



TENDER T 2024/082

**PROVISION OF PROFESSIONAL SERVICES FOR
COMPLIANCE AND MONITORING OF REGIONAL SITE
FOR A PERIOD ENDING 30 JUNE 2027**

Name of Tenderer	
Postal Address
Telephone number	
E-Mail address	
TOTAL BID PRICE (INCL. VAT)	R
COMPLETION PERIOD:	Three years period ending 30 June 2027

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Financial and Strategic Support Services
Supply Chain Management
Tel: 086 126 5263

THE TENDER

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T1.1 TENDER NOTICE AND INVITATION

Tenders are hereby invited from Consulting Engineers to submit bids for the compliance and monitoring of the regional landfill site for a period ending 30 June 2027.

Technical enquiries regarding this bid can be directed to Mr C. Swart at telephone no. 0861 265 263.

Closing date: 11:00 on Friday 18 October 2024.

Tender documents, in English, are available free of charge on the websites: 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 263,00 per document.

All prospective bidders must ensure that they are registered and accredited on the CWDM's Supplier Database and the Central Supplier Database, prior to the closing date of the tender.

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.

Tenders will be opened in public as soon as possible after this closing time.

**H PRINS
MUNICIPAL MANAGER**

INTRODUCTION

The Conditions of Tender as published by the Construction Industry Development Board (CIDB) in Annex C of Board Notice 423 of 2019 in Government Gazette 42622 of 8 August 2019, Construction Industry Development Board (CIDB) Standard for Uniformity in Construction Procurement (see www.cidb.org.za), as amended by the employer, shall apply to this contract.

The 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 conditions of tender. Each item of data given below is cross-referenced to the clause in the conditions of tender to which it mainly applies.

The following specific Tender Data, referring to the conditions of tender (T1.2) are applicable to this tender:

Clause number	Tender Data
C.1.1.1	<p>Amend the first sentence of the first paragraph to read as follows:</p> <p>“The employer, as identified in the Tender Data, and each tenderer submitting a tender offer shall comply with these conditions of tender.”</p> <p>The employer is Cape Winelands District Municipality.</p>
C.1.2	<p>The following documents form part of this tender:</p> <p>The General Conditions of Contract for Construction Works (3rd 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</p> <p>The Document issued by the employer, which comprises:</p> <p>Part T1: Tendering Procedures</p> <p>T1.1 Tender Notice and Invitation to Tender T1.2 Conditions of Tender T1.3 Tender Data</p> <p>Part T2: Returnable Documents</p> <p>T2.1 List of Returnable Schedules</p> <p>Part C1: Agreement and Contract Data</p> <p>C1.1 Form of Offer and Acceptance - Agreement C1.2 Contract Data C1.3 Pro Forma Performance Guarantee C1.4 Occupational Health and Safety Agreement C1.5 List of Returnable Documents (Contract Specific) C1.6 Returnable Schedules (Contract Specific)</p>

	<p>Part C2: Pricing Data</p> <p>C2.1 Pricing Instructions C2.2 Bill of Quantities</p> <p>Part C3: Scope of Work</p> <p>C3.1 Description of the Works</p> <p>Part C4: Site Information</p>
C.1.3.	Interpretation
C.1.3.3	<p>Add the following definition:</p> <p>(e) Organisation means a company, firm, enterprise, association or other legal entity, whether incorporated or not, or a public body.</p> <p>(f) functionality means the measurement according to the predetermined norms of a service or commodity designed to be practical and useful, working or operating, taking into account quality, reliability, viability and durability of a service and technical capacity and ability of a tenderer.”</p>
C.1.4	<p>Communication and employer’s agent</p> <p>Insert the following after the first sentence in the first paragraph:</p> <p>“Verbal information, given by the employer or his agent during site visits, clarification meetings or at any other time prior to the award of the contract, will not be regarded as binding on the employer or as amending the tender documents unless it is subsequently incorporated formally in an Addendum to Tenderers.”</p> <p>The Employer’s agent: C. Swart Name: Department Technical Services Address: P.O. Box 100, Stellenbosch,7599 Attention: Mr C. Swart Tel: 023 348 2300 e-mail: christo@capewinlands.gov.za</p>
C.1.6	A competitive negotiation procedure will not be followed, nor will a two-stage system be followed.
C.2.1	<p>Eligibility Only those tenderers who satisfy all of the following criteria are eligible to submit tenders:</p> <p>Central Supplier Database Registration Only those tenderers who are registered as a service provider on the Central Supplier Database and have been issued with a registration number, are eligible to submit tenders.</p> <p>Compensation For Occupational Injuries and Diseases Act, 1993 (COIDA)</p> <p>A Letter of Good Standing that is valid on closing date of the bid from the Department of Employment and Labour or any institution that is licenced to carry out the business of insurance of its members against liabilities in accordance with the provisions of the COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993 (Act No. 130 of 1993) or a certified copy thereof must accompany the bid documents unless the bidder is registered on the Accredited</p>

	<p>Supplier Database of the Municipality and such a letter or a certified copy thereof for the bidder is on record. The onus is on the bidder to ensure that the Municipality has a valid Letter of Good Standing from the above-mentioned institutions on record. The Letter of Good Standing (valid at closing date) can alternatively be submitted on a date as mutually agreed upon between the bidder and the Cape Winelands District Municipality. Failure to provide proof of a valid Letter of Good Standing within a mutually agreed upon timeframe from the Department of Employment and Labour or any institution that is licensed to carry out the business of insurance of its members against liabilities, will result in a bidder not being considered for further evaluation purposes. er of good standing for “tender purposes” from the Department of Labour will also be accepted.</p>
<p>C.2.3</p>	<p>Check documents</p> <p>Amend the section as follows:</p> <p>“Check the tender documents on receipt for completeness and if any pages are found to be missing or duplicated, or if the Pricing Data contain any obvious errors or omissions, notify the employer at once of any such discrepancy or omission so that it may be rectified as no liability will be admitted by the employer in respect of errors in any tender due to the foregoing.”</p>
<p>C.2.7</p>	<p>Clarification meeting</p> <p>“If compulsory site/clarification meeting with representatives of the Employer will take place. The following rules shall apply to this meeting:</p> <ul style="list-style-type: none"> a) A tender will automatically be disqualified if the meeting is not attended by a representative of the tendering entity. b) Representatives of tendering entities must complete and sign the meeting attendance register, providing full details as required on the register, failure of which will disqualify the tender. c) No late arrivals will be allowed to join the meeting. d) Immediately at the official start of the meeting, the Employer’s Agent shall collect the attendance registers and perform a roll-call confirming the physical presence of all persons who have completed the register and identifying those who were in the room at the official start but have not completed the register. The Employer’s Agent shall delete the details of those entities for which there is no physical presence in the room. Those who are present but had not completed the register will be given an opportunity to do so. e) On completion of the meeting and site inspection, if any, the Employer’s Agent shall perform a further roll call and confirm the physical presence of all persons who are in attendance by countersigning against the relevant entry on the attendance register. Those who are no longer present shall be indicated as absent and any tender they submit shall be disqualified. f) The name of the lead entity in an envisaged consortium/joint venture must appear on the attendance register, failure of which will disqualify a tender submitted by the consortium/joint venture. g) A representative may not attend the meeting on behalf of more than one tendering entity. This constitutes anti-competitive behavior. In the event of multiple tenders being submitted, either separately or as a member of a joint

	<p>venture, which reference the attendance of the same person at the site/clarification meeting, ALL those tenders will be disqualified.</p> <p>h) Tendering entities must be represented by a maximum of one person, who must be suitably qualified and experienced to comprehend the implications of the tender.</p> <p>Recorded minutes as well as addenda or any other information, where applicable, will be issued to all whom attended the meeting as an Addendum.</p>
C.2.8	<p>Seek clarification Amend the section as follows:</p> <p>“Request clarification arising out of any ambiguity in the tender documents, or between the tender documents and existing conditions on site, by notifying the employer at least seven calendar days before the closing time stated in the Tender Data.”</p>
C.2.12	<p>Alternative tender offers Amend the item as follows:</p>
C.2.12.3	<p>An alternative offer may be considered in the event that the main tender offer would otherwise be the winning tender or if the alternative offer is considered beneficial to the employer.”</p>
C.2.13	<p>Submitting a tender offer Amend the items as follow:</p>
C.2.13.3	<p>Submit the parts of the tender offer communicated on paper as an original plus nil (0) number of copies, with an English translation of any documentation in a language other than English, and the parts communicated electronically in the format as stated in the Tender Data.</p> <p>The employer shall not accept tenders submitted in electronic format. Only those tenders that have been completed in hardcopy of the issued tender document shall be considered.</p>
C.2.13.4	<p>Sign the original and all copies of the tender offer where required in terms of the tender data. The tender shall be signed by a person duly authorised to do so. The employer will hold all authorised signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint ventures shall state which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer. Tenders submitted by joint ventures of two or more firms shall be accompanied by the document of formation of the joint venture, authenticated by a notary public or other official deputed to witness sworn statements, in which is defined precisely the conditions under which the joint venture will function, its period of duration, the persons authorised to represent and obligate it, the participation of the several firms forming the joint venture, and any other information necessary to permit a full appraisal of its functioning. The document of formation of the joint venture shall state explicitly what the percentage participation in the joint venture will be of each party involved.”</p>
C.2.13.5	<p>The employer’s address for delivery of tender offers and identification details to be shown on each tender offer package are:</p> <p>Location of tender box: 29 Du Toit Street, STELLENBOSCH,7600</p> <p>Title of Tender: T 2024/082: PROVISION OF PROFESSIONAL SERVICES FOR COMPLIANCE AND MONITORING OF REGIONAL SITE FOR A PERIOD ENDING 30 JUNE 2027</p>

	Sealed tenders with the tender number and description on the envelope, must be placed in the official tender box at the abovementioned address.
C.2.13.6	A two-envelope procedure will not be followed.
C.2.15.1	The closing time for submission of tender offers is as per the Tender Notice and Invitation to Tender. Late tender offers will not be accepted.
C.2.16	The tender offer validity period is 180 days.
C.2.18	Provide other material
C.2.18.1	Add “health, safety and environmental arrangements and considerations, “between “preferencing arrangements” and “or samples of materials ...” in the first paragraph.
C.2.23	<p>The following certificates shall be included in the tender submission:</p> <p>Enterprise Registration Tenderers shall append to Schedule 1: Confirmation of Enterprise Registration in T2.2: Returnable Schedules, documentary evidence/proof in the form of an original or copy of their current Western Cape Supplier Evidence Bank and the Central Supplier Database registration and verification.</p> <p>Tax Clearance Pin Tenderers shall append to Schedule 1: Confirmation of Enterprise Registration in T2.2: Returnable Schedules, documentary evidence/proof as stated in Schedule 1</p> <p>Broad-Based Black Economic Empowerment (B-BBEE) Status Level Certificate Tenderers shall append to Schedule 11: Preference Point Claim Form in C1.6 : Returnable Schedules, documentary evidence/proof in the form of an original valid B-BBEE Status Level verification certificate in terms of the current code as determined by the Minister of the Department of Trade and Industry on Black Economic Empowerment.</p> <p>Consortiums or Joint Ventures will qualify for preference points, provided that the entity submits the relevant certificate or scorecard in terms of the Preferential Procurement Regulations, 2022. In the case of unincorporated entities, a verified certificate/scorecard in the name of the Consortium/Joint Venture must be submitted with the tender (attached to Schedule 11).</p>
C.3.1	Respond to requests from the tenderer
C.3.1.1	Amend “... and notify all tenderers who collected tender documents.” to read “ and notify all tenderers who collected tender documents and attended the site clarification meeting.”
C.3.2	<p>Issue Addenda</p> <p>In the second line of the first paragraph, change “...are available until three working days before...” to “are available until five calendar days before...”</p> <p>Add the following paragraph:</p> <p>“In the event the Tenderer fails to confirm receipt of Addenda and incorporate the contents thereof into the submitted offer, the Tender will be considered non-responsive. If the Tenderer claims that Addenda was not received, but the employer can prove proof of transmission thereof (via electronic mail, facsimile or registered post) to the contact details as provided by the Tenderer, the submitted offer will be deemed non-responsive.”</p>

C.3.4.1	<p>The time and location for opening of the tender offers is:</p> <p>Time: Tenders will be opened immediately after the closing time for receipt of tenders as stated in the Tender Notice and Invitation to Tender, or as stated in any addendum extending the closing date.</p> <p>Representatives of the tenderers and the general public will be permitted to observe the opening of submitted tenders. The summary of the tender opening will be available on request.</p>
C.3.6	<p>Non-disclosure Amend C.3.6 as follows:</p> <p>“Not disclose to tenderers, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of tender offers, the final evaluation price and recommendations for the award of a contract, until after the Letter of Notification of Acceptance of Tender has been approved. “</p>
C.3.8	<p>Test for responsiveness Add the following paragraph at the end of this section:</p> <p>“Notwithstanding the above, a tender will be considered non-responsive if it fails to comply with the requirements and specifications as listed in the Tender Data.”</p>
C.3.8.2	<p>The following will result in a submitted offer being considered non-responsive/invalid:</p> <ol style="list-style-type: none"> a) the tender offer is not submitted on the Form of Offer and Acceptance contained in this tender document b) the tender is not completed in non-erasable black ink; c) the Offer has not been signed; d) The Tenderer does not accept the corrected total of prices in the event correction is needed due to arithmetic errors, omissions or discrepancies that are identified in the tender offer. e) In the event the Tenderer fails to confirm receipt of Addenda and incorporate the contents thereof into the submitted offer, the Tender will be considered non-responsive. If the Tenderer claims that Addenda was not received, but the Employer can provide proof of transmission thereof (via electronic mail, facsimile or registered post) using the contact details as provided by the Tenderer, the submitted offer will be deemed non-responsive.
C.3.9	Arithmetical errors, omissions and discrepancies
C.3.9.2	Replace “C.3.9.2 Check the highest ranked...in accordance with C.3.11 for:” with
C.3.9.2	Check responsive tender offers for:”
C.3.9.3	Replace C.3.9.3 with “Notify the tenderer of all errors and omissions that are identified in the tender offer to confirm the corrected total of prices.”
C.3.9.4	<p>In the first sentence of item (a) of C3.9.4, replace “...the line item total shall govern and the rate shall be corrected.” with “...the unit rate shall govern and the line item total shall be corrected.”</p> <p>In item (b) of C.3.9.4, replace “...the total of the prices will govern the tenderer will be requested to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices.” with “the total of the prices shall be corrected.”</p>
C.3.11	The procedure for the evaluation of responsive tenders is Method 1 Price and preference

<p>C.3.11</p> <p>C.3.11.2</p>	<p>Evaluation of tender offers Add the following:</p> <p>Method 1: Price and Preference</p> <p>Score points for preference in terms of C.3.11.4. Score tender evaluation points for price in terms of C.3.11.5. Add the points scored for price and preference. Rank tender offers from the highest number of tender evaluation points to the lowest. Perform risk analyses of three highest ranked tenders in terms of C.3.11.6. Recommend the tenderer with the highest number of tender evaluation points for the award of the contract, unless there are compelling and justifiable reasons not to do so. Rescore and re-rank all tenderers should there be compelling and justifiable reasons not to recommend the tenderer with the highest number of tender evaluation points, and recommend the tenderer with the recalculated highest number of tender evaluation points, unless there are compelling and justifiable reasons not to do so and the process set out in this sub-clause is repeated.</p>																														
<p>C.3.11.3</p>	<p>Method 2: Functionality, Price and Preference</p> <p>Score functionality, rejecting all tender offers that fail to achieve the minimum number of points for functionality as stated in the Tender Data.</p> <p>Tenders that to achieve the minimum qualifying score for functionality shall be regarded as non-responsive and shall not be evaluated any further.</p> <p>Tender that have achieved the minimum qualifying score for functionality shall be evaluated further in terms of price and preference described in C.3.11.2.</p>																														
<p>C.3.11.4</p>	<p>Scoring preference</p> <p>Score preference of responsive tenders as follows:</p> <p>Determine preference point system to be used for evaluation purposes based on lowest responsive tender offer, excluding alternatives and substitutes, using the following table.</p> <table border="1" data-bbox="320 1406 1430 1599"> <thead> <tr> <th>Value of lowest responsive tender offer</th> <th>Financial Offer Points allocation (A)</th> <th>Maximum Preference point allocation</th> </tr> </thead> <tbody> <tr> <td>Up to and including R50 million</td> <td>80</td> <td>20</td> </tr> <tr> <td>Above R50 million</td> <td>90</td> <td>10</td> </tr> </tbody> </table> <p>Award points to a tender for attaining the B-BBEE status level of contributor in accordance with the following table, using the relevant preference points system determined above.</p> <table border="1" data-bbox="320 1771 1430 2074"> <thead> <tr> <th>B-BBEE Status Level of Contributor</th> <th>Number of Points for Preference (80/20)</th> <th>Number of Points for Preference (90/10)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>50% of 20</td> <td>50% of 10</td> </tr> <tr> <td>2</td> <td>50% of 18</td> <td>50% of 9</td> </tr> <tr> <td>3</td> <td>50% of 16</td> <td>50% of 8</td> </tr> <tr> <td>4</td> <td>50% of 12</td> <td>50% of 5</td> </tr> <tr> <td>5</td> <td>50% of 8</td> <td>50% of 4</td> </tr> <tr> <td>6</td> <td>50% of 6</td> <td>50% of 3</td> </tr> </tbody> </table>	Value of lowest responsive tender offer	Financial Offer Points allocation (A)	Maximum Preference point allocation	Up to and including R50 million	80	20	Above R50 million	90	10	B-BBEE Status Level of Contributor	Number of Points for Preference (80/20)	Number of Points for Preference (90/10)	1	50% of 20	50% of 10	2	50% of 18	50% of 9	3	50% of 16	50% of 8	4	50% of 12	50% of 5	5	50% of 8	50% of 4	6	50% of 6	50% of 3
Value of lowest responsive tender offer	Financial Offer Points allocation (A)	Maximum Preference point allocation																													
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		7	50% of 4	50% of 2																				
		8	50% of 2	50% of 1																				
		Non-compliant contributor	0	0																				
C.3.11.5	<p>Scoring price</p> <p>Score price of responsive tenders using the following formula:</p> <p>NFO = W1 x A</p> <p>Where:</p> <p>NFO is the number of tender evaluation points awarded for price</p> <p>is the maximum possible number of tender evaluation points awarded for price as stated in the Tender Data</p> <p>A is a number calculated using the formula and option described in the table below, as stated in the Tender Data</p> <table border="1"> <thead> <tr> <th>Formula</th> <th>Comparison aimed at achieving</th> <th>Option 1a</th> <th>Option 2a</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Highest price or discount</td> <td>$A = (1 + \frac{(P - P_m)}{P_m})$</td> <td>A = P/Pm</td> </tr> <tr> <td>2</td> <td>Lowest price or percentage commission/fee</td> <td>$A = (1 - \frac{(P - P_m)}{P_m})$</td> <td>A = Pm/P</td> </tr> <tr> <td>Pm</td> <td colspan="3">is the comparative offer of the most favourable comparative offer</td> </tr> <tr> <td>P</td> <td colspan="3">is the comparative offer of the tender offer under consideration</td> </tr> </tbody> </table>				Formula	Comparison aimed at achieving	Option 1a	Option 2a	1	Highest price or discount	$A = (1 + \frac{(P - P_m)}{P_m})$	A = P/Pm	2	Lowest price or percentage commission/fee	$A = (1 - \frac{(P - P_m)}{P_m})$	A = Pm/P	Pm	is the comparative offer of the most favourable comparative offer			P	is the comparative offer of the tender offer under consideration		
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P	is the comparative offer of the tender offer under consideration																							
C.3.11.7	<p>Functionality</p> <p>The bidder must complete Schedule 5 - Schedule of work successfully completed by the tenderer, as part of the Returnable Schedules in order to obtain relevant points for functionality.</p> <p>The bidder must complete Schedule 6A and 6b - Schedule of work successfully completed by Project Leader and Project Engineer, as part of the Returnable Schedules in order to obtain relevant points for functionality.</p> <p>Expertise and Experience of all team members (maximum 75 points)</p> <p>The following personnel must be in full time permanent employment of the tenderer and available for the envisaged appointment:</p> <p>Project Leader (maximum 45 points) A maximum of 45 Points can be awarded according to the persons highest education, professional registration as well as experience in compliance and monitoring projects (List of compliance and monitoring projects must accompany this person's CV to be form part of the functionality criteria).</p> <p>Project Engineer (maximum 30 points) A maximum of 30 points can be awarded according to the highest education and experience in compliance and monitoring projects (List of compliance and monitoring projects must accompany this person's CV to be form part of the of the functionality criteria).</p> <p>Experience of service provider (maximum 25 points)</p> <p>A maximum of 25 points for demonstrated experience of the company will be scored based on the information supplied by the bidder's company profile as part of the functionality criteria. An indication and list of compliance and monitoring related</p>																							

projects which is landfill orientated executed by the service provider needs to be provided in the profile.

An indication of years in compliance and monitoring projects of landfill sites must be given to obtain the necessary points in this category. A list of compliance and monitoring projects of landfill sites with related dates of implementation will be used to evaluate this item.

Reference details provided in schedules will be followed up/scrutinized for confirmation purposes.

Bid offers that fail to score the minimum number of 60 evaluation points for functionality will be rejected.

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:

The past performance of service providers in executing similar projects will be evaluated using the references supplied by service providers, as well as any other information available to the Cape Winelands District Municipality.

The tenderer must have successfully completed or is currently busy with the similar projects to obtain points for functionality. Projects of the last 5 years will be taken into consideration. *(Proof must be provided)*

A similar project refers to the assistance to municipalities in compliance and monitoring of landfill sites and can include the following items as contained in the Scope of Works namely:

1. Assistance with the fulfilment of environmental legislative requirements;
2. Asset registers in compliance with GRAP;
3. External auditing of waste management facilities;
4. Attendance of and rendering of expert advice to Monitoring Committee meetings;
5. Supervision of external service providers for operational contracts;
6. Assistance with public awareness interventions as and when needed;
7. Monthly updating and analysis of the municipality's waste data;
8. Annual calculation of budget and tariff projections;
9. Discussions with participating municipalities regarding tariff structure;
10. Assist with waste characterization and analysis;
11. Assist with compiling / updating of the solid waste by law from time to time, to be aligned with legislation or
12. Any other related tasks.

The Cape Winelands District Municipality reserves the right to verify experience and to contact references provided, as well as any other third party that could verify the experience and performance of service providers.

The Cape Winelands District Municipality reserves the right to reject a tender from a service provider –

	<p>a) who during the last five (5) years has failed to perform satisfactorily on a previous contract with the municipality or any other organ of state after written notice was given to that service provider that performance was unsatisfactory; and/or if false references are submitted by a service provide</p> <p>A minimum score of 60 needs to be obtained for functionality to be further evaluated on Price and Preference.</p> <p>** See functionality table on page 17.</p>
C.3.13.1	<p>Acceptance of tender offer</p> <p>Replace “Accept the” in first line of the first paragraph with “Notify the successful tenderer of the employer's acceptance of his”</p> <p>Add the following to the item to the list: “(g) the tenderer has demonstrated that adequate provision has been made for health and safety measures and has the necessary resources and competencies to carry out the construction work safely.”</p> <p>Tender offers will only be accepted if the tenderer complies with the following legal requirements:</p> <ul style="list-style-type: none"> a) The tenderer is registered on the Central Supplier Database (CSD); b) The tenderer is shown to be tax compliant either via online CSD verification, or by attaching written proof by SARS of approved arrangements in terms of the tenderer's tax clearance; c) 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; d) the tenderer has not abused the employer's Supply Chain Management system, as stated in C.3.13 e) the tenderer is registered and in good standing with the compensation fund or with a licensed compensation insurer who is approved by the Department of Labour in terms of section 80 of the Compensation for Injury and Disease Act (COID) (Act 130 of 1993); f) the employer is reasonably satisfied that the tenderer has in terms of the Construction Regulations, 2014, issued in terms of the Occupational Health and Safety Act, 1993, the necessary competencies and resources to carry out the work safely. <p>General supply chain management conditions applicable to tenders:</p> <p>In terms of its Supply Chain Management Policy the employer may not consider a tender unless the provider who submitted the tender:</p> <ul style="list-style-type: none"> a) has furnished the employer with that provider's: <ul style="list-style-type: none"> ➤ full name; ➤ identification number or company or other registration number; and ➤ tax reference number and VAT registration number, if any; b) has indicated whether: <ul style="list-style-type: none"> ➤ the provider is in the service of the state, or has been in the service of the state in the previous twelve months; ➤ the provider is not a natural person, whether any of the directors, managers, principal shareholders or stakeholders is in the service of the state, or has

	<p>been in the service of the state in the previous twelve months;</p> <ul style="list-style-type: none"> ➤ whether a spouse, child or parent of the provider or of a director, manager, shareholder or stakeholder referred to above is in the service of the state, or has been in the service of the state in the previous twelve months; or <p>c) irrespective of the procurement process followed, the employer is prohibited from making an award to:</p> <ul style="list-style-type: none"> ➤ a person who is in the service of the state; ➤ a juristic entity of which any director, manager, principal shareholder or stakeholder is in the service of the state; ➤ an advisor or consultant contracted with the employer, or ➤ a person, advisor or corporate entity involved with the tender specification committee, or a director of such corporate entity. <p>Combating abuse of the Supply Chain Management Policy In terms of the employer’s Supply Chain Management Policy, the employer may reject the tender of any tenderer if that tenderer or any of its directors has:</p> <ul style="list-style-type: none"> a) failed, during the last five years, to perform satisfactorily on a previous contract with the employer or any other organ of state after written notice was given to that tenderer that performance was unsatisfactory; b) abused the Supply Chain Management system of the employer or has committed any improper conduct in relation to this system; c) been convicted of fraud or corruption during the past five years; d) wilfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or e) been listed with the Register of Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004) or has been listed on National Treasury’s database as a person or juristic entity prohibited from doing business with the public sector. <p>In this regard, tenderers shall complete Schedule 3: Declaration of Interests, Tenderer’s Past Supply Chain Management (SCM) Practices and Independent Tender Determination in Part T2.2: Returnable Schedules. Failure to complete this schedule may result in the tender not being considered.</p>
C.3.14	<p>Prepare contract documents Amend the item as follows:</p> <p>(c) other revisions, if any, agreed between the employer and the successful tenderer as recorded in the Schedule of Deviations.</p>
C.3.17	<p>Provide to the successful tenderer one signed copy of the contract on the day of the commencement of the contract.</p>

FUNCTIONALITY TABLE								
Description	Reference		Scoring				Maximum Score	Sub Total
Key Personnel	Project Leader: Highest education	C.3.5.2	Excellent (15) Honours, Masters or Doctorate degree that's relevant	Good (10) B Degree that's relevant	Average (5) Nat Dipl that's relevant	Poor (0) No Tertiary Education	15	75
	Project Leader: Professional Registration	C.3.5.2	Excellent (15) Pr Eng	Good (10) Pr Tech Eng	Average (5) Pr Techni Eng	Poor (0) No Professional Registration	15	
	Project Leader: Experience	C.3.5.2	Excellent (15) Experience in 5 or more similar projects during the last 5 years	Good (10) Experience in 4 similar related projects during the last 5 years	Average (5) Experience in 3 similar related projects during the last 5 years	Poor (0) Experience in less than 3 similar related projects during the last 5 years	15	
	Project Engineer: Highest Education	C.3.5.2	Excellent (15) Honours, Masters or Doctorate degree in Civil Engineering	Good (10) B Degree in Civil Engineering	Average (5) Nat. Dipl in Civil Engineering	Poor (0) No Tertiary Education in Civil Engineering	15	
	Project Engineer: Experience	C.3.5.2	Excellent (15) Experience in 5 or more similar projects during the last 5 years	Good (10) Experience in 4 similar related projects during the last 5 years	Average (5) Experience in 3 similar related projects during the last 5 years	Poor (0) Experience in less than 3 similar related projects during the last 5 years	15	
Company's Experience	Technical Experience (number of similar related projects)	C.3.5.2	Excellent (25) Experience in 5 or more similar projects during the last 5 years	Good (15) Experience in 4 similar related projects during the last 5 years	Average (10) Experience in 3 similar related projects during the last 5 years	Poor (5) Experience in less than 3 similar related projects during the last 5 years	25	25
Total								100

T2.

RETURNABLE DOCUMENTS

T2.1 List of returnable documents

General

Failure to fully complete the relevant returnable documents may render such a tender offer unresponsive.

These forms must be completed in black ink. Returnable documents shall be signed by a signatory duly authorised to sign the tender offer. Any alterations made prior to tender closure countersigned by an authorised signatory.

Tenderers shall note that their signature appended to each returnable form represents a declaration that they vouch for the accuracy and correctness of the information provided.

Notwithstanding any check or audit conducted by or on behalf of the Employer, the information provided in the returnable documents is accepted in good faith and as justification for entering into a contract with a tenderer. If subsequently any information is found to be incorrect such discovery shall be taken as willful misrepresentation by that tenderer to induce the contract. In such event the Employer has the discretionary right under contract condition 9.2 to terminate the contract.

Should a tenderer wish to offer a different time period of completion than that required by the Employer, it shall be submitted as an alternative tender.

If more than one alternative tender is submitted, each one shall be numbered and submitted on a separate copy of form C1.1.1 Offer, completed and signed, and accompanied by the prescribed priced C2.2 Bill of Quantities and supporting documents.

T2.1

LIST OF RETURNABLE DOCUMENTS

- Schedule 1 Invitation to bid - MBD1
 - Schedule 2 Compulsory Enterprise Questionnaire
 - Schedule 3 Authority to Signatory
 - Schedule 4 Certificate of Authority for Joint Ventures
 - Schedule 5 Schedule of Work Satisfactory carried out by the Tenderer (Company Experience)
 - Schedule 6 Schedule of Work Satisfactory carried out by the Project Leader (6a) / Project Engineer (6b)
 - Schedule 7 Proposed Amendments and Qualifications
 - Schedule 8 Declaration in terms of the MFMA (No 56 of 2003) in terms of Municipal Rates and Services.
 - Schedule 9 Declaration of Interest
 - Schedule 10 Tax Clearance Certificate Requirements
 - Schedule 11 Joint Venture Agreement, If Applicable
 - Schedule 12 Proof of Payment of Municipal Rates and Taxes
 - Schedule 13 Record of minutes and Addenda to Tender Documents.
 - Schedule 14 Application of preference point system in terms of the Preferential Procurement Regulations 2022
 - Schedule 15: Preference points claim form in terms of the preferential procurement regulations 2022 (MBD 6.1)
 - Schedule 16 Declaration of Bidder's past supply chain management practices.
 - Schedule 17 Certificate of Independent Bid Determination.
 - Schedule 18 Claiming Preference Points
 - Schedule 19 Credit Order Instruction
 - Schedule 20 Letter of Good Standin
 - Schedule 21 Occupational Health and Safety Agreement
-

SCHEDULE 1: INVITATION TO BID - MBD1

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)					
Tender number:	T 2024/082	Closing date:	18/10/2024	Closing time:	11h00
Description	PROVISION OF PROFESSIONAL SERVICES FOR COMPLIANCE AND MONITORING OF REGIONAL SITE FOR A PERIOD ENDING 30 JUNE 2027				
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					
SUPPLIER INFORMATION					
Name of bidder					
Postal address					
Street address					
Contact person					
Telephone number	Code		Number		
Cell phone number					
E-mail address					
VAT registration number					
COIDA registration number					
COIDA certificate number					
Tax compliance status	TCS PIN:		OR	CSD No:	MAAA
SPECIFIC GOALS IN TERMS OF THIS TENDER:					
<ul style="list-style-type: none"> 50% of the 20/10 points will be allocated to promote the goal of B-BBEE status level of contributor and points will be allocated in terms of the B-BBEE scorecard 50% of the 20/10 points will be allocated to promote the specific goal of locality and points will be allocated in terms of where the enterprise' head office or primary place of business or regional or satellite office is located 					
B-BBEE status level verification certificate [tick applicable box]	<input type="checkbox"/> Yes <input type="checkbox"/> No		Proof of Locality [tick applicable box]	<input type="checkbox"/> Yes <input type="checkbox"/> No	
B-BBEE status level sworn affidavit [tick applicable box]	<input type="checkbox"/> Yes <input type="checkbox"/> No				
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE / SWORN AFFIDAVIT (FOR EMES & QSEs) AND PROOF OF LOCALITY MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS]					
Are you the accredited representative in South Africa for the goods / services / works offered?	<input type="checkbox"/> Yes <input type="checkbox"/> No [If yes enclose proof]		Are you a foreign based supplier for the goods / services / works offered?	<input type="checkbox"/> Yes <input type="checkbox"/> No [If yes, answer part b:3]	
Total number of items offered			Total bid price	R	
Signature of bidder			Date		
Capacity under which this bid is signed					

TECHNICAL INFORMATION MAY BE DIRECTED TO:	
Contact person	Christo Swart
Telephone number	023 348 2300
E-mail address	christo@capewinelandsgov.za
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED	
Contact person	Elmine Niemand
Telephone number	021 888 5175
E-mail address	elmine@capewinelandsgov.za
TERMS AND CONDITIONS FOR BIDDING – PART B	
1. BID SUBMISSION:	
<p>1.1. Bids must be delivered by the stipulated time to the correct address. Late bids will not be accepted for consideration.</p> <p>1.2. All bids must be submitted on the official forms provided–(not to be re-typed) or online</p> <p>1.3. This bid is subject to the Preferential Procurement Policy Framework Act and the Preferential Procurement Regulations, 2022, the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract.</p>	
2. TAX COMPLIANCE REQUIREMENTS	
<p>2.1 Bidders must ensure compliance with their tax obligations.</p> <p>2.2 Bidders are required to submit their unique personal identification number (pin) issued by SARS to enable the organ of state to view the taxpayer’s profile and tax status.</p> <p>2.3 Application for the tax compliance status (TCS) certificate or pin may also be made via e-filing. In order to use this provision, taxpayers will need to register with SARS as e-filers through the website www.sars.gov.za.</p> <p>2.4 Foreign suppliers must complete the pre-award questionnaire in part b:3.</p> <p>2.5 Bidders may also submit a printed TCS certificate together with the bid.</p> <p>2.6 In bids where consortia / joint ventures / sub-contractors are involved, each party must submit a separate TCS certificate / pin / CSD number.</p> <p>2.7 Where no TCS is available but the bidder is registered on the central supplier database (CSD), a CSD number must be provided.</p>	
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
<p>3.1. Is the entity a resident of the republic of South Africa (RSA)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3.2. Does the entity have a branch in the RSA? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3.3. Does the entity have a permanent establishment in the RSA? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3.4. Does the entity have any source of income in the RSA? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3.5. Is the entity liable in the RSA for any form of taxation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If the answer is “no” to all of the above, then it is not a requirement to register for a tax compliance status system pin code from the South African Revenue Service (SARS) and if not register as per 2.3 above.</p>	
<p>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.</p>	

Signature(s):

Name(s):

Date:

SCHEDULE 2: COMPULSORY ENTERPRISE QUESTIONNAIRE

The following particulars must be furnished. In the case of a joint venture, **separate** enterprise questionnaires in respect of each partner must be completed and submitted. **(Failure to do so may result in your bid being disqualified)**

Section 1:	Name of enterprise:												
Section 2:	VAT registration number, if any: Has and original and valid TAX clearance certificate been attached under Schedule 2D? Yes / No												
Section 3:	Has a B-BBEE status level verification certificate been submitted? Yes / No If Yes, who was the certificate issued by? (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.												
Section 4:	CIDB registration number, if any:												
Section 5:	Particulars of sole proprietors and partners in partnership												
	<table border="1"> <thead> <tr> <th>Name*</th> <th>Identity number*</th> <th>Personal income tax number*</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Name*	Identity number*	Personal income tax number*									
Name*	Identity number*	Personal income tax number*											
	* Complete only if sole proprietor or partnership and attached separate page if more than 3 partners												
Section 6:	Particulars of companies and close corporations												
	Company registration number:												
	Close corporation number:												
	Tax reference number:												
Section 7:	Record of service of the state												
	Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:												
<input type="checkbox"/> a member of any municipal council <input type="checkbox"/> a member of any provincial legislature <input type="checkbox"/> a member of the National Assembly or the National Council of Province <input type="checkbox"/> a member of the board of directors of any municipal entity <input type="checkbox"/> an official of any municipality or municipal entity	<input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity <input type="checkbox"/> an employee of Parliament or a provincial legislature												
	If any of the above boxes are marked, disclose the following: (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 3: 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.

C. 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		

D. Certificate for Sole Proprietor

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

As witnesses:

1.		Chairman:	
2.		Date:	

E. 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

NOTE: This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole.

SCHEDULE 4: CERTIFICATE OF AUTHORITY FOR JOINT VENTURES

This returnable schedule is to be completed by joint ventures.

We, the undersigned, are submitting this tender offer in joint venture and hereby authorize Mr/Ms , authorised signatory of the company, close corporation or partnership , acting in the capacity of lead partner, to sign all documents in connection with the tender offer and any contract resulting from it on our behalf.

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

NOTE: A copy of the Joint Venture Agreement showing clearly the **percentage contribution of each partner** to the Joint Venture shall be appended to this schedule.

SCHEDULE 5: SCHEDULE OF WORK SATISFACTORILY CARRIED OUT BY THE TENDERER

The following is a statement of relevant similar work successfully executed by the Tenderer (Company experience). See Similar Work at Tender data - T1.2.6

Employer, contact person and telephone number	Description of Contract	Value of Work Inclusive of VAT (Rand)	Date Completed

Attach additional pages if more space is required.

Signature:		Date:	
Print Name:		Position:	
Tenderer:			

A maximum of 25 points for demonstrated experience of the company will be scored based on the information supplied by the bidder's company profile as part of the functionality criteria. An indication and **list of compliance and monitoring related projects at landfill sites** executed by the service provider needs to be provided in the profile.

SCHEDULE 6A: SCHEDULE OF WORK SATISFACTORILY CARRIED OUT BY PROJECT LEADER

Project leader Name:

The following is a statement of similar work successfully executed by the foreman / project leader. See Similar Work at Tender data - T1.2.6

Employer, contact person and telephone number	Description of Contract	Value of Work Inclusive of VAT (Rand)	Date Completed

Attach additional pages if more space is required.

Signature:		Date:	
Print Name:		Position:	
Tenderer:			

A maximum of 45 Points can be awarded according to the persons highest education, professional registration as well as experience in transport infrastructure projects (List of compliance and monitoring projects at landfill sites must accompany this person's CV to be form part of the functionality criteria).

SCHEDULE 6B: SCHEDULE OF WORK SATISFACTORILY CARRIED OUT BY THE PROJECT ENGINEER

Project Engineer Name:

The following is a statement of similar work successfully executed by the foreman / project leader. See Similar Work at Tender data - T1.2.6

Employer, contact person and telephone number	Description of Contract	Value of Work Inclusive of VAT (Rand)	Date Completed

Attach additional pages if more space is required.

Signature:		Date:	
Print Name:		Position:	
Tenderer:			

A maximum of 30 points can be awarded according to the highest education and experience in the design of transport infrastructure projects (List of compliance and monitoring projects at landfill sites must accompany this person's CV to be form part of the of the functionality criteria).

SCHEDULE 7: 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 F.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 8: MUNICIPAL RATES AND SERVICES

Names of Directors / Partners	Physical residential address of the Directors / Partners	Municipal Account Number	Name of Municipality

NB: Please attach certified copy/copies of the Municipal Account(s)

DECLARATION:

I, the undersigned (name)

Certify that the information furnished above is correct. I accept that the state may act against me should this declaration prove to be false.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

SCHEDULE 9: DECLARATION OF INTEREST – (MBD 4B)

(On behalf of the company and its directors/ members/ trustees/ principle shareholders²)

1. No bid/database registration will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid/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/shareholders² 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/shareholder ²):		
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:	<input type="text"/>	Relation:	<input type="text"/>
Surname:	<input type="text"/>	Persal No:	<input type="text"/>
Full Names:	<input type="text"/>		
Organ of State:	<input type="text"/>	Position:	<input type="text"/>

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:	<input type="text"/>	Relation:	<input type="text"/>
Surname:	<input type="text"/>	Persal No:	<input type="text"/>
Full Names:	<input type="text"/>		
Organ of State:	<input type="text"/>	Position:	<input type="text"/>

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:	<input type="text"/>	Relation:	<input type="text"/>
Surname:	<input type="text"/>	Persal No:	<input type="text"/>
Full Names:	<input type="text"/>		
Organ of State:	<input type="text"/>	Position:	<input type="text"/>

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 every three 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 **MFMA Circular No 62 of July 2013** 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. ***A shareholder is defined as 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.***

	Full name of directors / trustees / shareholders	Identity Number	% Share-holding in company	Personal Tax Reference Number	State Employee Number (Persal)	Municipal rates & services account numbers (3.17.1) <i>Municipal clearance or most recent service account must be attached as evidence</i>
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:

- ¹ MSCM Regulations: “in the service of the state” means to be –
- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
 - (b) a member of the board of directors of any municipal entity;
 - (c) an official of any municipality or municipal entity;
 - (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
 - (e) a member of the accounting authority of any national or provincial public entity; or
 - (f) an employee of Parliament or a provincial legislature.
- ² “Shareholder” means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

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 acquisition process. (Must be submitted annually)

SCHEDULE 10: TAX CLEARANCE CERTIFICATE REQUIREMENTS

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 11: JOINT VENTURE AGREEMENT, IF APPLICABLE

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

SCHEDULE 12: PROOF OF PAYMENT OF MUNICIPAL RATES AND TAXES

The Tenderer shall attach to this page proof of payment of municipal rates and taxes or municipal services charges in support of Schedule 11.

Please note: Should the tenderer intend claiming preference points for local enterprise status, points shall only be awarded if proof of payment is attached.

SCHEDULE 13: RECORD OF MINUTES AND ADDENDA TO TENDER DOCUMENTS

<p>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:</p>		
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: APPLICATION OF PREFERENCE POINT SYSTEM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

Regulation No. 2721 of 20 4 November 2022 provide for a preference points system. The applicable **80/20** preferential points system as set out in Preferential Procurement Regulations 2022 will be used to evaluate individual tenders

80/20 Preference point system [(for acquisition of goods or services for a Rand value equal to or above R30 000 and up to R50 million) (all applicable taxes included)]

The points are awarded as follows:

- 80 points is awarded for the **lowest price** if it complies with the Tender / Formal Written Price Quotation conditions.
- Additional points are awarded for the following specific goals:
 - **B-BBEE status level of contributor** and “**Locality**”
- 50% of the 20/10 points will be allocated to promote the goal of B-BBEE status level of contributor and points will be allocated in terms of the B-BBEE scorecard as follows:

B-BBEE Status Level of Contributor	Number of Points for Preference (80/20)	Number of Points for Preference (90/10)
1	50% of 20	50% of 10
2	50% of 18	50% of 9
3	50% of 16	50% of 8
4	50% of 12	50% of 5
5	50% of 8	50% of 4
6	50% of 6	50% of 3
7	50% of 4	50% of 2
8	50% of 2	50% of 1
Non-compliant contributor	0	0

- 50% of the 20/10 points will be allocated to promote the specific goal of locality. Points will be allocated as follows:

No.	Requirement	Number of Points
1	Procurement under the 80/20 preference points system where the enterprise head office or primary place of business or regional or satellite office is located within the boundaries of the Cape Winelands District Municipal Area	5
2	Procurement under the 90/10 preference points system where the enterprise head office or primary place of business or regional or satellite office is located within the boundaries of the Cape Winelands District Municipal Area	2.5
3	Procurement under the 80/20 preference points system where the enterprise head office or primary place of business or regional or satellite office is located within the boundaries of the Western Cape Province	5
4	Procurement under the 90/10 preference points system where the enterprise head office or primary place of business or regional or satellite office is located within the boundaries of the Western Cape Province.	2.5

SCHEDULE 15: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (MBD 6.1)

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

(a) The applicable preference point system for this tender is the 80/20 preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“Locality”** means an enterprise whose head office or primary place of business or regional or satellite office is located within the boundaries of the Cape Winelands District Municipal Area or

- (d) **“Proof of locality”** means a –
- 1) municipal account in the name of the tenderer not older than 90 days;
 - 2) lease agreement where the tenderer is the lessee; or
 - 3) an official letter from the bank confirming the registered business address of the tenderer;
- (e) **“Proof of B-BBEE status level of contributor”** means the B-BBEE status level certificate issued by an authorised body or person, a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act.
- (f) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (g) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (h) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps} = \mathbf{80} \left(\mathbf{1} - \frac{\mathbf{Pt} - \mathbf{P}_{min}}{\mathbf{P}_{min}} \right) & \mathbf{or} & \mathbf{Ps} = \mathbf{90} \left(\mathbf{1} - \frac{\mathbf{Pt} - \mathbf{P}_{min}}{\mathbf{P}_{min}} \right) \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps} = \mathbf{80} \left(\mathbf{1} + \frac{\mathbf{Pt} - \mathbf{P}_{max}}{\mathbf{P}_{max}} \right) & \mathbf{or} & \mathbf{Ps} = \mathbf{90} \left(\mathbf{1} + \frac{\mathbf{Pt} - \mathbf{P}_{max}}{\mathbf{P}_{max}} \right) \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
B-BBEE status level of contributor	5	10		
The promotion of enterprises located in the Western Cape Province for work to be done or services to be rendered in that province;	2.5	5		
The promotion of enterprises located in the Cape Winelands District Municipal area for work to be done or services to be rendered in that municipal area	2.5	5		

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety

- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

- 4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
 - iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

Name and surname

Signature(s) of bidder(s).....

Date.....

Address.....

.....

SCHEDULE 16: 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	<p>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?</p> <p>(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).</p> <p>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.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p>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.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	<p>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?</p>	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 17: CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

.....
(Bid Number and Description)

in response to the invitation for the bid made by: 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 consortium³ will not be construed as collusive bidding.
- 7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) Prices;
 - (b) Geographical area where product or service will be rendered (market allocation)
 - (c) Methods, factors or formulas used to calculate prices;
 - (d) The intention or decision to submit or not to submit, a bid;
 - (e) The submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) Bidding with the intention not to win the bid.
- 8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 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

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

SCHEDULE 18: CLAIMING PREFERENCE POINTS

List all partners / members / directors of this enterprise			
Van / Surname / Ifani	Voornaam / First name / Amagama	ID Nr./No. Inombolo	State Employee Number

NB! To claim Preference points a certified copy of your Balanced Broad-Based Black Economic Empowerment Score Card and proof of locality must be submitted with the **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>

.....

Name of Business/Entity:		
1	Percentage of shareholding of persons (HDI) in the business historically disadvantaged because of unfair discrimination based on race .	%
2	Percentage of shareholding of persons (HDI) in the business historically disadvantaged because of unfair discrimination based on gender	%
3	Percentage of shareholding of persons (HDI) in the business historically disadvantaged because of unfair discrimination based on disability .	%
Please Circle your answer below:		
4	Is your business established within the area of jurisdiction of the District Municipality?	In / Out
5	Is your business established within the area of jurisdiction of the Western Cape Province?	In / Out

SCHEDULE 19: CREDIT ORDER INSTRUCTION

It is the policy of the Cape Winelands District Municipality to pay all creditors by means of direct bank transfers. Please complete this information and acquire your banker's confirmation.

Please attached a letter from your bank confirming your banking details.

I/we hereby request and authorise the Cape Winelands district municipality to pay any amounts that may accrue to me/us to the credit of my/our bank account.

I/we understand that a payment advice will be supplied by the Cape Winelands District municipality in the normal way that will indicate the date on which funds will be available in my/our bank account and details of payment.

I/we further undertake to inform the Cape Winelands District municipality in advance of any change in my/our bank details and accept that this authority may only be cancelled by me/us by giving thirty days' notice by prepaid registered post.

.....
INITIALS AND SURNAME:

TELEPHONE NUMBER:

.....
AUTHORISED SIGNATURE:

DATE:

SCHEDULE 20: COIDA LETTER OF GOOD STANDING

A Letter of Good Standing that is **valid on closing date** of the bid from the Department of Employment and Labour or any institution that is licenced to carry out the business of insurance of its members against liabilities in accordance with the provisions of the COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993 (Act No. 130 of 1993) or a copy thereof must accompany the bid documents. The Letter of Good Standing (valid at closing date) can alternatively be submitted on a date as mutually agreed upon between the bidder and the Cape Winelands District Municipality. Failure to provide proof of a valid Letter of Good Standing within a mutually agreed upon timeframe from the Department of Employment and Labour or any institution that is licensed to carry out the business of insurance of its members against liabilities, will result in a bidder not being considered for further evaluation purposes. A Letter of good standing for “tender

SCHEDULE 21: OCCUPATIONAL HEALTH AND SAFETY AGREEMENT

AGREEMENT MADE AND ENTERED INTO BETWEEN THE CAPE WINELANDS DISTRICT MUNICIPALITY (HEREINAFTER CALLED THE "EMPLOYER")

AND

.....
(Contractor/Mandatory/Company/CC Name)

IN TERMS OF SECTION 37(2) OF THE OCCUPATIONAL HEALTH AND SAFETY ACT, ACT No. 85 OF 1993 AS AMENDED.

I,, representing, as an employer in its own right, do hereby undertake to ensure, as far as is reasonably practicable, that all work will be performed, and all equipment, machinery or plant used in such a manner as to comply with the provisions of the Occupational Health and Safety Act (OHSA) and the Regulations promulgated thereunder.

I furthermore confirm that I am/we are registered with the Compensation Commissioner and that all registration and assessment monies due to the Compensation Commissioner have been fully paid or that I/We are insured with an approved licensed compensation insurer.

COID ACT Registration Number:

OR Compensation Insurer: Policy No.:

I undertake to appoint, where required, suitable competent persons, in writing, in terms of the requirements of OHSA and the Regulations and to charge him/them with the duty of ensuring that the provisions of OHSA and Regulations as well as the Council's Special Conditions of Contract, Way Leave, Lock-Out and Work Permit Procedures are adhered to as far as reasonably practicable.

I further undertake to ensure that any subcontractors employed by me will enter into an occupational health and safety agreement separately, and that such subcontractors comply with the conditions set.

I hereby declare that I have read and understand the appended Occupational Health and Safety Conditions and undertake to comply therewith at all times.

I hereby also undertake to comply with the Occupational Health and Safety Specification and Plan.

Signed aton the.....day of.....20.....

.....
Witness

.....
Mandatory

Signed aton the.....day of.....20.....

.....
Witness

.....
for and on behalf of
Cape Winelands District Municipality

C1

THE CONTRACT

Part C1: Agreements and Contract Data

C1.1 Form of Offer and Acceptance

Part C2: Pricing Data

C2.1 Pricing Assumptions

C2.2 Bill of Quantities

Part C3: Scope of Works

C3.1 Scope of Work

C1.1 FORM OF OFFER AND ACCEPTANCE

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.

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: T 2024/082 PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR COMPLIANCE AND MONITORING OF REGIONAL LANDFILL SITE FOR A PERIOD ENDING 30 JUNE 2027.

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 offered rate as per Bill is as follows:

Time Based Fees

Time Based Fees – Category A & B	R	/h
Time Based Fees – Category C	R	/h
Time Based Fees – Category D	R	/h
% increase for year 2	%
% increase for year 3	%

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.

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.

T 2024/082 PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR COMPLIANCE AND MONITORING OF REGIONAL LANDFILL SITE FOR A PERIOD ENDING 30 JUNE 2027.

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:

Signature:

Name: *(in capitals)*

Capacity:

Name of Tenderer *(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:

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 Tenderer:

Signature:

Name: (*in capitals*)

Capacity:

Name of Tenderer (*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:

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.

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**Clause Wording**

3.4 / The Employer is the CAPE WINELANDS DISTRICT MUNICIPALITY.
4.3.2

The authorised and designated representative of the Employer is:
Designation.: Deputy Director: Project and Waste Management
Name: Mr C. Swart

The address for receipt of communications is:
Telephone: 023 348 2300
E-mail: christo@capewinelands.gov.za
Address: P.O.Box 100
 Stellenbosch
 7599

The Period of Performance is from the Start Date ending 30th June 2027.

The Start Date will be the date which appears on the appointment letter.

3.5 The location for the performance of the Project is Breede Valley Municipal area, Western Cape Province, South Africa.

3.12.1 The penalty payable is R 0.00 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.

Wording

The Service Provider is required to obtain the Employer's prior approval in writing before taking any of the following actions:

Clause	1. Change in Scope of Works, and
5.5	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 ECSA.
12.4.1	In the event that the parties fail to agree on an arbitrator, the arbitrator is nominated by ECSA.
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.

C2. PRICING DATA

C2.1: PRICING ASSUMPTIONS

C2.2: BILL OF QUANTITIES

C2.1: PRICING ASSUMPTIONS

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 and the Scope of Works.

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 an hourly tariff to perform the work as requested and may include any part of the Scope of Work. The amount of time to be spent on a particular item for each category of employment used to perform the Scope of Works will be agreed upon before work can start. The Bill of Quantities will be used for evaluation purposes while the Form of Offer will be approved for purposes of finalising the final account of the successful service provider.

TIME BASED FEES

Tenderers are to tender hourly rates for three categories of employment defined in clause 4.2 of the Government Gazette.

Category A & B

Individuals that satisfy the criteria and performs the services according to clause 4.2 (2) (b) of the Guideline Scope of Services and Tariff of Fees for Persons registered in terms of the Engineering Profession Act, 2000, (Act No. 46 of 2000) as gazette with rates aligned with Option A 2 Partial Overheads – A 2.1 Mark-up against salary band 13 of the Department of Public Service and Administration Hourly Fee Rates for Consultants, with effect from 1 April 2016.

Category C

Individuals that satisfy the criteria and performs the services according to clause 4.2 (2) (c) of the Guideline Scope of Services and Tariff of Fees for Persons registered in terms of the Engineering Profession Act, 2000, (Act No. 46 of 2000) as gazette with

rates aligned with Option A 2 Partial Overheads – A 2.1 Mark-up against salary band 12 of the Department of Public Service and Administration Hourly Fee Rates for Consultants, with effect from 1 April 2016.

Category D

Individuals that satisfy the criteria and performs the services according to clause 4.2 (2) (d) of the Guideline Scope of Services and Tariff of Fees for Persons registered in terms of the Engineering Profession Act, 2000, (Act No. 46 of 2000) as gazette with rates aligned with Option A 2 Partial Overheads – A 2.1 Mark-up against salary band 10 of the Department of Public Service and Administration Hourly Fee Rates for Consultants, with effect from 1 April 2016.

Time Base Fees will be payable where items 3.3.1 (14): Additional Service, according to the Guideline Scope of Services and Tariff of Fees for Persons registered in terms of the Engineering Profession Act, 2000, (Act No. 46 of 2000), Board Notice 138 of 2015, becomes applicable. The Rate/hour offered for the different Categories needs to be transferred to page C1.2 - Form of Offer.

The quantity reflected in the Bill of Quantities under Time Based fees will only be applicable for evaluation purposes. The Rate will be used as part of the final contract amount.

The agreement for Time-Based Fees shall be in writing and should, if possible, be concluded before such services is rendered.

Percentage increase

The tenderer needs to provide a percentage increase for year two and year three that will be applicable on year one's tender prices. The percentage increase needs to be incorporated into the rates for each category of year 2 and year 3. The quantities mentioned for each year in the B.O.Q. is only for evaluation purposes.

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 quantities indicated in the Bill of Quantities are not real quantities as this will only be used for evaluation purposes.

The Hourly Rate as per Time Based fees for different Categories will be used to calculate the eventual fees payable.

BILL OF QUANTITIES

TIME BASED FEES

ITEM NO	DESCRIPTION	UNIT	QUANTITY	RATE	AMOUNT (Incl. VAT)
A1.1	SECTION D: TIME BASED FEES Tenderers are to tender hourly rates for the following categories of employment defined in clause 4.4 (3) of the Government Gazette. Tendered rates must vary between the values derived at by using the calculation method in clause 4.4 (3)(a) as an upper limit, and the levels shown in brackets below as a lower limit.				
Year 1					
A1.1.1	Category A & B year 1	Hour	100	R	R
A1.1.2	Category C year 1	Hour	200	R	R
A1.1.3	Category D year 1	Hour	50	R	R
Year 2 percentage increase%					
Category A & B year 2		Hour	100	R	R
Category C year 2		Hour	200	R	R
Category D year 2		Hour	50	R	R
Year 3 percentage increase%					
Category A & B year 3		Hour	100	R	R
Category C year 3		Hour	200	R	R
Category D year 3		Hour	50	R	R
SECTION	DESCRIPTION	Page Number			AMOUNT R
A	TIME BASED FEES	C2.2-2			R
TOTAL AMOUNT TO BE USED FOR EVALUATION PURPOSES ONLY.					

The Rates tendered will be used after awarding of tender to determine the contract amount for specific project allocations. Quantities reflected in the Bill of Quantities will only be used for evaluation purposes.

DECLARATION

PART C3: SCOPE OF WORK

PART C.3.1: DESCRIPTION OF WORKS

C.3.1.1 INTRODUCTION AND BACKGROUND

It is the intention of the Cape Winelands District Municipality to procure the services of a suitably qualified and experienced professional service provider to oversee on an as-and-when needed basis the compliance and monitoring (as per Scope of Work) of the regional landfill site on a period ending 30 June 2027.

C.3.1.2 OBJECTIVES OF TENDER

The objective of the tender is for the service provider to assist the Cape Winelands District Municipality in complying with the licence conditions of the Regional Landfill site and assist with items in the Scope of Work as and when needed.

C.3.2 SCOPE OF WORK

The Cape Winelands District Municipality may instruct the appointed Consulting Engineers to assist / execute some of the items as listed below on an as-and-when needed basis:

1. Assistance with the fulfilment of environmental legislative requirements;
2. Asset registers in compliance with GRAP;
3. External auditing of waste management facilities;
4. Attendance of and rendering of expert advice to Monitoring Committee meetings;
5. Supervision of external service providers for operational contracts;
6. Assistance with public awareness interventions as and when needed;
7. Monthly updating and analysis of the municipality's waste data;
8. Annual calculation of budget and tariff projections;
9. Discussions with participating municipalities regarding tariff structure;
10. Assist with waste characterization and analysis;
11. Assist with compiling / updating of the solid waste by law from time to time, to be aligned with legislation or
12. Any other related tasks.

C.3.3 EXTENT OF THE SERVICES

It is important to note that the items to be executed may differ from year to year and not all items might be implemented. When the need exists, the CWDM will instruct the Service Provider to continue with the agreed Scope of Work after a written agreement was reached on the time to be spent on the item as well as the category of employment being used.

C.3.4 EVALUATION OF TENDERS

The quantities mentioned in the B.O.Q. is only for evaluation purposes. The Rates and percentage tendered will be used in the awarding of the tender. A written agreement on the amount of hours and the categories of employment will be reached and the awarded rate will be applicable on the amount of hours agreed upon.