the bid documents, the Municipality reserves the right to obtain such documents after the closing date to verify that the bidder's tax matters are in order. If no such document can be obtained within a period as specified by the Municipality, the bid will be disqualified.

The Tax Compliance Status Pin will be verified by the Municipality on the SARS website.

**SCHEDULE 12: JOINT VENTURE AGREEMENT, IF APPLICABLE**

---

The Tenderer shall attach to this page a joint venture agreement, if applicable.

**SCHEDULE 13: RECORD OF MINUTES AND ADDENDA TO TENDER DOCUMENTS**

We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:		
No.	Date	Title or Detail
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Attach additional pages if more space is required.

Signature:		Date:	
Print Name:		Position:	
Tenderer:			

## SCHEDULE 14: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This document serves as a claim form to qualify for preference points in respect of Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution and must accompany the applicable certificate.

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

### 1. GENERAL CONDITIONS

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

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

- 1.2 a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.2 Points for this bid shall be awarded for:

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

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

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

1.4 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.

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

### 2. DEFINITIONS

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



**5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR**

5.1 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

**6. BID DECLARATION**

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

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

7.1 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.)

**8. SUB-CONTRACTING**

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

*(Tick applicable box)*

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

8.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

*(Tick applicable box)*

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

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

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME</b>	<b>QSE</b>
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		
<b>OR</b>		
Any EME		
Any QSE		

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

9.1 Name of Company/firm:.....

9.2 VAT registration number:.....

9.3 Company registration number:.....

**9.4 TYPE OF COMPANY/ FIRM**

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

[TICK APPLICABLE BOX]

**9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

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

**9.6 COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

**9.7 MUNICIPAL INFORMATION**

**Municipality where business is situated:** .....

**Registered Account Number:** .....

**Stand Number:**.....

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to
- v) any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution.

<p>WITNESSES</p> <p>1. ....</p> <p>2. ....</p>
--

<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE: .....</p> <p>ADDRESS .....</p> <p>.....</p> <p>.....</p>
--

## SCHEDULE 15: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
  - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
  - b. been convicted for fraud or corruption during the past five years;
  - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database 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).  <b>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.</b>	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)? <b>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.</b>	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:		

### T.2.2.24 Returnable Schedules

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

**SCHEDULE 16: CERTIFICATE OF INDEPENDENT BID DETERMINATION**

1. This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
3. Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - a. take all reasonable steps to prevent such abuse;
  - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
4. This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid rigging.
5. In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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: CAPE WINELANDS DISTRICT 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
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> 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.
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

<sup>3</sup> 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.

## SCHEDULE 17: QUESTIONNAIRE

## List all partners / members / directors of this enterprise

Van / Surname / Ifani	Voornaam / First name / Amagama	ID Nr./No. Inombolo	State Employee Number

## BROAD-BASED BLACK ECONOMIC EMPOWERMENT (Act 53 of 2003)

**LW!** Om Voorkeerpunte te eis moet 'n gesertifiseerde afskrif van u Gebalanseerde Breë Basis Swart Ekonomiese Bemagtigings-telkaart voorgelê word tesame met die **MBD 6.1 Eisvorm** vir punte.

**NB!** To claim Preference points a certified copy of your Balanced Broad-Based Black Economic Empowerment Score Card must be submitted with the **MBD 6.1 Claim Form**.

**QAPHELA!** Ukuba ufuna ukwenza ibango lamangaku akhethekileyo, kufuneka ukuba isicelo sakho sekopi eqinisekiweyo ye Balanced Broad-Based Black Economic Empowerment Score Card ihambe kunye nefomu eyi **MBD 6.1 Claim Form**.

Vir meer inligting besoek: / For more information please visit: / Inkcukach ezithe vetshe uzakuzifumana aph:

The Department of Trade and Industry: <http://bee.thedti.gov.za/>  
 South African National Accreditation System: <http://www.sanas.co.za/directory.php>  
 Independent Regulatory Board of Auditors: <http://irba.co.za/index.php>

## Besigheid of persoon se naam:- / Business or person's name:- / Igama leshishini okanye lomntu

- |      |  |  |
|------|--|--|
| **1. | Persentasie aandeelhouing van persone (HBI) in die besigheid wat histories benadeel is as gevolg van onregverdigde diskriminasie gebaseerd op <b>ras</b> .<br>Percentage of shareholding of persons (HDI) in the business historically disadvantaged because of unfair discrimination based on <b>race</b> .<br>Ipersenti yesabelo sabantu kwishishini elalisakuthinteleka ekuxhamleni amalungelo athile ngenxa yobandlululo <b>ngokobuhlanga</b> .                | %  |
| 2.   | Persentasie aandeelhouing van persone (HBI) in die besigheid wat histories benadeel is as gevolg van onregverdigde diskriminasie gebaseerd op <b>geslag</b> .<br>Percentage of shareholding of persons (HDI) in the business historically disadvantaged because of unfair discrimination based on <b>gender</b> .<br>Ipersenti yesabelo sabantu kwishishini elalisakuthinteleka ekuxhamleni amalungelo athile ngenxa yobandlululo <b>ngokwesini</b> .              | %  |
| 3.   | Persentasie aandeelhouing van persone (HBI) in die besigheid wat histories benadeel is as gevolg van onregverdigde diskriminasie gebaseerd op <b>gestremdheid</b> .<br>Percentage of shareholding of persons (HDI) in the business historically disadvantaged because of unfair discrimination based on <b>disability</b> .<br>Ipersenti yesabelo sabantu kwishishini elalisakuthinteleka ekuxhamleni amalungelo athile ngenxa yobandlululo <b>ngokobulwelwe</b> . | %  |
| 4.   | Persentasie aandeelhouing van persone geklassifiseer as <b>jeug</b> . (18 – 35 Jaar oud).<br>Percentage of shareholding of persons in the business classified as <b>youth</b> . (18 – 35 Years old)<br>Ipersenti labantu abanezabelo kwinkonzo zoshishino ababizwa ngokuba <b>lulutsha</b> (18 – 35 Yeminyaka)   | %  |
| 5.   | Is u besigheid geleë binne die jurisdiksie van die Distriksmunisipaliteit? In / Uit<br>Is your business established within the area of jurisdiction of the District Municipality? In / Out<br>Ingaba ishishini lakho limi kwingingqi elawulwa nguMasipala wesithili? Ngaphakathi / Ngaphandle  | <input type="checkbox"/> In/Ngaphakathi<br><br><input type="checkbox"/> Uit/Out/Ngaphandle |
| 6.   | Maak u gebruik van plaaslike arbeid (werkskepping)? Ja / Nee<br>Do you make use of local labour (job creation)? Yes / No<br>Uyawasebenzisa amathuba avelayo odalo lomsebenzi (ukudala umsebenzi)? Ewe / hayi   | <input type="checkbox"/> Ja/Yes/Ewe<br><br><input type="checkbox"/> Nee/No/Hayi            |



**SCHEDULE 19: CONFIRMATION OF CWDM AND CENTRAL SUPPLIER DATABASE REGISTRATION**

Company Name		
CWDM Supplier Database	Registered	<input type="checkbox"/> Yes <input type="checkbox"/> No (tick appropriate box)
	Supplier Code	
Central Supplier Database (a copy of the CSD summary report must be attached to this schedule)	Registered	<input type="checkbox"/> Yes <input type="checkbox"/> No (tick appropriate box)
	Supplier Code	
	Unique 36 Character Registration Code	

Bidders who are not registered on the CWDM and/or Central Supplier Databases are not precluded from submitting tenders, but must however be registered prior to the evaluation of tenders in order for their tenders to be responsive.

In this regard it is the sole responsibility of bidders to ensure that this requirement is complied with. In the case of Joint Venture Partnerships this requirement will apply to each party to the Joint Venture.

Signature:		Date:	
Print Name:		Position:	
Tenderer:			

**\* Cape Winelands District Municipality and Central Supplier Database Registration**

Only those bidders who are registered on the Cape Winelands District Municipality's Supplier Database and the Central Supplier Database as a service provider prior to the closing date of this bid are eligible to have their tenders evaluated. The employer will only enter into a formal contract with a bidder who is registered on both databases. In the case of Joint Venture partnerships this requirement will apply individually to each party of the Joint Venture.

Bidders who wish to register on the Cape Winelands District Municipality Supplier Database may download the supplier application form from our website [www.capewinelands.gov.za](http://www.capewinelands.gov.za)

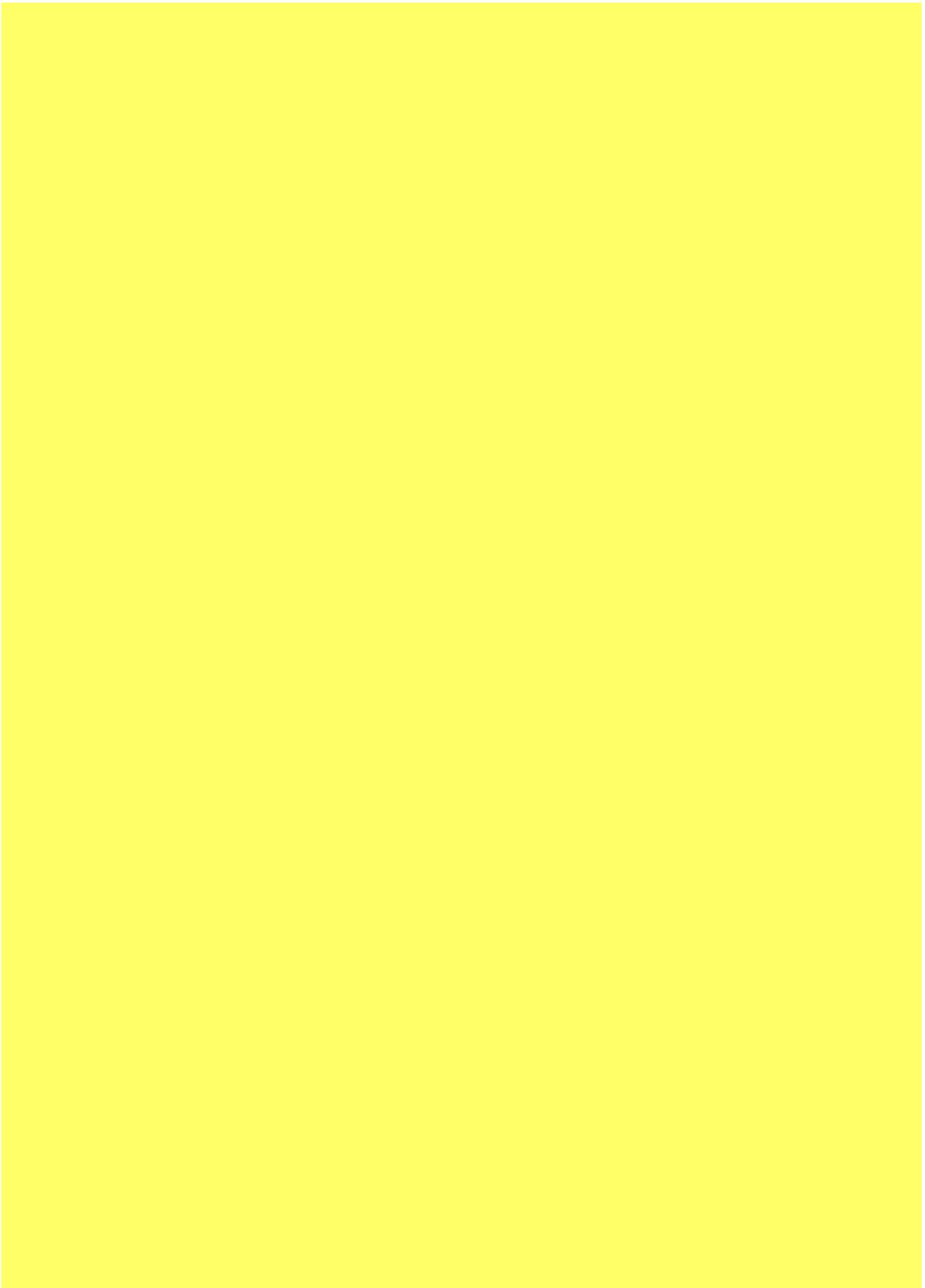
Bidders who wish to register on the Central Supplier Database may do so online on [www.csd.gov.za](http://www.csd.gov.za) and click on the REGISTER A NEW CSD ACCOUNT tab.

**SCHEDULE 20: RECORD OF ADDENDA TO TENDER DOCUMENTS**

We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:		
	<b>Date</b>	<b>Title or Details</b>
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		

Attach additional pages if more space is required.

Signature:		Date:	
Print Name:		Position:	
Tenderer:			



# THE CONTRACT

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## Part C1: Agreements and Contract Data

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	Pages
C1.1 Form of Offer and Acceptance .....	48-56

---

## Part C2: Pricing Data

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	Pages
C2.1 Pricing Assumptions.....	57-68
C2.2 Bill of Quantities .....	59-60

---

## Part C3: Scope of Works

---

	Pages
C3.1 Scope of Work.....	62-64

---

## **C1.1 FORM OF OFFER AND ACCEPTANCE**

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**IMPORTANT NOTE:**

The Tender Form (Offer by Tenderer) shall be completed and signed by all tenderers. Failure to properly complete and sign the Tender Form shall lead to disqualification of the tender.

The Acceptance Form shall be signed by the Employer to formalise the Contract Agreement after the successful tenderer has been formally notified of award.

The Schedule of Deviations forms an integral part of the Contract Agreement.

**C1.1 FORM OF OFFER AND ACCEPTANCE (AGREEMENT)**

---

**OFFER BY TENDERER**

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract in respect of the following works: Contract No: **T2021/076: PROVISION OF PROFESSIONAL CIVIL ENGINEERING SERVICES FOR THE COMPILATION OF AN ORGANIC WASTE DIVERSION PLAN FOR THE CAPE WINELANDS DISTRICT MUNICIPALITY AS WELL AS FOR 4 DIFFERENT LOCAL MUNICIPALITIES WITHIN CWDM'S JURISDICTION.**

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 Returnable Schedules, and by submitting this Offer has accepted the Conditions of Tender.

By the representative of the Tenderer, deemed to be duly authorized, signing this part of this Form of Offer and Acceptance, the Tenderer offers to perform all of the obligations and liabilities 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 offer for the compilation of an Organic Waste Diversion Plan for Langeberg, Breede Valley, Witzenberg, Stellenbosch, Drakenstein and Cape Winelands District Municipalities is as follows:**

Langeberg:	R.....
Breede Valley	R.....
Witzenberg	R.....
Drakenstein:	R.....
Cape Winelands District Municipality:	<u>R.....</u>
<b>Sub-total</b>	<b>R.....</b>
VAT (15%)	<u>R.....</u>
<b>Total</b>	<b>R.....</b>

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 authorized to sign the tender)*.....

**Name:** *(of signatory in capitals)*:

**Capacity:** *(of Signatory)*:

**Name of Tenderer:** *(organisation)*:

Address:.....

.....Telephone number: .....

Fax number:.....

**Witness:**

**Signature:** .....

**Name:** *(in capitals)*:.....

**Date:** .....

***[Failure of a Tenderer to complete and sign this Form of Offer will invalidate the tender]***

## ACCEPTANCE BY EMPLOYER

---

By signing this part of the 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

- Part C1 Agreement, and Contract Data, (which include this Agreement)
- Part C2 Pricing Data, including the Bill of Quantities
- Part C3 Scope of Work

and drawings and documents or parts thereof, which may be incorporated by reference into Parts C1 to C3 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 formal Letter of Award, including the Schedule of Deviations (if any), contact the Employer or its agent (whose details are given in the Contract Data) to arrange the delivery of bonds, guarantees and any other documentation to be provided in terms of the Conditions of Contract identified in the Contract Data, upon receipt of which the Employer will execute the contract by signing this Agreement. 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 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): .....

Capacity for the Tenderer: .....

Name of organization.....

Name and Signature of Witness: .....Date: .....

**SCHEDULE OF DEVIATIONS**

**Notes:**

- 1. 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 Conditions of Tender,
- 2. A Tenderer’s covering letter shall not be included in the final contract document. Should any matter in such, letter, which constitutes a deviation as aforesaid become the subject of agreements reached during the process of, offer and acceptance, the outcome of such agreement shall be recorded here,
- 3. 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,
- 4. Any change or addition to the tender documents arising from the above agreements and recorded here, shall also be incorporated into the final draft of the Contract,

1. **Subject:** .....

**Details:** .....

.....

2. **Subject:** .....

**Details:** .....

.....

3. **Subject:** .....

**Details:** .....

.....

4. **Subject:** .....

**Details:** .....

.....

5. **Subject:** .....

**Details:** .....

By the duly authorised representatives signing this Agreement, 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:**



**CONFIRMATION OF RECEIPT**

---

The Tenderer, (now Contractor), identified in the Offer part of this Agreement hereby confirms receipt from the Employer, identified in the Acceptance part of this Agreement, of one fully completed original copy of this Agreement, including the Schedule of Deviations (if any) today:

the ..... (day) of .....(month) 20..... at ..... (place).

**For the Contractor:**

**Signature:** .....

**Name:** *(in capitals)* .....

**Capacity:** .....

**Name of Contractor** *(organisation)*.....

Address: .....

.....

**Witness: Signature:** ..... **Name** *(in capitals)*: .....

**Date:** .....

**For the Employer:**

**Signature:** .....

**Name:** *(in capitals)* .....

**Capacity:** .....

**Name of Employer** *(organisation)*.....

Address: .....

.....

**Witness: Signature:** ..... **Name** *(in capitals)*: .....

**Date:** .....

## C1.2 Contract Data (Part 1)

### General Conditions of Contract

The General Conditions of Contract are the *Standard Professional Services Contract (Third Edition of CIDB document 1014, July 2009)*, published by the Construction Industry Development Board (CIDB), PO Box 2107, Brooklyn Square, 0075 are applicable to this Contract and are obtainable from [www.cidb.org.za](http://www.cidb.org.za).

The Conditions of Contract is available for inspection and scrutiny at the offices of the Employer's Agent.

The General Conditions of Contract for Professional Services make several references to the Contract Data. The Contract Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the General Conditions of Contract.

### PART 1: APPENDIX TO PART 1 - DATA PROVIDED BY THE EMPLOYER

<b>Clause</b>	<b>Wording</b>
3.4 / 4.3.2	<p>The Employer is the CAPE WINELANDS DISTRICT MUNICIPALITY.</p> <p>The authorised and designated representative of the Employer is:            Designation.: Deputy Director Projects            Name: Mr. C. Swart</p> <p>The address for receipt of communications is:            Telephone: 023 348 2300            Facsimile: 023 342 8442            E-mail: christo@capewinelands.gov.za            Address: P.O. Box 100                      Stellenbosch                      7599</p> <p>The Period of Performance is till final completion of construction including retention.</p> <p>The Start Date will be the date which appears on the appointment letter.</p>
3.5	The location for the performance of the Project is Breede Valley Municipal area, Western Cape Province, South Africa.
3.9.2	The time-based fees used to determine changes to the Contract Price are as stated in the Pricing Data, Time Based Fees Schedule.
3.12.1	The penalty payable is R 400.00 per Day subject to a maximum amount of 10% of the Contract Price.
3.15.1	The programme shall be submitted within 14 Days of the award of the Contract.
3.16.1	The indices are those contained in Table A of P0141 Consumer Price Index for the CPI for all services published by Statistics South Africa
3.16.2	The start date will be the date which appears on the appointment letter.
5.4.1	The Service Provider is required to provide Professional Indemnity Insurance for R5,000,000 in respect of each and every claim during the period of insurance. The minimum cover shall remain effective for the full contract period. Proof of insurance must be submitted with the tender, appended in Part T2.2: Returnable Schedules.
<b>Clause</b>	<b>Wording</b>
5.5	The Service Provider is required to obtain the Employer's prior approval in writing before taking any of the following actions:

1. Change in Scope of Works, and
  2. Variation Orders.
- 7.2 The Service Provider is required to provide personnel in accordance with the provisions of clause 7.2.
- 8.1 The Service Provider is to commence the performance of the Services not later than 14 Days of date of an assignment letter being received .
- 8.4.3 (c) The period of suspension under clause 8.5 is not to exceed 3 months.
- 9.1 Copyright of documents prepared for the different Projects shall be vested with the Employer.
- 12.1 Interim settlement of disputes is to be by mediation.
- 12.2 /12.3 Final settlement is by arbitration.
- 12.2.1 In the event that the parties fail to agree on a mediator, the mediator is nominated by CESA.
- 12.4.1 In the event that the parties fail to agree on an arbitrator, the arbitrator is nominated by CESA.
- 13.1.3 All persons in a joint venture or consortium shall carry a minimum Professional Indemnity Insurance of 2 x the total Contract Price in respect of each and every claim during the period of insurance. The minimum cover shall remain effective for the full contract period. Proof of insurance must be submitted with the tender, appended in Part T2.2: Returnable Schedules.
- 13.6 The provisions of 13.6 do not apply to the Contract
- 15 The interest rate will be prime interest rate of the Employers bank at the time that the amount is due.

**C1.2 Contract Data (Part 2)**

1	Name of Bidder																					
2	Postal address																					
3	Street address																					
4	Telephone number																					
5	Company Registration Number is																					
6	Income Tax Reference Number																					
7	VAT Reference Number																					
8	COIDA certificate number																					
The authorised and designated representative of the Service Provider is:																						
9	Name																					
10	Cellular phone number																					
11	E-mail:																					
12	Telephone number																					
<b>CSD registration number</b>		<table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">M</td> <td style="width: 20px; text-align: center;">A</td> <td style="width: 20px; text-align: center;">A</td> <td style="width: 20px; text-align: center;">A</td> <td style="width: 20px;"></td> </tr> </table>	M	A	A	A																
M	A	A	A																			
1	The Period of Performance is till final completion including retention period																					
	The Key Persons and their jobs / functions in relation to the services are:																					

**C2. PRICING DATA**

---

**C2.1: PRICING ASSUMPTIONS**

**C2.2: BILL OF QUANTITIES**

## C2.1: PRICING ASSUMPTIONS

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### C2.1.1 GENERAL

The Bill of Quantities forms part of the Contract Documents and must be read and priced in conjunction with all the other documents comprising the Contract Documents, which include the Conditions of Tender, Conditions of Contract, the Specifications (including the Contract Specification) and the Drawings.

### C2.1.1.2 DESCRIPTION OF ITEMS IN THE SCHEDULE

The short description given in the Bill of Quantities are a brief description used to identify the activities for which prices are required. Detailed descriptions of the activities to be priced are provided in the Scope of Works.

While it is entirely at the tenderer's discretion as regards pricing the Bill of Quantities, guideline tariffs of fees or indicative time-based fee rates are gazetted annually by each of the built environment professional bodies, which are useful documents that will give tenderers some idea of industry norms against which they may compare their rates, sums, percentage fees and / or price as applicable.

### C2.1.1.3 QUANTITIES REFLECTED IN THE SCHEDULE

No quantities exist in the Bill of Quantities and the tender prices as per Bill will be the amounts used to evaluate and award the tender.

The Contract Price for the completed contract shall be according to the Bill of Quantities.

### C2.1.1.4 PRICING OF THE BILL OF QUANTITIES

#### OVERVIEW

The Bills of Quantities include normal services and additional services if and when needed. The Form of Offer will be approved for purposes of finalising the final account of the successful service provider.

#### **T2021/076: PROVISION OF PROFESSIONAL CIVIL ENGINEERING SERVICES FOR THE COMPILATION OF AN ORGANIC WASTE DIVERSION PLAN FOR THE CAPE WINELANDS DISTRICT MUNICIPALITY AS WELL AS FOR 4 DIFFERENT LOCAL MUNICIPALITIES WITHIN CWDM'S JURISDICTION.**

The basic fee shall be calculated according to the Guideline Scope of Services and Tariff of Fees for Persons registered in terms of the Engineering Professional Act, 2000 (Act 46 of 2000), Board Notice 138 of 2015: items 3.2 and 4.3: Fees for Normal Services and should include additional services if and when needed. Travel time, printing and copying and communication are deemed to be included in the Standard Fee Structure.

The amount stipulated in the Bill of Quantities needs to make provision for the compilation of an organic waste diversion plan for the Cape Winelands District Municipality as well as for the 4 different local municipalities within CWDM's jurisdiction and will be used for the awarding of the tender.

**C2.2: BILL OF QUANTITIES**

The Engineering Council of South Africa has, under Section 34(2) of the Engineering Profession Act, 2000 (Act No. 46 of 2000) provides guidelines for determining the services to be provided on projects and to facilitate estimations of appropriate fees that could be used in negotiations between Client and consulting Engineers.

The bill of quantities is based on the Guideline for Services and Processes for Estimating Fees for Persons Registered in terms of the Engineering Profession Act, 2000 (Act No. 46 of 2000), published under Board Notice 138 of 2015,

The Bill of Quantities needs to be completed for the compilation of an Organic Waste Diversion Plan for Langeberg, Breede Valley, Witzenberg, Drakenstein and Cape Winelands District Municipalities.

ITEM NO	DESCRIPTION	AMOUNT	
		R	c
A1.1	Organic Waste Diversion Plan: Langeberg		
A1.2	Organic Waste Diversion Plan: Breede Valley		
A1.3	Organic Waste Diversion Plan: Witzenberg		
A1.4	Organic Waste Diversion Plan: Drakenstein		
A1.5	Organic Waste Diversion Plan: Cape Winelands DM		
<b>Sub-Total</b>			
VAT (15%)			
<b>Tender Price</b>			

**DECLARATION (In respect of completeness of Tender)**

CAPE WINELANDS DISTRICT MUNICIPALITY  
29 Du Toit Street  
STELLENBOSCH  
7600

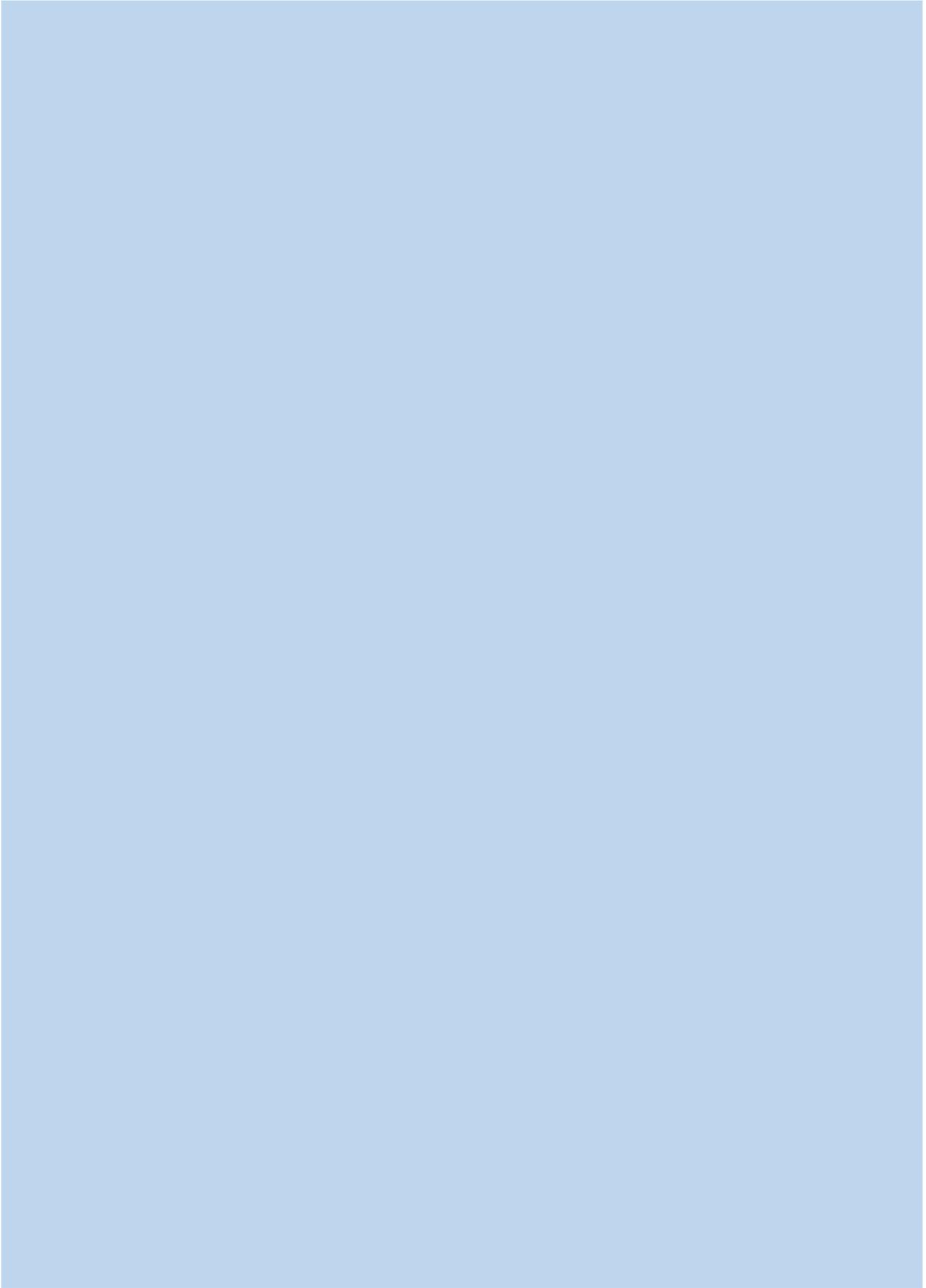
**I/We, the undersigned, do hereby declare that the preceding pages are the Bill of Quantities forming Part C2.2 of this Contract Document upon which my / our tender for T2021/076: Provision of Professional Civil Engineering Services for the compilation of an Organic Waste Diversion Plan for the Cape Winelands District Municipality as well as for 4 different local municipalities within CWDM’s jurisdiction has been based.**

**Signature:** *(of person authorized to sign the tender)* .....

**Name:** *(of signatory in capitals):*

**Capacity:** *(of Signatory):*

**Name of Tenderer:** *(organisation):* .....



**PART C3: SCOPE OF WORK**

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C3.1 Description of Works

## PART C3.1: DESCRIPTION OF WORKS

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### C3.1 INTRODUCTION AND BACKGROUND

The Cape Winelands District Municipality is in the process of establishing a Regional Landfill Site to serve the local municipalities of Langeberg, Witzenberg and Breede Valley. Currently Stellenbosch Municipality make use of a transfer station at Klapmuts and the waste being transferred to the City of Cape Town. Drakenstein make use of the Wellington landfill site.

All Local municipalities are in the final stages of approving their Integrated Waste Management Plans. The Organic Waste Diversion Plan's will be an addition to the IWMP's of the municipalities.

Organic waste is problematic as it consumes valuable landfill airspace, contributes towards the greenhouse gas emissions, and produces leachate which contaminates ground water. Expensive containment barriers are needed to mitigate groundwater contamination which is problematic for cash stripped municipalities.

The fact that many existing landfills in the Western Cape do not meet regulated operational requirements exacerbates the environmental impacts. The provincial policy is to ban 50% of organic waste from landfill by 2022 and a complete landfill ban of organic waste by 2027. All licenses issued by the Department are also being amended and municipalities are now obligated to submit organic waste diversion plans to divert this waste type from landfill and promote the beneficiation of thereof.

### C3.2 OBJECTIVES OF TENDER

It is therefore the intention of the Cape Winelands District Municipality to procure the services of a suitably qualified and experienced professional service provider for the compilation of an Organic Waste Diversion Plan for the Cape Winelands District Municipality as well as for 4 different local municipalities within CWDM's jurisdiction.

### C.3.3 DESCRIPTION OF SERVICES

#### Compilation of an organic waste diversion plan

The Organic Waste Diversion Plan should consist of the following:

- Review and summarise legislation and provincial strategic documents.
- Design the diversion plan.
- Public participation and approval.

The Professional Service provider must compile an Organic Waste Diversion Plan for the Cape Winelands District Municipality as well as for 4 different local municipalities within CWDM's jurisdiction to be completed by 30 June 2022 or time mutually agreed upon indicated on a programme to be submitted. Stellenbosch Municipality is currently busy drawing up their Organic Waste Diversion Plan which will be available to be incorporated into the plan for Cape Winelands District Municipality.

### C.3.4 BRIEF

#### C.3.4.1 TERMS OF REFERENCE

The Organic Waste Diversion Plan should consist of the following:

##### (a) Status of Organic Waste in the Municipality.

- Identification of current sources of all organic waste in the district and quantification thereof.
- Identification of the biggest generators.
- Quantifying organic waste volumes which are disposed at a waste disposal facility and currently beneficiated in the district and with other District / Metro – Flow chart of Waste Process and Disposal and beneficiation.
- Detailed Waste Characterisation.
- Develop an organic waste flow table with sources, quantities, and destinations.
- Identify the treatment capacity, infrastructure, and existing treatment method e.g., chipping, composting, anaerobic digestion as well as the future infrastructure needed to meet 50% waste diversion target in 2022 and the landfill ban by 2027 etc.

- Gap analyses.

### C3.1.2 Description of Works

#### (b) Review and summarise legislation and provincial strategic documents.

- Review current applicable Legislation.
- Waste Bylaws.
- Waste classification Regulations as well landfill prohibitions in National Norms and Standards for Landfill Disposal.

#### (c) Design the diversion plan.

- Identify various options to divert and beneficiate the organic waste types to meet the 50% waste diversion target in 2022 and the landfill ban by 2027 – also take regional co-operation into account.
- Which system will be suited for specific organic types?
- Infrastructural requirements to support the system as well as the need for the logistics arrangements.
- Budgetary implications as well as potential funding sources and business opportunities as well as job creation opportunities.
- Human Resource Requirements at municipal level.
- Key stakeholders, potential partnerships, and role players.
- Propose and cost alternative service delivery mechanisms – separate collection of organic waste vs home composting systems vs Bukashi or similar system.

#### (d) Public participation and approval.

- Internal approval of draft plan.
- Workshop plan with role players and stakeholders.
- Public, Councillors and Budget buy-in.
- Review plan with new inputs and final approval.

#### C.3.4.2 TIME FRAMES FOR DELIVERABLES

The Professional Service provider must compile an Organic Waste Diversion Plan for the Cape Winelands District Municipality as well as for 4 different local municipalities within CWDM's jurisdiction to be completed by 30 June 2022 or time mutually agreed upon indicated on a programme to be submitted. Stellenbosch Municipality is currently busy drawing up their Organic Waste Diversion Plan which will be available to be incorporated into the plan for Cape Winelands District Municipality.

#### C3.5 REMUNERATION

- No advance payments will be made for any reason whatsoever. The successful tenderer shall be entitled to render interim accounts which are payable within 30 days. Accounts shall be based on an assessment of the completed work performed to date and according to the tendered rates.
- Any fees or remuneration are inclusive of Value Added Tax.
- No retention money will be deducted

#### C3.6 DELIVERY / TIME FRAMES

The tenderer needs to provide a programme that reflects the different phases as per Scope of Work and this will be agreed upon for establishing the time frames and delivery date.