

FOR OFFICIAL USE

Tender No. : _____

Opened By : _____

DATE AND TIME OF OPENING

(Date Stamp)

BUFFALO CITY METROPOLITAN MUNICIPALITY

INVITATION TO BID – SERVICES CONTRACT

NAME OF BIDDER:

EMAIL

ADDRESS: _____

TELEPHONE NO: _____

TENDER NO. COVID – 19/1/2020 – PROVISION AND MANAGEMENT OF VOUCHER SYSTEM AND RECOUPMENT OF THOSE VOUCHERS WITH GROCERIES OF R750.00 PER ALLOCATED BENEFICIARY

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BID NUMBER:	COVID – 19/1/2020
BID VALIDITY PERIOD:	30 days
DESCRIPTION OF BID:	PROVISION AND MANAGEMENT OF VOUCHER SYSTEM AND RECOUPMENT OF THOSE VOUCHERS WITH GROCERIES OF R750.00 PER ALLOCATED BENEFICIARY
BID DOCUMENTS DELIVERY ADDRESS:	ELECTRONIC SUBMISSION EMAILED OR HARD COPIES INSERTED IN THE FORMAL TENDER BOX AT SUPPLY CHAIN MANAGEMENT UNIT 80 PHILLIP FRAME ROAD CHISELHURST EAST LONDON
NAME OF BIDDER:	
CONTACT PERSON:	
EMAIL ADDRESS:	
TELEPHONE NUMBER:	
STREET ADDRESS:	
BIDDER'S STAMP:	

ISSUED BY:	PREPARED BY:
The City Manager c/o Supply Chain Management Unit 80 Phillip Frame Road Chiselhurst East London, 5200	HOD: Executive Support Services Buffalo City Metropolitan Municipality 11 TH Floor, Trust Centre Cnr North & Oxford Streets East London, 5200

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BUFFALO CITY METROPOLITAN MUNICIPALITY

COVID – 19/1/2020

PROVISION AND MANAGEMENT OF VOUCHER SYSTEM AND RECOUPMENT OF THOSE VOUCHERS WITH GROCERIES OF R750.00 PER ALLOCATED BENEFICIARY

PLEASE CHECK

x / √

1. That you have read all the pages of the tender document.
2. That you have completed ALL the forms required to be completed in **NON-ERASEABLE INK**.
3. That your arithmetic calculation in the pricing schedule is correct.
4. That you have attached ALL necessary documentation relating to the composition of the tendering entity, i.e.
 - (a) Company registration documents naming the shareholders and directors / members of the company, close corporation etc
 - (b) Joint venture agreement, if tendering entity is a joint venture.
5. That the **COMPLETE** tender document is submitted.
6. That the **FORM OF OFFER** is completed in full and signed.
7. That ALL returnable documents are submitted.
8. That ALL returnable schedules are completed and signed.
9. Ensure that your tender is submitted by **13H00PM** on the closing date of the tender.

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**THE TENDER
PART 1: TENDERING PROCEDURES**

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1.1 TENDER NOTICE AND INVITATION TO TENDER

TENDER NOTICE

BID NO.:	COVID – 19/1/2020
BID DESCRIPTION:	PROVISION AND MANAGEMENT OF VOUCHER SYSTEM AND RECOUPMENT OF THOSE VOUCHERS WITH GROCERIES OF R750.00 PER ALLOCATED BENEFICIARY
ADVERT DATE / DISTRIBUTION OF SPECIFICATION:	21 APRIL 2020
CLOSING DATE:	23 APRIL 2020
CLOSING TIME:	13:00PM
BRIEFING MEETING DATE & TIME: VENUE:	20-21 APRIL 2020 11H00 CITY HALL
BID DOCUMENTS ARE OBTAINABLE FROM:	Reception Desk Supply Chain Management Unit, BCMM 80 Phillip Frame Road Chiselhurst East London
BID DOCUMENT FEE (NON-REFUNDABLE):	NIL
SUBMISSION OF BIDS:	<u>Formal</u> Tender Box Supply Chain Management Unit, BCMM 80 Phillip Frame Road Chiselhurst East London
TECHNICAL ENQUIRIES:	Name: Mercy Fraser / Andile Xoseka Tel: (043) 705 9296/ 705 9290 Email: mercyf@buffalocity.gov.za / andilex@buffalocity.gov.za
PROCEDURAL ENQUIRIES:	Name: Mercy Fraser / Andile Xoseka Tel: (043) 705 9296/ 705 9290 Email: mercyf@buffalocity.gov.za / andilex@buffalocity.gov.za

NOTE: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE ('persons in the service of the state' as defined in Regulation 1 of the Local Government: Municipal Supply Chain Management Regulations)

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TENDER INVITATION

Buffalo City Metropolitan Municipality invites the submission of bids for PROVISION AND MANAGEMENT OF VOUCHER SYSTEM AND RECOUPMENT OF THOSE VOUCHERS WITH GROCERIES OF R750.00 PER ALLOCATED BENEFICIARY

Only bidders who comply with the requirements of the tender as set out in this document will be eligible for selection.

Bid documents will be available as from the 21 April 2020 via the municipal website www.buffalocitymetro.gov.za/tenders, or per request by bidders.

Due to the nature and urgency of the programme briefing session were held on 20 and 21 April 2020 this therefore does not exclude prospective bidders from bidding.

Sealed tenders endorsed on an envelope clearly bearing the bidder’s name and the bid number, must be deposited in the **FORMAL TENDER BOX** located at the Supply Chain Management Unit, 80 Phillip Frame Road, Chiselhurst, East London or may be couriered or posted to the aforementioned address in sufficient time for it to be deposited in the Tender Box by the closing date and closing time as indicated in the tender advertisement. Electronic submission must be submitted in PDF or scanned copies (which format cannot be altered)

It must be expressly understood that the Municipality accepts no responsibility for ensuring that bid submissions sent by courier or post, or delivered in any other way, are deposited in the Tender Box. It is therefore preferable for the bidder to ensure that its bid submission is placed in the Tender Box by its own staff or representative(s).

The Municipality reserves the right not to accept any tender at all, or to accept the whole or part of any tender.

Should a bidder commit any corrupt or fraudulent act during the bidding process, its tender shall be disqualified.

Late, incomplete or unsigned bids will not be considered. Bidders’ attention is drawn to the General Conditions of Tender which contain the bidding rules and procedures.

The Municipality reserves the right to extend the tender advert period at its own discretion, by notice published in either suitable media; notices and municipal websites.

The invitation and award of this tender is subject to the provisions of the Buffalo City Metropolitan Municipality Supply Chain Management Policy.

CITY MANAGER

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1.2 GENERAL CONDITIONS OF TENDER

BIDDERS ARE REQUIRED TO FAMILIARIZE THEMSELVES WITH THE TENDERING CONDITIONS AND PROCEDURES AS DOCUMENTED BELOW.

1. For the purposes of this bid document, the words 'bidder' and 'tenderer', and 'bid' and 'tender' shall bear the same meaning.
2. 'BCMM,' where referred to in this document means Buffalo City Metropolitan Municipality'.
3. No tender will be considered unless submitted on this BCMM bid document.
4. The whole original bid document, as issued by BCMM must be submitted. A tender will be considered invalid and will not be accepted, if any part of this bid document is not submitted.
5. Bidders must submit one tender offer only, either as a single bidding entity or as a member of a joint venture.
6. Emailed tender submissions will be accepted
7. Any portion of the bid document not completed will be interpreted to be 'not applicable'. Notwithstanding the afore-going, failure to complete any compulsory portion of the bid document will result in the tender being declared non-responsive.
8. Bid submissions must be properly deposited, on or before the closing date and time of the tender, in the **Formal Tender Box** at the BCMM Supply Chain Management Unit situated at 80 Phillip Frame Road, Chiselhurst, East London. Should a bidder's tender submission be too large to fit in the tender, the bidder is required to enquire at the reception desk for assistance.
9. Bid submissions must be enclosed in a sealed envelope, which must be labelled as follows –

Bid No.: COVID – 19/1/2020

Description: provision and management of voucher system and recoument of those vouchers with groceries of R750.00 per allocated beneficiary

Closing date and time: 23 April 2020 at 13h00 pm

Delivery Address: SCM Unit, 80 Phillip Frame Road, Chiselhurst

Email Addresses: mercyf@buffalocity.gov.za / andilex@buffalocity.gov.za

10. BCMM accepts no responsibility for ensuring that tenders are placed in the correct tender box, and should a tender be placed in the incorrect tender box, it will be not be accepted.
11. BCMM reserves the right to accept:
 - 11.1 the whole tender or part of a tender or any item or part of any item, or to accept more than one tender (in the event of a number of items being offered), and BCMM is not obliged to accept the lowest or any tender;
 - 11.2 a tender which is not substantially or materially different from the tender specification.
12. BCMM shall not consider bids that are received after the closing date and time, as specified in the tender advertisement.
13. BCMM will not be held responsible for any expenses incurred by bidders in preparing and submitting their bids.
14. BCMM may, after the tender closing date, request clarification from a bidder, of its bid offer. Such request for clarification must be in writing.
15. A bid may be rejected as non-responsive if the bidder fails to provide any clarification requested by BCMM within the timeframe provided in the written request for such clarification. Note - a bid may be rejected as non-responsive for failure to provide clarification, where the failure to provide such clarification will render it impossible to complete the evaluation and/or adjudication of the bid.
16. A bidder may request in writing, after the closing date, that its bid offer be withdrawn. Such withdrawal will be permitted or refused at the bidder in such written request for withdrawal.

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17. The bid must be signed by a person duly authorised to do so.
18. Bids submitted by joint ventures, consortia, partnerships shall be accompanied by a joint venture, consortium or partnership agreement, in which it is defined precisely the conditions under which the joint venture, consortium or partnership will function, its period of duration, the persons authorised to represent and obligate it, the participation of the several firms of which it is formed, and any other information necessary to permit a full appraisal of its functioning.
19. **Tender Briefing Meeting**
- Due to the nature and urgency of the programme briefing session were held on 20 and 21 April 2020 this therefore does not exclude prospective bidders from bidding.

20. **Tender Evaluation**

20.1 Bids will be evaluated in accordance with the tender evaluation criteria set out in the tender data.

21. **Test for Responsiveness**

21.1 **Invalid Bids**

Bids shall be invalid if:

- (a) The bid submission is not sealed when deposited into the tender box.
- (b) The bid is not completed in non-erasable ink.
- (c) The form of offer has not been completed and signed by the bidder.
- (d) In a two-envelope system, a bidder fails to submit both a technical proposal and a separate, sealed financial offer.
- (e) The bidder has been listed on the National Treasury’s Register for Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act, No. 12 of 2004, or has been listed on the National Treasury’s List of Restricted Suppliers and who is therefore prohibited from doing business with the public sector.
- (f) The bidder is prevented from doing business with BCMM in terms of Regulation 38 and 44 of the Supply Chain Management Regulations (MFMA).

21.2 **Non-responsive Bids**

Bids will be declared as non-responsive and eliminated from further evaluation in the following circumstances –

- (a) The bid does not comply with the tendering procedures, where such procedures have been indicated as mandatory.
- (b) The bid has not complied with the tender evaluation criteria as indicated in the tender data.
- (c) Where there are material deviations from, or qualifications to the bid, which in BCMM’s opinion would –
 - (i) detrimentally affect the scope, quality or performance of the services or supply identified in the scope of services;
 - (ii) significantly change BCMM’s or the bidder’s risks and responsibilities under the contract, or
 - (iii) affect the competitive position of the bidder, or other bidders presenting responsive bid, if it were to be rectified.
- (d) The bid will be declared non-responsive if the bidder fails to adhere to a written request (within the specified period set out in such request) to –

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- (i) comply with the general conditions applicable to tenders as contained in the BCMM Supply Chain Management Policy;
 - (ii) Complete and/or sign any declarations and/or authorisations;
 - (iii) Submit items 2 - 4 of the list of returnable documents in Part 2 (section 2.1) of this bid document.
 - (iv) Submit its tax compliance status, company registration documents, and ID documents of directors, where BCMM is unable to verify such documents on the Central Supplier Database.
- (e) The bid will be declared non-responsive in the event that the bidder's tax matters, as verified on the government Central Supplier Database, are shown not be in order, and the bidder fails to ensure that its tax matters are in order within such timeframe as may be required by BCMM in writing.

22. Clarification of bid offer after submission

The bidder must provide clarification of its bid offer in response to a request to do so from BCMM during the bid evaluation stage. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of bidders or substance of the bid offer may be sought, offered, or permitted.

23. Provide other material

The bidder shall provide, on request by BCMM, any other material that has a bearing on the bid offer, or the bidder's commercial position, which are considered necessary by BCMM for the purpose of a full and fair risk assessment. Should the bidder not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in BCMM's request, BCMM may regard the bid offer as non-responsive.

24. Inspections, tests and analysis

The bidder shall, at the request of BCMM, provide access during working hours to its business premises, or any other specified premises, for any inspections, tests and analyses as required in the tender data.

25. Securities, bonds, policies, et cetera

If required, the tenderer must submit for BCMM's acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required.

26. Pricing the bid offer where applicable

Bidders must –

- 26.1 Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except Value Added Tax (VAT), and other levies payable by the successful tenderer, such duties, taxes and levies being those applicable 14 days before the closing time stated in the tender data.
- 26.2 Show VAT payable separately as an addition to the total bid price.
- 26.3 Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data.
- 26.4 State the rates and prices in Rand unless instructed otherwise in the tender data. The conditions of contract in the contract data may provide for part payment in other currencies.

27. Imbalance in tendered rates / arithmetical errors where applicable

- 27.1 In the event of tendered rates or lump sums being declared by BCMM to be unacceptable to it because they are either excessively low or excessively high or not in balance with other rates or lump sums, the bidder may be required to produce evidence and advance arguments in support of the tendered rates or lump sums objected to.

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- 27.2 If after submission of such evidence and any further evidence requested, BCMM is still not satisfied with the tendered rates or lump sums objected to, it may request the bidder to amend these rates and lump sums along the lines indicated by it.
- 27.3 The bidder will then have the option to alter and/or amend the rates and lump sums objected to and such other related amounts as are agreed on by BCMM, but this shall be done without altering the total tender offer as tendered for.
- 27.4 Should the bidder fail to amend his bid offer in a manner acceptable to BCMM, BCMM may reject the bid.

28. Bid validity period

- 28.1 Any bid submitted shall remain valid, irrevocable and open for written acceptance by BCMM for a period of 30 (thirty) days from the bid closing date or for such extended period as may be applicable.
- 28.2 If the bid validity period expires on a Saturday, Sunday or public holiday, the bid offer shall remain valid and open for acceptance until the closure of business on the following working day.
- 28.3 The bid offer may not be amended during the aforesaid bid validity period.
- 28.4 In the event that an appeal in terms of the Municipal Systems Act No. 32 of 2000, is received, the validity period of the bid shall be deemed to be extended until the finalisation of the appeal; unless the bidder has requested in writing that its bid be withdrawn. The provisions in respect of withdrawal as set out in clause 16 above will apply to such withdrawal.

29. Tax compliance status

- 29.1 No award shall be made to a person whose tax matters have not been declared to be in order by the South African Revenue Service (SARS).
- 29.2 Bidders are therefore required to ensure that they are tax compliant with SARS and that their tax compliance status is accessible on the Central Supplier Database, or that their tax clearance certificate is submitted to BCMM upon request.
- 29.3 Each party to a consortium, joint venture or partnership must comply with 29.1 and 29.2 above.

30. Inducements, rewards, gifts and other abuses of the Supply Chain Management System

- 30.1 No bidder may directly or indirectly commit any fraudulent act during the tender process or abuse the supply chain management system of BCMM.
- 30.2 Should a bidder be found to have committed fraud or abused the supply chain management system, its bid will be rejected, any existing contract between it and BCMM will be cancelled, and any other remedies available to BCMM as provided for in the Supply Chain Management Regulations or other relevant legislation shall be imposed, including blacklisting.

31. Declarations and authorisation

- 31.1 Only authorised signatories may sign the original or all copies of the Tenderer's tender submission.
- 31.2 Failure of a tenderer to provide a representation indicating its authorised signatory for the tender may result in the tender offer being regarded as non-responsive.

32. Samples

If it is specified in the tender data that bidders are required to provide samples, these shall be provided strictly in accordance with the instructions set out in the tender data.

33. Alternative offers

Alternative offers may be considered, provided that a bid free of qualifications and strictly in accordance with the bid document is also submitted. BCMM shall not be bound to consider alternative bid offers.

34. Alterations to bid document

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Bidders may not make any alterations or additions to the bid document, except to comply with instructions issued by BCMM, or as are necessary to correct errors made by the bidder. All signatories to the bid shall initial all such alterations.

35. Objections, Complaints, Queries and Disputes / Appeals in terms of Section 62 of the Systems Act

35.1 Objections, complaints, queries and disputes

Persons aggrieved by decisions or actions taken by BCMM in the implementation of the supply chain management system, or any matter arising from a contract awarded in terms of the supply chain management system may, within 14 days of the decision or action, lodge a written objection or complaint or query or dispute against the decision or action.

35.2 Section 62 Appeals

(a) In terms of section 62 of the Systems Act, a person whose rights are affected by a decision taken by a political structure, political office bearer, councillor or staff member of a municipality in terms of a power or duty delegated or sub-delegated by a delegating authority, may appeal against that decision by giving written notice of the appeal and reasons to the Accounting Officer within 21 days of the date of notification of the decision.

(b) An appeal shall contain the following:

- (i) The reasons and/or grounds for the appeal;
- (ii) The manner in which the appellant's rights have been affected;
- (iii) The remedy sought by the appellant.

35.3 Lodging of appeals, objections, complaints, queries and disputes relating to this tender

Appeals, objections, complaints, requests for information, queries and disputes must be submitted in writing to the Office of the Municipal Manager, 10th Floor, Trust Centre Building, Cnr of Oxford & North Streets, East London, OR by email, thandokazin@buffalocity.gov.za .

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1.3 TENDER DATA

The tender data below qualify, or are in addition to the general conditions of tender. In the event of any ambiguity or inconsistency between the general conditions and the tender data, the latter shall have precedence.

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

The tender data, the general conditions of tender, and the returnable schedules are only required for tender evaluation purposes, and shall not form part of any contract arising from the invitation to tender.

General conditions of Contract Clause	Tender data
Clause 14 CLARIFICATION OF BID SUBMISSION	Where a bidder is requested to provide additional information or clarification of its submission, this shall not be an opportunity for the bidder to bolster its submission in any way, so as to afford it an unfair competitive advantage.
Clause 17 AUTHORITY OF SIGNATORY	The bidding entity must submit a letter of authority on its letterhead authorising the signatory to this tender to sign all documents in connection with the tender, and any contract which may arise therefrom, on behalf of the bidding entity. The letter of authority must be attached to SCHEDULE A of this document.
Clause 19 TENDER BRIEFING MEETING	A tender briefing session will be held as follows: Date: 20 – 21 April 2020 Time: 11: 00 am Venue: City Hall Auditorium
Clause 20.1 TENDER EVALUATION	Tenders will be evaluated in accordance with the evaluation criteria as set out on page 15 hereto.
Clause 20.2 PREFERENTIAL POINTS ALLOCATION SYSTEM	To avoid contravening the COVID 19 regulations with regards to the numbers converging in one area the allocation of work will be distributed according to the evaluation criteria only and therefore disregarding the point system that is usually applied.
Clause 21.1 (d)	The two-envelope system does not apply to this tender.
Clause 24	Shop inspection may be done by the municipality at its discretion to verify the submission.

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INSPECTIONS, TESTS AND ANALYSES	
Clause 33 SAMPLES	No samples will be required for this tender.
Clause 34 ALTERNATIVE OFFERS	No alternative offers shall be considered.

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TENDER EVALUATION CRITERIA

EVALUATION CRITERIA

Documentary evidence should form part of the service providers submission in order to assess the capacity of the prospective service providers.

- Proof of capacity and experience of service providers in supplying groceries to customers as per the following categories:
 - Category A: R 800 000.00 annual turnover;
 - Category B: R 2 000 000.00 annual turnover;
 - Category C: R 5 000 000.00 annual turnover; and
 - Category D: R 10 000 000.00 or above annual turnover
- Proof of minimum stock levels maintained at year end as per the following categories:
 - Category A: R 100 000.00 minimum stock level;
 - Category B: R 500 000.00 minimum stock level;
 - Category C: R 1 000 000.00 minimum stock level;
 - Category D: R 5 000 000.00 minimum stock level
- Number of years the business is operating:
 - Category A: Minimum of 1 year in business;
 - Category B: Minimum of 2 years in business;
 - Category C: Minimum of 2 years in business;
 - Category D: Minimum of 2 years and above in business
- Proof of business registration with a recognised professional body will be an added advantage
- Ability to provide a secure voucher system that can be used for the purpose of rolling out this program in line with what is covered in the Scope of Work. Ability to provide for the recoument of the issued vouchers through groceries.
- Ability to maintain an orderly queuing system that complies with the COVID-19 regulations pertaining to social distance; sanitation and provision of PPE where applicable.

In order to evaluate service provider's submission, the following information must be provided:

1. Company Registration documents and Certificate of Company's Membership with a Professional Body indicating the **number of years** registered **must be provided** for evaluation purposes.
2. Signed Company's latest annual financial statements that must not be older than 2 years from 21 April 2020. If annual financial statements are not available, service providers to submit signed latest management accounts not older than 6 months.

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3. Proposed methodology of managing the issuing of vouchers and its recoupsments with groceries within the same store.
4. Proposed methodology of ensuring and maintaining adherence to COVID 19 requirements pertaining to social distance; sanitation, maintaining acceptable levels of numbers and provision of PPE where applicable.

In order to qualify to participate in the programme the service provider must meet all the above requirements. Service providers that fail to submit the above proof will not be considered to participate in this programme.

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**THE TENDER
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2.1 RETURNABLE DOCUMENTS

Bidders are required to submit the documentation listed below together with their bid submissions.

NO.	RETURNABLE DOCUMENT	AVAILABLE (TICK ✓)
1.	Original or certified copy of BBBEE certificate or sworn affidavit; if points are claimed (a copy of a certified certificate will not be accepted) Note: failure to submit with the bid submission, a valid BBBEE certificate or sworn affidavit in the case of EMEs and QSEs, will result in an automatic score of zero being allocated for BBBEE status level.	
1.1	A sworn affidavit confirming annual total revenue and level of black ownership, if bidder is an Exempted Micro Enterprise (EME) or Qualifying Small Enterprise (QSE)	
1.2	Original or certified copy of BBBEE certificate, if bidder is a Trust, Joint Venture or Consortium that is a legal entity	
1.3	Original or certified copy of consolidated BBBEE scorecard, if bidder is a Trust, Joint Venture or Consortium that is an unincorporated entity	
2.	Certified copy of Joint Venture or Consortium Agreement; if bidder is a Joint Venture or Consortium	
3.	Original Municipal debt clearance certificate / bidders' business premises lease agreement.	
4.	Audited annual financial statements for previous 3 years (if tender value exceeds R10 million)	

In the event that the bidding entity is a joint venture, consortium, or partnership, each partner must supply the above information.

NOTE:
BIDDERS' TAX COMPLIANCE STATUS, COMPANY REGISTRATION DOCUMENTATION, AND IDENTITY DOCUMENTS (DIRECTORS) WILL BE VERIFIED BY BCMM ON THE GOVERNMENT CENTRAL SUPPLIER DATABASE. THEREFORE BIDDERS ARE REQUIRED TO ENSURE THAT THEY ARE REGISTERED ON THE DATABASE ON SUBMISSION OF THEIR BID.

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PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
2. TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4	FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
2.5	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.6	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.7	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO
<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>	

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

DECLARATION OF INTEREST

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

3.1 Full Name of bidder or his or her representative:.....

3.2 Identity Number:
.....

3.3 Position occupied in the Company (director, trustee, shareholder²):
.....

3.4 Company Registration Number:
.....

3.5 Tax Reference Number:
.....

3.6 VAT Registration Number:
.....

3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state? **YES / NO**

3.8.1 If yes, furnish particulars.....
.....

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;

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

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

3.9 Have you been in the service of the state for the past twelve months?**YES / NO**

3.9.1 If yes, furnish particulars.....

.....

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.10.1 If yes, furnish particulars

.....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?.....**YES / NO**

3.11.1 If yes, furnish particulars.....

.....

3.12 Are any of the company’s directors, trustees, managers, principle shareholders or stakeholders in service of the state?.....**YES / NO**

3.12.1 If yes, furnish particulars.....

.....

3.13 Are any spouse, child or parent of the company’s directors, trustees, managers, principle shareholders or stakeholders in service of the state?.....**YES / NO**

3.13.1 If yes, furnish particulars.....

.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

business whether or not they are bidding for this contract.

YES / NO

3.14.1 If yes, furnish particulars.....

.....

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED)

For all procurement expected to exceed R10 million (all applicable taxes included), bidders must complete the following questionnaire:

NO.	QUESTION	ANSWER (TICK WHICH RESPONSE IS APPLICABLE)	
		YES	NO
1.	Are you by law required to prepare annual financial statements?		
1.1	If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the last 3 years.		

NO.	QUESTION	ANSWER (TICK WHICH RESPONSE IS APPLICABLE)	
		YES	NO
2.	Do you have any outstanding undisputed commitments for municipal services towards any municipality for more than 3 months or any other service provider in respect of which payment is overdue for more than 30 days?		
2.1	If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards any municipality for more than 3 months or other service provider in respect of which payment is overdue for more than 30 days.		
2.2	If yes, provide details:		

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SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

NO.	QUESTION	ANSWER (TICK WHICH RESPONSE IS APPLICABLE)	
		YES	NO
3.	Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract?		
3.1	If yes, provide details:		

NO.	QUESTION	ANSWER (TICK WHICH RESPONSE IS APPLICABLE)	
		YES	NO
4.	Will any portion of the goods of services be sourced from outside the Republic, and if so, what portion, and whether any portion of payment from the municipality is expected to be transferred outside of the Republic?		
4.1	If yes, provide details:		

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

CERTIFICATION

I, THE UNDERSIGNED (NAME)

.....
CERIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS THIS DECLARATION PROVE TO BE FALSE.

.....
Signature Date
.....
Position Name of Bidder

1. BID DECLARATION

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

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

2.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

3. SUB-CONTRACTING

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

(Tick applicable box)

YES	NO
-----	----

3.1.1 If yes, indicate:

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

ii) The name of the sub-contractor.....

iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	NO
-----	----

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

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SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

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

4. DECLARATION WITH REGARD TO COMPANY/FIRM

4.1 Name _____ of
company/firm:.....

4.2 VAT _____ registration
number:.....

4.3 Company _____ registration
number:.....

4.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

4.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

4.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

4.7 MUNICIPAL INFORMATION

Municipality where business is situated:

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

.....
Registered Account Number:

Stand Number:.....

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

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

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

WITNESSES	
1.
2.

.....	
SIGNATURE(S) OF BIDDERS(S)	
DATE:

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

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"/>

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

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

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

.....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS 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

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

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.

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

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:

Buffalo City Metropolitan 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

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

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- 6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.

- 7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.

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

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

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

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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

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

**THE CONTRACT
PART 1: SCOPE OF SERVICES**

CONTENTS

1.1 SCOPE OF THE SERVICES REQUIRED

Purpose of the Programme

The purpose of the programme is to procure service providers to provide vouchers system for food parcels and recoument of those vouchers through groceries to Buffalo City Metropolitan Municipality households that are beneficiaries of the programme.

Background

On Sunday 15 March 2020, President of South Africa announced the declaration of national state of disaster following the World Health Organisation declaring COVID – 19 outbreak as a pandemic as well as measures that must be implemented by the national. Buffalo City Metropolitan Municipality (BCMM) has made funding available to assist communities by providing groceries with particular focus on poor and needy households. BCMM Supply Chain Management Unit intends to appoint service providers that are registered supermarkets to supply a voucher system for food parcels and recoument of the vouchers through groceries to the households that are selected by the municipality as beneficiaries of the programme within the BCMM boundaries.

SERVICES REQUIRED

In general terms the services to be provided will cover provision and management of voucher system as well as grocery items that will be supplied by means of recouping vouchers of qualifying households within the 50 wards of BCMM. Each ward will be allocated R600 000 and this amount will be divided among the 800 households within that ward. The service provider will be given a list of households / beneficiaries (including their South African Identity Numbers) that have been selected through the municipality's set criterion. The service provider will be required to issue each household / beneficiary with a unique voucher amounting to R750. Each voucher will be expected to be recouped in the same supermarket that issued the voucher on the 24th of April up to 2020. Failure to recoup the voucher on these dates would result in the voucher expiring and longer no redeemable.

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The Voucher may not be exchanged for cash. No other items may be purchased with this voucher except groceries items that have been banned under lockdown such as alcohol and tobacco must also not be purchased through this Voucher.

The service provider will be allocated a number of beneficiaries and be provided with a list of their names; surname and identity numbers which will be expected to provide a voucher system for managing that list.

The beneficiaries will claim their vouchers in the allocated stores through presenting themselves with their identity documents for verification at the store once verified beneficiary must be issued with a voucher of R750 voucher which must be used for shopping at the store. The voucher cannot be used for cash, the voucher is not transferable, the voucher must fully used. The store must keep record and proof in order to claim.

The programme or the allocated list of beneficiaries must be provided in order to obtain vouchers and be allowed to recoup them between the period of 24 April up to 3 May 2020.

For all the claimed redeemed vouchers the store must submit a formal invoice to BCMM with all the supporting documentation. BCMM undertakes to pay the Service Provider within seven days from the date of receiving the invoice.

OBSERVATION OF COVID-19 REGULATIONS

It is the responsibility of the participating Supermarkets to observe all the Regulations applicable during the Lockdown including but not limited to the following:

- Social Distancing
- Sanitization (of the voucher recipients and trolleys)
- Observing the number of buyers that come into the shop at a given time.
- Providing a safe buying environment and vigilance against any criminal elements that could affect the identified beneficiaries, some of which might be extremely vulnerable (extra security measures must be well outlined in the proposal).

Any other social responsibility and act of goodwill will be considered as extra advantage and the costs thereof will be borne by the Supermarket

- Provision of cloth masks
- Provision of sanitizers
- Provision of any other items deemed necessary by the needy households such as airtime, paraffin or electricity voucher, etc.

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CANCELLATION OF PARTICIPATION

Any Supermarket that is found to have increased its prices for purposes of exploiting the process of providing groceries to the needy will be referred to the Competition Commission for urgent investigation and will be fined heavily. The Commission has identified a significant and disturbing increase in prices at several fresh produce markets across South Africa for many basic food items since the state of disaster was announced. Furthermore, in some cases we have seen even larger increases from market traders to retail customers, suggesting trading margins have been increased. This has already prompted an investigation of traders at one fresh produce market for potential price gouging.

The Metro reserves the right to cancel the contract should the following be established during the roll-out:

- Drastic and unexplainable increase in prices of the food items
- Non-compliance with COVID-19 Regulations

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THE CONTRACT
PART 3: AGREEMENT AND CONTRACT DATA

CONTENTS

3.1	Form of Offer and Acceptance
3.2	Contract Data

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3.1 FORM OF OFFER AND ACCEPTANCE

PART 1 (OFFER TO BE COMPLETED BY THE BIDDER)

1. Buffalo City Metropolitan Municipality has solicited offers to enter into a contract for the procurement of:

PROVISION AND MANAGEMENT OF VOUCHER SYSTEM AND RECOUPMENT OF THOSE VOUCHERS WITH GROCERIES OF R750.00 PER ALLOCATED BENEFICIARY

2. I, the Bidder, hereby undertake to render the services described in the attached bidding documents to BCMM in accordance with the requirements, task directives and specifications stipulated in bid number **COVID – 19/1/2020** at the terms that are in this bid document using the methodology that are in my submission responding to this tender. My offer/s shall remain binding upon me and open for acceptance by BCMM during the bid validity period indicated and calculated from the closing time of bid.

3. The following documents shall be deemed to form and be read and construed as part of this Agreement:

- (i) This Bid document, namely -
 - The Scope of Work
 - The Bidders Methodology for rolling out the grocery voucher programme;
 - The Contract Data;
 - This Form of Offer & Acceptance;
- (ii) Bidder’s Tender Proposal;
- (iii) The Special Conditions of Contract;
- (iv) The General Conditions of Contract; and
- (v) Any Service Level Agreement that may be concluded by the appointed bidder and BCMM.

4. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted (where applicable) cover all the services specified in the bidding documents; and that the price(s) and rate(s) (where applicable) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) (where applicable) and calculations will be at my own risk.

5. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

6. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

7. I confirm that I am duly authorized to sign this contract.

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

The **TOTAL BID PRICE** (where applicable)

.....

.....

..... Rand

(in words); R (in figures)

This offer may be accepted by the authorised BCMM representative 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 conditions, whereupon the tenderer becomes the party named as the appointed service provider in terms of the conditions of contract identified in the contract data.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES:	
1
2
DATE:

FAILURE BY THE BIDDER TO COMPLETE THIS FORM IN ITS ENTIRETY INCLUDING SIGNING THE FORM, SHALL DISQUALIFY THE BIDDER'S BID.

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

PART 2 (ACCEPTANCE TO BE COMPLETED BY BCMM)

By signing this part of this form of offer and acceptance, BCMM accepts the bidder's offer. In consideration thereof, BCMM shall pay the appointed service provider the amount due in accordance with PART 1 of this offer and acceptance. Acceptance of the bidder's offer shall form an agreement between BCMM and the bidder upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

1. I..... in my capacity as accept your bid under reference number dated..... for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

DATE:

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS

3.1 CONTRACT DATA

GENERAL CONDITIONS OF CONTRACT

The contract will be administered in terms of the **General Conditions of Contract 2015** as issued by National Treasury.

A copy of the General Conditions of Contract is not attached to this bid document, but is specifically incorporated herein. The GCC may be obtained from the National Treasury website – www.treasury.gov.za .

SPECIAL CONDITIONS OF CONTRACT

The successful bidder will be required to enter into a service level agreement with BCMM.

-End-

DEPARTMENT REPRESENTATIVE INITIALS	DEPARTMENT WITNESS INITIALS

SERVICE PROVIDER REPRESENTATIVE INITIALS	SERVICE PROVIDER WITNESS INITIALS