SECTION A

Invitation to Tender – 100007268
uMngeni Local Municipality
Advertisement for the Appointment of Suitable and capable service providers are invited to bid for the: **Appointment of a service provider for the Digitization of Business plans. Providing a digital submission and storage system for the building plans.**
The municipality reserves the right to:

- not award this bid;
- not award the cheapest proposal; and
- to cancel the bid

Collection of Bid Documents

Tender documents will be made on municipal website:
https://www.umngeni.gov.za/documents/?category=quotations printable at bidder's own cost.

Compulsory Briefing Session

The briefing session will be held as follows:	
Date:	**10 February 2025**
Venue:	**Umngeni Municipality Finance Foyer**
Time:	**10h00 AM**
Site to be visited:	**N/A**

Evaluation Criteria
This tender will be evaluated based on the following criteria:

1. Administrative Compliance
2. Price and Preference Points
3. Functionality

Queries relating to the issue of these documents may be addressed to **Nkosikhona Mchunu** Tel. No. (033) 239 8313: e-mail nkosikhona.mchunu@umngeni.gov.za

Queries relating to the technical issue of these documents may be addressed to **Siyabonga Ngcobo** Tel. No (033) 239 8352: e-mail siyabonga.ngcobo@umngeni.gov.za

The closing date and time for receipt of Quotation is **the 13 February 2025** at **12h00.** Telegraphic, telephonic, telex, emailed, facsimile, and late quotation will not be accepted.

SERVICE PROVIDER'S DETAILS

Name of Service Provider:	
Contact Person:	
Quoted Amount	

MBD1

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE uMNGENI LOCAL MUNICIPALITY					
BID NUMBER:	**100007268**	**CLOSING DATE:**	**13 February 2025**	**CLOSING TIME:**	**12H00**
DESCRIPTION	**Appointment of a service provider for the Digitization of Business plans. Providing a digital submission and storage system for the building plans.**				

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT

CORNER OF SOMME AND DICKS STREET
HOWICK
3290

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE			NUMBER	
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE			NUMBER	
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		**OR**	CSD No:	

(SPECIFIC GOALS MUST BE COMPLIED WITH, TO CLAIM PREFERENCE POINTS)

TOTAL NUMBER OF ITEMS OFFERED		**TOTAL BID PRICE**	**R**
SIGNATURE OF BIDDER	……	**DATE**	
CAPACITY UNDER WHICH THIS BID IS SIGNED			

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		**TECHNICAL INFORMATION MAY BE DIRECTED TO:**	
DEPARTMENT	Finance	DEPARTMENT	EDP
CONTACT PERSON	Mr Nkosi Mchunu	CONTACT PERSON	Mr Siyabonga Ngcobo
TELEPHONE NUMBER	033 239 8313	TELEPHONE NUMBER	033 239 8352
FACSIMILE NUMBER	N/A	FACSIMILE NUMBER	N/A
E-MAIL ADDRESS	Nkosikhona.mchunu@umngeni.gov.za	E-MAIL ADDRESS: Siyabonga.ngcobo@umngeni.gov.za	

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, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
2.	**TAX COMPLIANCE REQUIREMENTS**
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4	FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
2.5	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.6	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.7	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
3.	**QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO
	IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.

SIGNATURE OF BIDDER:……..

CAPACITY UNDER WHICH THIS BID IS SIGNED: ……..

DATE:…….....

PRICING SCHEDULE
(SERVICES)

Name of Bidder…… Bid Number…….....

Closing Time …….. Closing Date ..……

OFFER TO BE VALID FOR **120 DAYS** FROM THE CLOSING DATE OF BID.

Appointment of a service provider for the Digitization of Business plans. Providing a digital submission and storage system for the building plans.

Item No.	Description	Quantity	Price Per Unit	Total For Items
1.	THE APPOINTMENT OF A SERVICE PROVIDER FOR THE DIGITIZATION OF BUILDING PLANS	6000	Ecxl.VAT	Ecxl.VAT
	VAT AT 15%			
	GRAND TOTAL (BID PRICE IN RSA CURRENCY WITH ALL APPLICABLE TAXES INCLUDED)			Incl. VAT
AMOUNT IN WORDS				

I (full name)_____, in my capacity as _____, the duly authorized representative of _____(business name) hereby declares that the offer is in accordance with the attached specification, notes to suppliers & accepts all conditions/clauses contained in the said documents.

Signature of duly authorised representative _____ Date: _____

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state[1].

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, hareholder[2]):……..

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. ….……

……..

'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.

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.……..……..
……

.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 business whether or not they are bidding for this contract. **YES / NO**

3.14.1 If yes, furnish particulars:

……
……

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

Full Name	Identity Number	State Employee Number

…….. ……..

Signature **Date**

……. ……

Capacity **Name of Bidder**

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

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, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.

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1. GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

a) The applicable preference point system for this tender is the 90/10 preference point system.

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

c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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) **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

(d) **"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

(e) **"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 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest 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 (80/20 system) (To be completed by the organ of state)**	**Number of points claimed (80/20 system) (To be completed by the tenderer)**
Companies owned by at least 51% people who are youth (CSD will be used for verification)	**05**	
Bidder must be from uMngeni Local municipal area. Bidder must attach proof (utility bill/ lease agreement/ proof of residence and sworn affidavit)	**15**	
Total Points Allocated to Specific Goals	**20**	

5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1 Name of company/firm…….

5.2 Company registration number: ……...

5.3 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]

5.4 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.

……
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME: ……
DATE: ……

ADDRESS: ……

……

……
……

CONTRACT FORM – RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)…… in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number…….. at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid .

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

   (i) Bidding documents, *viz*
   - Invitation to bid;
   - Tax clearance certificate;
   - Pricing schedule(s);
   - Filled in task directive/proposal;
   - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
   - Declaration of interest;
   - Declaration of bidder's past SCM practices;
   - Certificate of Independent Bid Determination;
   - Special Conditions of Contract;

   (ii) General Conditions of Contract; and
   (iii) Other (specify)

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

4. 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.

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

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

NAME (PRINT) ……

CAPACITY ……

SIGNATURE ……

NAME OF FIRM ……

DATE ……

WITNESSES

1 ……

2 ……

CONTRACT FORM – RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

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 delivery 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:……..

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1 This Municipal Bidding Document must form part of all bids invited.

2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3 The bid of any bidder may be rejected if that bidder, or any of its directors have:

a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
b. been convicted for fraud or corruption during the past five years;
c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the *audi alteram partem* rule was applied). **The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.**	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? **The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.**	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		

Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.7.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME) ……..……..……

CERTIFY THAT THE INFORMATION FURNISHED ON THIS

DECLARATION FORM TRUE AND CORRECT.

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

……... **……..**

Signature **Date**

……. **……..**

Position **Name of Bidder**

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This Standard Bidding Document (MBD) must form part of all bids[1] 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 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:

a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.

b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that 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:

_____

(Name of Institution)

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

I certify, on behalf of:_____that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

    (a) has been requested to submit a bid in response to this bid invitation;
    (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
    (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium[3] 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

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.

TERMS OF REFERENCE

PROJECT DESCRIPTION: SCANNING BUILDING PLANS AND LINKING WITH GIS



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1. INTRODUCTION

The uMngeni Municipality Building Control Section needs to convert all its documents from paper copies into digital copies to reduce its filing space and to securely store the documents and drawings. This process is proposed to take place in two phases. First all the documents to be scanned and stored in folders and then later, not part of this first phase, a system will need to be developed to manage the files and allow building plans to be submitted online digitally, circulated to departments as well as providing access to the files and folders that will be created in the first phase. The correct computer equipment, computers, large screens, scanner, and printers will need to be budgeted for and purchased.

2. PURPOSE OF THE PROJECT

It is safer to keep important documents computerised than keeping hardcopies that can be lost or misplaced in one way or the other. Therefore, the purpose of the project is to develop a dataset that will have building plans data as per the submissions and approvals of building plans. These plans should be linked to the GIS system, to make it easy to identify properties with or without building plans.

3. OBJECTIVES OF THE PROJECT

The main objective of the project is to seek a qualified and experienced service provider to assist the uMngeni Municipality, with the scanning of all the building plans and link them to the GIS dataset and present them spatially.

4. ROLE OF SERVICE PROVIDER

There are approximately 6000 properties in uMngeni municipality that will need to be scanned. These generally each will have a building plan file. The following will need to be considered:

- Some properties have multiple building plan files such as the retirement villages which can have as many as 800 units.
- The size of the files vary greatly depending on the extent of the development and the number of alterations that have been made. This makes it very difficult to know how many documents and plans will have to be scanned.
- The documents differ in size from A4 application documents and correspondence the building plans range from A3, A2 and A1 with some A0 plans. The files tend to look larger than they really are because they are containing folded plans in them, and some contain multiple copies of the same plan. Generally, two copies are retained in each file.
- Preparation of the documents and excluding duplicates.
- The scanning will have to be done at a resolution that is high enough to allow the building inspectors to zoom in to portions of large drawings and still see the detail. A4 documents could be at a lower resolution.
- Most A4 documents could be scanned as grayscale or black and white but some of the drawing will need to be in colour.

- It seems that the best format for the documents will be as pdf files.
- In the event of scans not being straight they will need to be corrected or deskewed. A quality control system should be done to ensure good standards are maintained.
- The Municipality has a Geographic Information System section and so will be able to provide a unique number for each property (i.e. 21-digit Surveyor General Code) and in the case of sectional title properties for each unit. (i.e. 26-digit Surveyor General Code).

4.1. SCOPE OF WORK

The service provider will be responsible for:

- Collecting building plans from uMngeni Local Municipality.
- Organising and separating Building Plans and documents in the file.
- Scanning of all Building Plans.
- Create a building plan dataset in GIS and link all the scanned building plans.
- Transfer of skills to relevant users.
- Training of the users and manual.

4.2. PROJECT DURATION AND TIMEFRAMES

The project time frame will be Four (4) months from the date of appointment of the service provider.

The project proposal must contain the following:

- Clear project methodology and planning process to be followed.
- Clear time frames for the project
- Clear project budget aligned to the tasks or activities.
- Comprehensive company profile and contact person to be responsible for the project, names, qualifications, and experience of all professionals that will be part of the project and further indicate if some consortium will be formed.

4.3. PROJECT DELIVERABLES

At the end of the project, the service provider will be required to submit the following:

- A detailed and comprehensive project close-out report.
- Hard drive (Disc or USB) with shapefile/feature class of the building plan dataset.
- 4 x A1 Laminated map showing the work done within uMngeni Municipality.

4.4. STAKEHOLDERS CONSULTATION

Through consultation between the service provider and the Municipality, the service provider will provide technical guidance, while the Municipality will be responsible for undertaking the stakeholder consultation, as it is a vital component when establishing a Project Steering Committee.

4.5. PROJECT MANAGEMENT

The service provider may appoint the services of other consultants or sub-contractors, the appointed service provider will take full responsibility of the work of the sub-contractors or consultants. The project is to be co-ordinated and managed by an

operational team, comprising the Municipal Officials as well as the appointed service provider.

5. EDUCATION AND CAPACITY BUILDING

The appointed service provider will be required to transfer skills and share knowledge on this nature of the exercise with the relevant officials and management from the Municipality for the duration of the project.

6. REPORTING MECAHNISM

It is expected that progress reports be presented monthly to the Director: Economic Development Planning and Human Settlements for comments and inputs. The Project Manager has the right to change the frequency of reporting as and when necessary. Reporting process will be in both written and presentation format on the following phases of the project:

- Inception report
- Progress Report
- Capacity building and skills transfer report.
- Final close-out report

7. TENDER BRIEFING

There will be a compulsory brief meeting held at the uMngeni Municipality Finance Foyer on the 10th of February 2025, at 10H00am.

8. REFERENCE MATERIALS

The following legislations are applicable to this project:

- National Building Regulations and Building Standard, (Act No. 103 of 1977).
- Spatial Planning and Land Use Management Act, (Act No. 16 of 2013).
- Municipal Systems Act, (Act No.32 of 2000).
- Municipal IDP
- The uMngeni Municipality's Supply Chain Management (SCM) Policy & Bylaws.
- The Preferential Procurement Regulations 2017.

The following policies should be considered as part of this project:

- Data distribution policy

The following standards should be applied in this project, where applicable:

- SANS 1883 (Part 1, Part 2, and Part 3): Address standards SANS 1878/19115: Metadata Standard
- SANS 1880: South African Geospatial Data Dictionary

9. EVALUATION PROCESS

Received responsive proposals will be evaluated based on the following criteria:

- A proof of Professional Indemnity,
- Proposed project team,
- Their CV's and proof of professional registration with relevant professional bodies.

The bid will be evaluated in two stages namely: Functionality and Price and B-BBEE, Bidders who score less than 70% on stage 1 will not be evaluated further. Only bidders who score 70% or more would be evaluated further and therefore eligible for the award.

Experience of Supplier	**Maximum Points**	**Points Claimed**	**Experience** *(Comprehensive Schedule to be provided clearly demonstrating Experience together with Employer, Nature of Work, Duration of Contract, Employer's Contact Details and Contract Value to claim points)*
FUNCTIONALITY	**100 Points**		
Previous Appointment letters and references	30 Points		• 4 and more similar projects undertaken by the Tenderer in the past 5 years with references and appointment letters (30 points maximum) • 2-3 similar projects undertaken by the Tenderer in the past 5 years with references and appointment letters (20 points maximum) • 1 similar project undertaken by the Tenderer in the past 5 years with references and appointment letters (10 points maximum)
Expertise, and Experience of proposed team.	30 Points		• (7.5) points for the relevant experience of the team members (minimum of 5 years working in similar projects) • (7.5) points for the team leader (Software Developer, GIS Professional) • (15) points for having NQF level 7 qualifications in Software Development, GIS Professional and extensive experience in development and management of at least 5 years for the proposed team leader of project manager.
	40 Points		• (5) Proposed Methodology and the implementation plan; • (5) Appropriateness of proposed approach and

Methodology			methodology; • (5) Clear Skills transfer; • (5) Proposed Project management linked to the milestone and timeframe; • (5) The degree to which the methodology proposed is sound, professional, realistic and logical. Method and clarity regarding presentation of the final outputs of the project • (5) Programme with clear timelines and output; • (5) Quality assurance steps indicated; • (5) Clear reporting mechanism, Indicators and means of verifying progress.

STAGE TWO: 80/20 PREFERENCE POINT SYSTEM

The 80/20 Preference Point System shall apply in accordance with the Preferential Procurement Regulations 2017, issued in terms of section 5 of the Preferential Procurement Policy Framework Act, Act No. 5 of 2000, with 80 Points for Price and 20 Points for B-BBEE, as follows:

PRICE : 80 POINTS
B-BBEE : 20 POINTS

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (to be completed by organ of state)	Number of Points (80/20 Point System)
Companies owned by at least 51% people who are youth (CSD will be used for verification)	**05**	
Bidder must be from uMngeni Local municipal area. Bidder must attach proof (utility bill/ lease agreement/ proof of residence and sworn affidavit)	**15**	
Total Points Allocated to Specific Goals	**20**	

TOTAL : 100 POINTS

Supply Chain Management Policy shall apply and will be the base for evaluation of the tenders received, 80/20 system will apply.

SUBMISSION OF PROPOSALS

The closing date for the submission of proposals is specified on the advert. Late proposals will not be accepted. A compulsory briefing will be attended as per communication in the advert.