

REQUEST FOR FORMAL WRITTEN PRICE QUOTATION - GOODS Requirements between R 30,000 (incl VAT) and R 300,000 (incl VAT)

QUOTATION NUMBER: DSS0004474

QUOTATION TITLE: APPOINTMENT OF A SERVICE PROVIDER TO PERFORM AN INTERNAL AUDIT

ON: ICT SECURITY.

CLOSING DATE AND TIME: 21 FEBRUARY 2024 AT 10:00.

NAME OF BIDDER	
TOTAL BID PRICE (INCL VAT)	

ISSUED BY:

Department: Financial Services Supply Chain Management Division Civic Centre, 2nd floor. PAARL **CONTACT FOR TECHNICAL ENQUIRIES:** Rozan Jaftha Internal Audit 021 – 807 4789

INDEX PAGE

PART A: REQUIREMENTS IN TERMS OF REGULATORY FRAMEWORK

- 1. Details of bidder
- 2. Invitation to bid (MBD 1)
- 3. Declaration of interest (MBD 4)
- 4. Preference claim form in terms of the Preferential Procurement Regulations 2017 (MBD 6.1)
- 5. Declaration of bidder's past supply chain management practices (MBD 8)
- 6. Certificate of independent bid determination (MBD 9)
- 7. Certificate of attendance at site meeting
- 8. Certificate for municipal services and payments to service providers
- 9. Responsiveness criteria
- 10. Compliance with the Occupational Health and Safety Act
- 11. Issuance and record of addenda

PART B: SCOPE OF WORKS, SCHEDULES AND CHECKLIST FOR COMPLETENESS

- 12. Scope of works
- 13. Schedule of works carried out
- 14. Schedule of quantities
- 15. Checklist for completeness

PART A: REQUIREMENTS IN TERMS OF REGULATORY FRAMEWORK

DETAILS OF BIDDER	THE FOLLOWING PARTICULARS MUST BE FURNISHED)

Name of firm / entity / enterprise	
Trading as (if different from above)	
Drakenstein supplier database registration number	
Postal address of enterprise	Line 1 : Line 2: Town/cityPostal code:
Physical address of enterprise	Line 1 : Line 2: Town/city
B-BBEE Status level verification certificate Yes No [Tick applicable box]	B-BBEE Status Level Sworn Affidavit [Tick applicable Yes No box]
Are you the Accredited Representative in South Africa for the goods/services/works offered?	Are you a foreign based supplier for the goods/ services/ works offered? [If yes, answer part B:3]
Contact details of the person signing the bid, being duly authorised to do so:	Name: Telephone:Fax: Cellular telephone: E-mail address:

Contact details of the senior manager responsible for overseeing contract performance :	Name: Telephone: Fax: Cellular telephone:
	E-mail address:
Company income tax number	
Tax Compliance Status System PIN issued by SARS	
CSD registration number	
VAT registration number	
Company registration number	
Banking details	Name of account holder: Name of bank: Account number: Branch code:

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 be re-typed) or online.
- 1.3. The 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 person identification number (PIN), issued by SARS to enable the organ of state to view the taxpayer's profile and tax status. No contract will be awarded to any bidder that is not deemed tax compliant at the date of award.
- 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.
 2.7 TAX COMPLIANCE REQUIREMENTS

3. IA			
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 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 service of the state.

Signature of bidder:

Capacity under which this bid is signed:.....

Date:....



YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF DRAKENSTEIN MUNICIPALITY

Quotation number: DSS0004474

Quotation title: Appointment of a Service Provider to perform an Internal Audit on: ICT Security.

Closing date and time for bid submissions: 21 February 2024 at 10:00.

Bid documents can be obtained from the Supply Chain Management Unit, Civic Centre, 2nd floor, Berg River Boulevard, Paarl during office hours between 14:00 and 16:00. A non-refundable fee of R25.00 (VAT Inclusive) is payable to Drakenstein Municipality. Alternatively, the bid documents can be downloaded from our website at <u>www.drakenstein.gov.za</u> by following the Supply Chain Management link.

Enquiries can be directed as follows:

907 6346 nazlov@drakonstoin.gov.za	
BiddingproceduresandNazley Lategan(021) 807 6246nazley@drakenstein.gov.za	
807 4789 Rozan.Jaftha@drakenstein.gov.za	

Functionality is applicable to this bid. Bidders are required to attain a minimum score of 80 for functionality in order to be further evaluated in terms of the preference points system.

Bids may only be submitted on the bid documentation provided by the municipality and must remain valid for a minimum of 60days after bid closing.

Bids must be submitted in a sealed envelope. The quotation number and quotation title must appear on the outside of the envelope. Bidders that fail to adhere to this requirement, will be disqualified at the bid opening.

Bids must be deposited in the **BOX NO 2**, located at the entrance of the Municipal Offices of Drakenstein Municipality, Civic Centre, Ground floor, Berg River Boulevard, Paarl, by no later than the date and time as specified above. This quotation box is open from Mondays to Thursdays between 08h00 and 16h45 and on Fridays between 08h00 and 15h30. Telegraphic, telephonic, telex, facsimile, e-mail and late bids will not be accepted.

Bids will be opened in public in the Small Committee room at the Civic Centre, 1st floor, Berg River Boulevard, Paarl at 10h15. The lowest, only or any bid shall not necessarily be accepted and the municipality reserves the right to accept any part of the bid or to withdraw the invitation to bid.

This bid shall be evaluated on the 80/20 preference points system as prescribed by the Preferential Procurement Regulations 2017 (government gazette no. 40553).

Prospective bidders must familiarise themselves with the content of Drakenstein Municipality's Supply Chain Management Policy and must be registered on the municipality's supplier database if they wish to conduct business with the municipality. The General Conditions of Contract is applicable.

The tax status requirements as per MBD 1 (Part B) must be complied with. No contract will be awarded to any bidder that is not deemed tax compliant at the date of award

DR JH LEIBBRANDT CITY MANAGER



MBD 4

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, shareholder 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

¹MSCM Regulations: "in the service of the state" means to be –

- (a) a member of
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;

.....

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

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

.....

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, domestic partner, child, grandchild, dependent, parent, grandparent, parent-inlaw, brother, sister, brother-in-law or sister-in-law of the company's directors, trustees, managers, principle shareholders or stakeholders in the 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 YES / NO they are bidding for this contract? 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 2017

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

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

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 R 50 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R 50 000 000 (all applicable taxes included).
- 1.2 The value of this bid is estimated not to exceed R 50 000 000 (all applicable taxes included) and therefore the **80/20 points** system shall be applicable.
- 1.3 Preference points for this bid shall be awarded for:
 - (a) Price; and
 - (b) B- BBEE Status Level of Contribution.
- 1.3.1 The maximum points for this bid are allocated as follows:

1.3.1.1	PRICE	POINTS 80
1.3.1.2	B- BBEE STATUS LEVEL OF CONTRIBUTION	20
	Total points for Price and B- BBEE must not exceed	100

- 1.4 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference point for B-BBEE status level of contribution are not claimed.
- 1.5. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

2.1 **"all applicable taxes"** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

- 2.2 **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad -Based Black Economic Empowerment Act;
- 2.3 **"B-BBEE status level of contributor"** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **"comparative price"** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **"consortium or joint venture"** 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;
- 2.8 **"contract"** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 "EME" means any enterprise with an annual total revenue of R5 million or less .
- 2.10 **"Firm price"** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **"functionality"** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **"non-firm prices"** means all prices other than "firm" prices;
- 2.13 "person" includes a juristic person;
- 2.14 **"rand value"** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **"sub-contract"** means the primary contractor's assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **"total revenue"** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based

Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;

- 2.17 **"trust"** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **"trustee"** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.
- 4. POINTS AWARDED FOR PRICE

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

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

or

80/20

90/10

$$Ps = 80 \left(1 - \frac{Pt - P\min}{P\min} \right) \qquad \text{or} \qquad Ps = 90 \left(1 - \frac{Pt - P\min}{P\min} \right)$$

Where

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid under consideration

Pmin = Comparative price of lowest acceptable bid

5. POINTS AWARDED FOR B- BBEE STATUS LEVEL OF CONTRIBUTION

5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B- BBEE status level of contribution in accordance with the table below:

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

- 5.2 Bidders who qualify as EMEs in terms of the B- BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EME's with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

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

7. B- BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted?%
- (ii) the name of the sub-contractor?
- (iii) the B-BBEE status level of the sub-contractor?.....
- (iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)
- (v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME	QSE
	V	٧
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		

9. DECLARATION WITH REGARD TO COMPANY/FIRM

9.2 V	AT registration number:
9.3 C	ompany registration number:
9.4 T	YPE OF COMPANY/ FIRM
	Partners hip/Joint Venture / Consortium
	One person business/sole propriety
	Close corporation
	Company
	(Pty) Limited
	[Tick applicable box]
9.5	DESCRIBE PRINCIPAL BUSINESS ACTIVITIES
9.6	COMPANY CLASSIFICATION
	Manufacturer
	□ Supplier
	Professional service provider
	□ Other service providers, e.g. transporter, etc.
	[Tick applicable box]
	MUNICIPAL INFORMATION
	Municipality where business is situated:
	Registered Account Number:
	Stand Number:
	Total number of years the company/firm has been in business:

9.7

9.8

9.1 Name of company/firm:.....

- 9.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:
 - i) The information furnished is true and correct;
 - ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
 - iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
 - iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to 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	SIGNATURE(S) OF BIDDER(S)
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 as a company or person 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 National Treasury after the audi alteram partem rule was applied).	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)? (To access this Register enter the National Treasury's website, <u>www.treasury.gov.za</u> , click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	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:		
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
4.5.1	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 BY THE MUNICIPALITY SHOULD THIS DECLARATION PROVE TO BE FALSE.

SIGNATURE	

DATE

POSITION

NAME OF BIDDER

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1. This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3. Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;

b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and

c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during

the bidding process or the execution of the contract.

- 4. This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5. In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:-

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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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 Drakenstein Municipality

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

I certify, on behalf

of: ______that: _____that:

1. I have read and I understand the contents of this Certificate;

- I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
- 3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
- 4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
- 5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:-
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
- 6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
- 7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation,

communication, agreement or arrangement with any competitor regarding:-

(a) prices;

- (b) geographical area where product or service will be rendered (market allocation)
- (c) methods, factors or formulas used to calculate prices;
- (d) the intention or decision to submit or not to submit, a bid;
- (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
- (f) bidding with the intention not to win the bid.

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

- 8. 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

DECLARATION: CERTIFICATE FOR MUNICIPAL SERVICES AND PAYMENTS TO SERVICE PROVIDERS

Please complete the following if property is owned by the enterprise, the personal capacity, obtain the confirmation of the relevant municipality and which are not older than 60 days.	
Name of account holder:	
Account number:	
Account number:	
FOR MUNICIPAL USE ONLY	
I/we hereby certify that the municipal account details of our client as indicated above is correct.	
Name of municipal official (print name)	
Signature of municipal official	Official date stamp of municipality

PART B: PROPERTY LEASED BY ENTERPRISE OR DIRECTORS

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

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

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

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

Signature for and on behalf of the bidder

.....

RESPONSIVENESS AND EVALUATION CRITERIA

1. RESPONSIVENESS CRITERIA

No bid will be considered by Drakenstein Municipality unless it meets the following responsiveness criteria (for the bid to be considered responsive, the bid must meet the following requirements):

- a) Bidders must ensure that they are registered on the database of Drakenstein Municipality, if they wish to conduct business with the Drakenstein Municipality. If the bidder is not registered on the Drakenstein Municipality's supplier database prior to the award of the bid, the registration form can be obtained as follows:
 - i. Supply Chain Management Unit, Civic Centre, 2nd floor, Berg River Boulevard, Paarl; or
 - ii. Downloaded from our website at <u>www.drakenstein.gov.za</u>

Enquiries regarding the above can be directed to:

Contact persons	Tel no	Fax no	Email address
Chanelle Cupido	(021) 807-4780	086 635 6202	Chanelle.Cupido@drakenstein.gov.za

- 2. Drakenstein Municipality will reject a bid in terms of the following:
 - a) If any municipal rates and taxes or municipal service charges owed by the bidder or any of its directors to this of any other municipality or municipal entity, are in arrears for more than three months.
 - b) The name of the company of any of its director(s) names appear on the list of Tender Defaulters or restricted suppliers as published by National Treasury.
- 3. The following completed documents must be submitted or provided as part of the bid submission:

i) Bidders are required to submit their unique person identification number (pin) issued by SARS to enable the organ of state to view the taxpayer's profile and status.

ii) Copy or Certified valid B-BBEE Status Level Verification Certificate. Bidders who do not submit a B-BBEE Status Level Verification Certificate or are non-compliant contributors to B-BBEE do not qualify for preference points for B-BBEE, but will not be disqualified from the bidding process. A trust, consortium or joint venture must submit a consolidated B-BBEE Status Level Verification certificate for every separate bid.

iii) Copy of a billing account of your local municipality for the company or directors where applicable. Such account must not be older than 60days.

iv) Completed and signed declaration of interest form (MBD 4).

- 4. Bidders must acquaint themselves fully on the General Conditions of contract of 2010 and special conditions of contract (if applicable). The General Conditions of Contract of 2010 is available on request from the official dealing with bidding procedures and documents as indicated in MBD 1.
- 5. No bids will be accepted unless the bid documentation as issued by the municipality is utilised.
- 6. No telephonic, faxed or e-mailed or late bids will be accepted.
- 7. The awarding of this bid is subject to the following:

- a) Relevant scope of works as stated in this bid document;
- b) Attendance of compulsory site meetings, as may be applicable;
- c) Proper completion of this bid document and signing of declarations
- d) General conditions of contract of 2010 which is available on request from the official dealing with bidding procedures and documents as indicated in MBD 1.
- e) Any special conditions of contract as stipulated in this bid document.
- 8. Persons aggrieved by decisions or actions taken in the implementation of this supply chain management system, may lodge within 14 days of the decision or action, a written objection or complaint against the decision or action.

9. Inducements, rewards, gifts and favours to municipalities, officials and other role players

- a) No person who is a provider or prospective provider of goods or services, or a recipient or prospective recipient of goods disposed or to be disposed of may either directly or through a representation intermediary promise, offer or grant any inducement or reward to the Drakenstein Municipality for or in connection with the award of a contract;
- b) The accounting officer must promptly report any alleged contravention of subparagraph
 (1) to the National Treasury for considering whether the offending person, and any representative or intermediary through which such person is alleged to have acted, should be listed in the National Treasury's database of persons prohibited from doing business with the public sector.
- 10. The bid must be properly received in a sealed envelope. The outside of the envelope must clearly indicate the quotation number and title (refer to invitation to bid for further details regarding submission)
- 11. The bid must be deposited in the relevant quotation box as indicated in the invitation to bid (MBD1) on or before the closing date and time of the bid. **Telephonic, facsimile, electronic/** emailed and late bids will not be accepted.
 - 12. Bids shall be declare invalid, and shall be endorsed and recorded as such in the bid opening record by the responsible official to open the bid, in the following instances:
 - a) If the bid is not sealed;
 - b) if the bid including the bid price amount, where applicable is not submitted on the official pricing schedule;
 - c) if the bid is not completed in non-erasable ink; or
 - d) if the name of the bidder is not stated, or is indecipherable
 - 13 Bid will not be invalidated if the amount in words and the amount in figures do not correspond, in which case the amount in words shall be read out at the bid opening and shall be deemed to be the bid amount.
 - 14. The official bid document must be fully completed in indelible ink. Where information requested does not apply to the bidder and the space is left blank, the bidder must provide written clarification.
 - 15. All requested relevant and/ or additional documentation such as compliance certificates, professional registration, artisan qualification, etc., must be attached behind the bid document.

- 16. Bidders must submit a certified statement signed by the bidder declaring that the bidder has no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 90 days.
- 17. The bidder must be in good standing to do business with the public sector in terms of Regulation 38 of the Municipal Supply Chain Management Regulations (Government Gazette 27636 of 6 May 2005).
- 18. If the entity submitting a bid is a joint venture or consortium or partnership, each party to that formation must submit all the above information.
- 19. The bidder must adhere to the pricing instructions.
- 20. The Bidder's details must be provided.
- 21. The necessary document authorising the representative to sign and submit the bid on the bidder's behalf must be completed and signed.
- 22. The declaration of interest by the bidder must be completed and signed.
- 23. The bid must comply with the scope of works.
- 24. The MBD 9 (certificate of bid determination) must be completed and signed.
- 25. Alternative offers may be submitted by the bidder. The municipality is under no obligation to accept alternative offers.

2. EVALUATION OF BIDS

- a) All bids received shall be evaluated in terms of the Municipal Supply Chain Management Regulations, the Preferential Procurement Policy Framework Act no 5 of 2000 and the Preferential Procurement Regulations of 2017.
- b) The municipality reserves the right to accept all, some, or none of the bids submitted either wholly or in part and it is not obligated to accept the lowest bid.

3. ALTERNATIVE OFFERS

Alternative offers may be submitted by the bidder only if a main offer, strictly in accordance with all the requirements of the bid document, is also submitted. The municipality is under no obligation to consider alternative offers. The alternative tender offer is to be submitted with the main offer together with a schedule that compares the requirements of the bid documents with the alternative requirements.

4. BID VALIDITY PERIODS

- a) A minimum bid validity period will apply to all bids and will be calculated from the bid closure date. Bids shall remain in force and binding for the minimum bid validity period as indicated in the invitation to bid and the bid documents, subject to any other applicable legislation and instructions from the National Treasury for specific types of procurement.
- b) Unless otherwise indicated in writing by the bidder, the validity of bids submitted will automatically extend beyond the minimum bid validity period as set out above and will remain valid for acceptance until the bid award process, including the consideration of any appeals, objections or complaints, has been concluded.
- c) Any bidder may at any time withdraw such bid in writing in which case such bid lapses and will not be further considered.

PART B: SCOPE OF WORKS, PRICING SCHEDULE AND CHECKLIST FOR COMPLETENESS

SCOPE OF WORKS - NB: ALL PRICES MUST INCLUSIVE OF VAT

Quotations are invited from eligible service providers for the following:

1. Perform an internal audit on ICT Security with the following high-level scope:

Evaluate ICT security controls designed, implemented, and operated by management by performing the following:

- Network reconnaissance using a scanning tool to identify potentially unauthorized devices connected to the network.
- Network vulnerability and penetration testing of a sample of hosts determined on a risk basis in consultation with management (ie. Servers, web application servers, network infrastructure and end user PC's/ laptops.
- Vulnerability exploitation for a sample of vulnerabilities identified to assess if vulnerabilities can be exploited.
- Simulated phishing campaign and assessment of cyber security user awareness; and
- Intrusion prevention and detection mechanisms.

Additional information:

Approximate number of computer users – 919

SQL Databases: Microsoft based

Hosts that the network vulnerability and penetration testing should be conducted on includes the firewall, wi-fi, official website, Local Domain Controllers, VMWare Host, switches, Network Radios, Backup Servers, and Storage

The audit must be completed by 31 May 2024.

I, the undersigned, for and on behalf of the bidder, hereby confirm that I/we understand the information as stated above and that I/we will comply with all of the above.

Name (print)	Signature
Capacity	Date

In the event of any deviation from the scope of works, the bidder must attach details thereof to this bid document.

Additional evaluation criteria: Functionality/Quality (ICT Security Audit)

The quality criteria and maximum score in respect of each of the criteria are as follows:

Quality criteria	Maximum number of points
Adequacy of proposed work plan and proposed methodology	20
Qualifications and competence of the key staff (assigned personnel) in relation to the scope of work	15
Demonstrated experience (past performance) in comparable projects	25
Approach proposed to attain the employer's stated objectives	20
Demonstrated experience with respect to specific aspects of the project	
Sound knowledge of the employer's policies or work procedures (or both)	
Quality assurance systems which ensure compliance with stated employer's requirements	
Organisation, logistics and support resources	
Demonstrable managerial ability appropriate to the size and nature of the work	20
TOTAL	100

Criteria		Rating Scoring		Evaluation Indicators			
1.	Adequacy of proposed work plan and proposed methodology	Very Good	100	The important issues are approached in an innovative and efficient way, indicating that the bidder has outstanding knowledge of state-of-the-art approaches.			
		Good	70	The approach is specifically tailored to address the specific project objectives and methodology and is sufficiently flexible to accommodate changes that may occur during execution.			
		Poor	40	The technical approach and/or methodology is poor/is unlikely to satisfy project			

	Criteria	Rating	Scoring	Evaluation Indicators
				objectives or requirements. The bidder has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project.
2.	Qualifications and competence of the key staff (assigned personnel) in relation to the scope of work	Very Good	100	The bidder demonstrates that key staff are exceptionally well qualified and competent in the application of their skills that relate to the scope of the project.
		Good	70	The bidder demonstrates that key staff are adequately qualified and competent in the application of their skills that relate to the scope of the project.
		Poor	40	The bidder was not able to demonstrate that key staff are reasonably well qualified and competent in the application of their skills that relate to the scope of the project.
3.	Demonstrated experience	Very Good	100	Key staff have outstanding experience in comparable projects.
	(past performance) in comparable projects	Good	70	Key staff have adequate experience in comparable.
		Poor	40	Key staff have limited experience in comparable projects.
4.	Approach proposed to attain the employer's stated objectives	Very Good	100	An innovative approach is presented that illustrates the bidder's approach has been tailored to be relevant and meet the client's objectives in all aspects.
		Good	70	The approach presented illustrates that the bidder will adopt an approach that meets the client's objectives.
		Poor	40	The approach presented does not meet the client's expectations and will not result in the objectives of the project being fully realized.
5.	Demonstrated experience with respect to specific aspects of the project	Very Good	100	Key staff have outstanding experience in specific aspects of the project that were defined as key components of the assignment in the SOW.
		Good	70	Key staff have adequate experience in specific aspects of the project that were

	Criteria	Rating	Scoring	Evaluation Indicators			
				defined as key components of the assignment in the SOW.			
		Poor	40	Key staff have limited experience in specific aspects of the project that were defined as key components of the assignment in the SOW.			
6.	Sound knowledge of the employer's policies or work procedures (or both)	Very Good	100	The bidder has outstanding knowledge of the employer's policies and work procedures.			
	both)	Good	70	The bidder has adequate knowledge of the employer's policies and work procedures.			
		Poor	40	The bidder has limited knowledge of the employer's policies and work procedures.			
7.	Quality assurance	Very Good	100				
	systems which ensure compliance with stated employer's requirements	Good	70	The bidder's quality assurance system meets the quality assurance requirements set by the employer for the project.			
		Poor	40	The bidder does not have a quality assurance system.			
8.	Organisation, logistics and support resources	Very Good	100	The bidder convincingly illustrates that extensive organisational, logistic and support resources will be available for execution of the project.			
		Good	70	The bidder convincingly illustrates that sufficient organisational, logistic and support resources will be available for execution of the project.			
		Poor	40	The bidder fails to illustrates that sufficient organisational, logistic and support resources will be available for execution of the project.			
9.	Demonstrable managerial ability appropriate to the size and nature of the work	Very Good	100	The bidder illustrates extensive knowledge and experience in the project management of projects of similar size and complexity.			
		Good	70	The bidder illustrates adequate knowledge and experience in the project management of projects of similar size and complexity.			

Criteria	Rating	Scoring	Evaluation Indicators		
	Poor	40	The bidder illustrates limited knowledge and experience in the project management of projects of similar size and complexity.		

Quality shall be scored independently by not less than three evaluators in accordance with the following schedules:

- Evaluation Schedule: Adequacy of proposed work plan and proposed methodology
- Evaluation Schedule: Qualifications and competence of the key staff (assigned personnel) in relation to the scope of work
- Evaluation Schedule: Demonstrate experience (past performance) in comparable projects
- Evaluation Schedule: Proposed approach to attaining the employer's stated objectives
- Evaluation Schedule: Demonstrate experience with respect to specific aspects of the project
- Evaluation Schedule: Sound knowledge of the employer's policies or work procedures (or both)
- Evaluation Schedule: Quality assurance systems which ensure compliance with stated employer's requirements
- Evaluation Schedule: Organisation, logistics and support resources
- Evaluation Schedule: Demonstrate managerial ability appropriate to the size and nature of the work

Only the scores of 40, 70 or 100 will be allocated to each of the criteria based on the indicators contained in these schedules. The scores of the evaluators will then be averaged, weighted and then totaled to obtain the final score for quality.

BIDDERS HAVE TO OBTAIN A MINIMUM SCORE OF 80 FOR FUNCTIONALITY IN ORDER TO CONTINUE WITH EVALUATION. EVALUATION CONTINUES ON THE 80/20 PREFERENCE POINT SCORING SYSTEM.

*Department should determine itself what will be the minimum score to be achieved by bidders

MBD 3.1

PRICING SCHEDULE – FIRM PRICES (PROFESSIONAL SERVICES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS WILL NOT BE CONSIDERED

Name of bidder.....Quotation number: DSS0004474Closing Time: 10H00Closing Date: 21 FEBRUARY 2024

OFFER TO BE VALID FOR 60DAYS FROM THE CLOSING DATE OF BID.

ITEM	DESCRIPTION	QUANTITY	UNIT PRICE (INCL VAT)	TOTAL BID PRICE (INCL. VAT)
1	Appointment of a Service Provider to perform an Internal Audit on: ICT Security.	1		

Required by: Rozan Jaftha

At: Drakenstein Municipality

VALUE ADDED TAX

Where the value of an intended contract will exceed R1 000 000, 00 (R1 million) it is the bidder's responsibility to be registered with the South African Revenue Service (SARS) for VAT purposes in order to be able to issue tax invoices.

It is a requirement of this contract that the amount of value-added tax (VAT) must be shown clearly on each invoice.

The amended Value-Added Tax Act requires that a Tax Invoice for supplies in excess of R3 000 should, in addition to the other required information, also disclose the VAT registration number of the recipient, with effect from 1 March 2005.

The VAT registration number of the Drakenstein Municipality is **4500109717**.

CHECK LIST FOR COMPLETENESS OF BID DOCUMENT

The bidder is required to complete the following checklist in order to ensure that the necessary documentation, as required, is attached to this bid document and that all declarations are signed by the bidder:

(*Mark with "X" where applicable)

Items to be checked	Yes	No	Comments
1. Completed page containing the details of bidder			
 Valid tax clearance certificate or their unique identification number (PIN) issued by SARS- to enable the municipality to view the taxpayer's profile and tax status . (MBD 1) 2.2 			
3. Completed the pricing schedule (MBD 3.3)			
4. Completed and signed declaration of interest (MBD 4)			
5. Completed and signed declaration in order to claim preference points (MBD 6.1) and attached a certified copy or original B-BBEE certificate			
 Completed and signed declaration of bidder's past supply chain management practices (MBD 8) 			
 Completed and signed certificate of independent bid determination (MBD 9) 			
 Completed and signed certificate for municipal services and payments to service providers and attached a copy of your municipal account which is not older than 60 days 			
9. Signed declaration for understanding and complying with the scope of works			
10. Bidder to initial every page of this bid document			

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME).....CERTIFY THAT THE INFORMATION FURNISHED ON THIS CHECK LIST IS TRUE AND CORRECT.

Name (print)

.....

Signature

Position

..... Date