

INVITATION TO BID



cogta

Department:
Co-operative Governance and Traditional Affairs
PROVINCE OF KWAZULU-NATAL

DESCRIPTION: THE APPOINTMENT OF SKILLED FINANCIAL PROFESSIONALS TO CONSTITUTE A PANEL OF EXPERTS TO PROVIDE FINANCIAL SUPPORT TO IDENTIFIED MUNICIPALITIES ON BEHALF OF THE DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS, INCLUDING FINANCIAL MANAGEMENT SUPPORT TO THE DEPARTMENT.

Bid No. : ZNT 1962/2019 LG

COMPANY NAME : _____

Type of Bidder (Tick One Box)

One-person Business/Sole Trader	
Close corporation	
PTY (Ltd)	
Private Company	
Partnership	
Consortium/Joint Venture	
Co-operative	

Participation Capacity (Tick One Box)

Prime Contractor	
Supplier/Sub-Contractor	

RETURN OF PROPOSAL

Proposal must be deposited in the **Bid box situated at Department of Co-operative Governance and Traditional Affairs, Lift Area, 13th floor, North Tower, Natalia Building. 330 Langalibalele Street, Pietermaritzburg, 3201** or received by post to The Senior Manager: Supply Chain Management, Private Bag X 9078, Pietermaritzburg, 3200 Tel: (033) 395 3134 before **11h00 on 15 JULY 2019**

A compulsory Site Inspection will take place on **01 JULY 2019 at 10H00, 330 Langalibalele Street, Natalia Building, 1st Floor, Auditorium, North Tower, Pietermaritzburg.**

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PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	ZNT1962/2019LG	CLOSING DATE:	15 JULY 2019	CLOSING TIME:	11:00
DESCRIPTION	THE APPOINTMENT OF SKILLED FINANCIAL PROFESSIONALS TO CONSTITUTE A PANEL OF EXPERTS TO PROVIDE FINANCIAL SUPPORT TO IDENTIFIED MUNICIPALITIES ON BEHALF OF THE DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS, INCLUDING FINANCIAL MANAGEMENT SUPPORT TO THE DEPARTMENT.				
	THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS					
330 LANGALIBALELE STREET					
NATALIA BUILDING					
13 TH FLOOR, LIFT AREA, NORTH TOWER					
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					
		TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]		<input type="checkbox"/> Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes
		<input type="checkbox"/> No			<input type="checkbox"/> No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX		<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)		
		<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		
		<input type="checkbox"/>	A REGISTERED AUDITOR		
		<input type="checkbox"/>	NAME:		
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]	
SIGNATURE OF BIDDER			DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)					
TOTAL NUMBER OF ITEMS OFFERED				TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:			
DEPARTMENT/ PUBLIC ENTITY		DEPT of COGTA		CONTACT PERSON	
CONTACT PERSON		Ms Lindiwe Madlala		TELEPHONE NUMBER	
TELEPHONE NUMBER		033 395 2174		FACSIMILE NUMBER	
FACSIMILE NUMBER				E-MAIL ADDRESS	
E-MAIL ADDRESS				Joey.krishnan@kzncogta.gov.za	

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:								
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.</p>								
2. TAX COMPLIANCE REQUIREMENTS								
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>								
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS								
<table style="width: 100%; border: none;"> <tr> <td style="width: 70%;">3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> </table> <p>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</p>	3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO	3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO	3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO	3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO							
3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO							
3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO							
3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO							

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

SECTION C (SBD 3)

SPECIAL INSTRUCTIONS AND NOTICES TO BIDDERS REGARDING THE COMPLETION OF BIDDING FORMS

PLEASE NOTE THAT THIS BID IS SUBJECT TO TREASURY REGULATIONS 16A ISSUED IN TERMS OF THE PUBLIC FINANCE MANAGEMENT ACT, 1991, THE KWAZULU-NATAL SUPPLY CHAIN MANAGEMENT POLICY FRAMEWORK AND THE GENERAL CONDITIONS OF CONTRACT.

1. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and visa versa and with words importing the masculine gender shall include the feminine and the neuter.
2. Under no circumstances whatsoever may the bid forms be retyped or redrafted. Photocopies of the original bid documentation may be used, but an original signature must appear on such photocopies.
3. The bidder is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
4. Bids submitted must be complete in all respects.
5. Bids shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the bid documents.
6. Each bid shall be addressed in accordance with the directives in the bid documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the bid number and closing date indicated on the envelope. The envelope shall not contain documents relating to any bid other than that shown on the envelope. If this provision is not complied with, such bids may be rejected as being invalid.
7. All bids received in sealed envelopes with the relevant bid numbers on the envelopes are kept unopened in safe custody until the closing time of the bids. Where, however, a bid is received open, it shall be sealed. If it is received without a bid number on the envelope, it shall be opened, the bid number ascertained, the envelope sealed and the bid number written on the envelope.
8. A specific box is provided for the receipt of bids, and no bid found in any other box or elsewhere subsequent to the closing date and time of bid will be considered.
9. No bid sent through the post will be considered if it is received after the closing date and time stipulated in the bid documentation, and proof of posting will not be accepted as proof of delivery.
10. No bid submitted by telefax, telegraphic or other electronic means will be considered.
11. Bidding documents must not be included in packages containing samples. Such bids may be rejected as being invalid.
12. Any alteration made by the bidder must be initialed.
13. Use of correcting fluid is prohibited
14. Bids will be opened in public as soon as practicable after the closing time of bid.
15. Where practical, prices are made public at the time of opening bids.
16. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Department: Co-operative Governance and Traditional Affairs

Contact Person: Ms Lindiwe Madlala

Tel: 033 395 2174

Fax: 086 642 8873/ 033 342 8830

Email: lindiwe.madlala@kzncogta.gov.za

ANY ENQUIRIES REGARDING SPECIFICATION INFORMATION MAY BE DIRECTED TO:

Contact Person: Mrs. Joey Krishnan

Unit: Municipal Finance

Tel: **033 3556512**

Email: JOEY.KRISHNAN@kzncogta.gov.za

SECTION E (SBD 4) DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

2.1 Full Name of bidder or his or her representative:

.....

2.2 Identity Number:.....

2.3 Position occupied in the Company (director, trustee, shareholder², member):

.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:

.....

2.5 Tax Reference Number:

.....

2.6 VAT Registration Number:

.....

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1991 (Act No. 1 of 1991);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

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

2.7 Are you or any person connected with the bidder presently employed by the state? YES ☐ NO ☐

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

Name of state institution at which you or the person

connected to the bidder is employed :

Position occupied in the state institution:

Any other particulars:

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES ☐ NO ☐

2.7.2.1 If yes, did you attach proof of such authority to the bid document? YES ☐ NO ☐
(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? YES ☐ NO ☐

2.8.1 If so, furnish particulars:

.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? YES ☐ NO ☐

2.9.1 If so, furnish particulars.

.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? YES ☐ NO ☐

2.10.1 If so, furnish particulars.

.....

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? YES ☐ NO ☐

2.11.1 If so, furnish particulars:

.....

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

Full Name	Identity Number	Personal Income Tax Reference Number	State Employee Number / Persal Number

4 DECLARATION

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.

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

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

SECTION F

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 R50 000 000 (all applicable taxes included); and
- 1.2
- a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- 1.3 Points for this bid shall be awarded for:
- (a) Price; and
 - (b) B-BBEE Status Level of Contributor.
- 1.4 The maximum points for this bid are allocated as follows:

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

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

2. DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

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

5. BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: = (maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1 If yes, indicate:

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

(Tick applicable box)

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

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

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

OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding process;

- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

OWNERS/SHAREHOLDERS/PARTNERS/SOLE PROPRIETORS/TRUSTEES / BENEFICIARIES.

(This information is required for statistical purposes only)

FULL NAME	ID NUMBER	CAPACITY : MEMBER/PART NER/ PROPRIETOR/ SHARE- HOLDER/TRUS TEE/ BENEFICIARY	% OWNERSHIP/ PARTNERSHIP/ TRUST/ CO- OPERATIVE	MALE/ FEMALE	HANDI- CAPPED YES/NO	AFRICAN (A) / COLOURED (C) / INDIAN (I) WHITE (W)	YOUTH YES/NO	% OF TIME DEVOTED TO THE FIRM

SECTION G CONDITIONS OF BID

1. I/We hereby bid to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to the KwaZulu-Natal Provincial Administration (hereinafter called the "Province") on the terms and conditions and be in accordance with the specifications stipulated in the bid documents (and which shall be taken as part of and be incorporated into this bid) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
2. I/we agree that:
 - (a) the offer herein shall remain binding upon me and open for acceptance by the Province during the validity period indicated and calculated from the closing time of the bid;
 - (b) this bid and its acceptance shall be subject to Treasury Regulations 16A issued in terms of the Public Finance Management Act, 1991, the KwaZulu-Natal Supply Chain Management Policy Framework, the Provincial Treasury issued Practice Notes, and the KwaZulu-Natal General Conditions of Contract, with which I/we am fully acquainted;
 - (c) if I/we withdraw my bid within the period for which I/we have agreed that the bid shall remain open for acceptance, or fail to fulfil the contract when called upon to do so, the Province may, without prejudice to its other rights, agree to the withdrawal of my bid or cancel the contract that may have been entered into between me and the Province. I/we will then pay to the Province any additional expenses incurred by the Province having either to accept any less favourable bid or, if fresh bids have to be invited, the additional expenditure incurred by the invitation of fresh bids and by the subsequent acceptance of any less favourable bid. The Province shall have the right to recover such additional expenditure by set-off against monies which may be due to me under this or any other bid or contract or against any guarantee or deposit that may have been furnished by me or on my behalf for the due fulfilment of this or any other bid or contract and pending the ascertainment of the amount of such additional expenditure to retain such monies, guarantee or deposit as security for any loss the Province may sustain by reason of my default;
 - (d) if my bid is accepted, the acceptance may be communicated to me by registered post, and that the South African Post Office Limited shall be treated as delivery agent to me;
 - (e) the law of the Republic of South Africa shall govern the contract created by the acceptance of my bid and I choose *domicilium citandi et executandi* in the Republic at (full physical address)

.....

.....
3. I/we furthermore confirm that I/we have satisfied myself as to the correctness and validity of my bid: that the price(s), rate(s) and preference bid cover all of the work/item(s) and my obligations under a resulting contract, and I accept that any mistakes regarding the price(s) and calculations will be at my risk.
4. I/we hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement, as the Principal(s) liable for the due fulfilment of this contract.
5. I/we agree that any action arising from this contract may in all respects be instituted against me and I/we hereby undertake to satisfy fully any sentence or judgement which may be pronounced against me as a result of such action.
5. I/we confirm that I/we have declared all and any interest that I or any persons related to my business has with regard to this bid or any related bids by completion of the Declaration of Interest Section.

SECTION H
PRICING PAGE – FIRM PRICES
(SERVICES)

N.B.: This form must be completed in detail, signed by the Bidder and bear the signature of a witness. Failure to comply with these requirements may result in the bid being disregarded.

CLOSING DATE AND TIME: 15 JULY 2019 @ 11:00 VALIDITY PERIOD: 120 DAYS

BID NO: ZNT 1962/2019 LG		PERIOD : 36 MONTHS	
THE APPOINTMENT OF SKILLED FINANCIAL PROFESSIONALS TO CONSTITUTE A PANEL OF EXPERTS TO PROVIDE FINANCIAL SUPPORT TO IDENTIFIED MUNICIPALITIES ON BEHALF OF THE DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS, INCLUDING FINANCIAL MANAGEMENT SUPPORT TO THE DEPARTMENT.		NAME AND ADDRESS OF BIDDER(FIRM)	
		
		
		TEL:.....	
		FAX:.....	
DOES OFFER COMPLY WITH THE SPECIFICATION? <i>If not, furnish details of deviation in space provided for "Remarks"</i>		YES / NO (Delete which is not applicable)	
TOTAL BID PRICE ** (ALL APPLICABLE TAXES INCLUDED)		R	
BID PRICE IN WORDS ** (ALL APPLICABLE TAXES INCLUDED)			
REMARKS (If any):		
		(Signature of Bidder)	
		DATE:	
		
		(Signature of Witness)	
		DATE:.....	

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

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

SECTION I (SBD 7)
AUTHORITY TO SIGN A BID

A. COMPANIES

If a Bidder is a company, a certified copy of the resolution by the board of directors, personally signed by the chairperson of the board, authorizing the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company must be submitted with this bid, that is before the closing time and date of the bid

AUTHORITY BY BOARD OF DIRECTORS

By resolution passed by the Board of Directors on 20....., Mr/Mrs whose signature appears below) has been duly authorized to sign all documents in connection with this bid on behalf of (Name of Company).....

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF COMPANY:
(PRINT NAME)

SIGNATURE OF SIGNATORY: **DATE:**

WITNESSES: 1

2

B. SOLE PROPRIETOR (ONE - PERSON BUSINESS)

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

SIGNATURE.....

DATE.....

C. PARTNERSHIP

The following particulars in respect of every partner must be furnished and signed by every partner:

Full name of partner**Residential address****Signature**

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

We, the undersigned partners in the business trading as.....
 hereby authorize to sign this bid as well as any contract resulting from
 the bid and any other documents and correspondence in connection with this bid and /or contract on behalf of
 (company name)

.....
SIGNATURE

.....
SIGNATURE

.....
SIGNATURE

.....
DATE

.....
DATE

.....
DATE

D. CLOSE CORPORATION

In the case of a close corporation submitting a bid, a certified copy of the Founding Statement of such corporation shall be included with the bid, together with the resolution by its members authorizing a member or other official of the corporation to sign the documents on their behalf.

By resolution of members at a meeting on 20..... at.....

..... Mr/Ms....., whose signature appears below, has been authorized to sign
 all documents in connection with this bid on behalf of (Name of Close Corporation)

SIGNED ON BEHALF OF CLOSE CORPORATION:
 (PRINT NAME)

IN HIS/HER CAPACITY AS: **DATE:**

SIGNATURE OF SIGNATORY:

WITNESSES: 1 **WITNESS: 2**

E. CO-OPERATIVE

A certified copy of the Constitution of the co-operative must be included with the bid, together with the resolution by its members authoring a member or other official of the co-operative to sign the bid documents on their behalf.

By resolution of members at a meeting on 20..... at

Mr/Ms....., whose signature appears below, has been authorized to sign all documents in connection with this bid on behalf of (Name of cooperative)

SIGNED ON BEHALF OF CO-OPERATIVE:.....
(PRINT NAME)

IN HIS/HER CAPACITY AS: **DATE:**.....

SIGNATURE OF AUTHORISED REPRESENTATIVE/SIGNATORY:

WITNESSES: 1 **WITNESS:- 2**

F. CONSORTIUM

If a bidder is a consortium, a certified copy of the resolution/agreement passed/reached signed by the duly authorized representatives of concerned enterprises, authorizing the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the consortium must be submitted with this bid, before the closing time and date of the bid.

AUTHORITY TO SIGN ON BEHALF OF THE CONSORTIUM

By resolution/agreement passed/reached by the consortium on 20

Mr/Mrs.....(whose signature appear below) have been duly authorised to sign all documents in connection with this bid on behalf of:

(Name of Consortium).....

SIGNED ON BEHALF OF CLOSE CORPORATION:
(PRINT NAME)

IN HIS/HER CAPACITY AS **DATE:**

SIGNATURE OF SIGNATORY:

WITNESSES: 1 **WITNESS: - 2**

G. JOINT VENTURE

If a bidder is a joint venture, a certified copy of the resolution/agreement passed/reached signed by the duly authorized representatives of the enterprises, authorizing the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the joint venture must be submitted with this bid, before the closing time and date of the bid.

AUTHORITY TO SIGN ON BEHALF OF THE JOINT VENTURE

By resolution/agreement passed/reached by the joint venture partners on.....20.....

Mr/Mrs.....,Mr/Mrs.....

Mr/Mrs.....and Mr/Mrs.....

(whose signatures appear below) have been duly authorized to sign all documents in connection with this bid on behalf of:(Name of Joint Venture).....

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF (COMPANY NAME):
(PRINT NAME)

SIGNATURE:..... **DATE:**

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF (COMPANY NAME):
(PRINT NAME)

SIGNATURE :..... **DATE:**

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF (COMPANY NAME):
(PRINT NAME)

SIGNATURE :..... **DATE:**

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF (COMPANY NAME):
(PRINT NAME)

SIGNATURE :..... **DATE:**

IN HIS/HER CAPACITY AS:.....

SECTION J (SBD 8)

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions 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 disregarded if that bidder, or any of its directors have-
- 4 Abused the institution's supply chain management system; committed fraud or any other improper conduct in relation to such system; or failed to perform on any previous contract.
- 5 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). 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 pg	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:.....		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? 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 <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:.....		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:.....		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:.....		

CERTIFICATION

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

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

SECTION K (SBD 9) CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1991, 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 SBD 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 (SBD 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.

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)

4. I have read and I understand the contents of this Certificate;
5. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in

every respect;

6. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
7. 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;
8. 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
9. 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.
10. 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.
11. 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.
12. 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 1991 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

.....
Position

.....
Date

.....
Name of Bidder

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

SECTION L SPECIAL CONDITIONS OF CONTRACT

SECTION 1: DEFINITION OF TERMS

1.1 SERVICE

The services to be rendered by professional service providers must be rendered in terms of this contract.

1.2 CONTRACTOR

The person or persons, partnership, close corporation, firm or company, whose bid for this service was accepted.

1.3 AGREEMENT

This comprises the agreement signed by parties, the conditions of bid, the bid and the specifications.

1.4 AGREEMENT PERIOD

The period during which the service is to be rendered and originally determined in the agreement, or as amended, extended or renewed in accordance with stipulations of the agreement.

1.5 PARTIES

The parties to this contract are The Head of Co-operative Governance and Traditional Affairs in the KwaZulu-Natal Provincial Administration and Contractor.

1.8 DEPARTMENT

KwaZulu-Natal department of Co-operative Governance and Traditional Affairs.

1.9 CURTAILMENT OF SERVICE

The Department reserves the right to withdraw from the service any part/s of the contract as a whole, with one month's written notification to the contractor. In a case such as this, the contract sum will be adjusted *pro rata* from the date of withdrawal.

SECTION 2: IMPORTANT INFORMATION TO NOTE

2.1 This bid is invited and will be awarded and administered in terms of the following:-

- 2.1 KwaZulu-Natal Supply Chain Management Policy Framework,
- 2.2 Section 217 of the Constitution,
- 2.3 The PFMA and its Regulations in general,

- 2.4 The Preferential Procurement Policy Framework Act,
- 2.5 National Treasury guidelines, and
- 2.6 Provincial Treasury's Supply Chain Management Practice Notes and guidelines

2.2**REQUIRED COMPULSORY INFORMATION****2.2.1 The bidder shall ensure that all the required information is furnished; viz:-**

- 2.2.1 Declaration of interest (SECTION E)
- 2.2.2 Tax Compliance Status Requirements,
- 2.2.3 Compulsory Briefing Session (SECTION M)
- 2.2.4 Authority to sign a bid (SECTION I),
- 2.2.5 Conditions of Bid (SECTION G)
- 2.2.6 Tax Compliance Status.
- 2.2.7 Each party to a Consortium/Group of sub-contractors must obtain separate Tax Clearance Certificate(s) and also be registered on the Suppliers Database.
- 2.2.8 A valid certified copy of B-BBEE Status Level Verification Certificate/ Letter from Sworn Affidavit must be submitted with the proposal.

NOTE: Failure to submit the required information may invalidate the entire proposal.**SECTION 3: SPECIAL CONDITIONS OF CONTRACT****3.1 ACCEPTANCE OF BID**

- 3.1.1 This bid has been invited, and will be adjudicated in terms of the KwaZulu-Natal Supply Chain Management Policy Framework and the KwaZulu-Natal Provincial Treasury's Practice Notes. Co-operative Governance and Traditional Affairs' Bid Adjudication Committee is under no obligation to accept the lowest or any bid.
- 3.1.2 The financial standing of bidders and their ability to manufacture or to supply goods or render services may be examined before their bids are considered for acceptance.

3.2 APPEALS

- 3.2.1 Entities aggrieved by a decision of a departmental Bid Adjudication Committee or a delegate of an accounting officer, may appeal to the Bid Appeals Tribunal in the prescribed manner by the Supply Chain Management Policy Framework

3.3 AMENDMENT OF CONTRACT

- 3.3.1 Any amendment to or renunciation of the provisions of the contract shall at all times be done in writing and shall be signed by both parties subject to the Legal Services screening the amendment before it is signed.

3.4 CHANGE OF ADDRESS

- 3.4.1 Bidders must advise the Department should their address (*domicilium citandi et executandi*) details change from the time of bidding to the expiry of the contract.

3.5 COMMUNICATION

- 3.5.1 All correspondence with regard to this bid must be addressed or hand delivered to the:

The Head SCM Unit,

Department Co-operative Governance and Traditional Affairs,
Private Bag X9078,
Pietermaritzburg
3200

ENQUIRIES: **Ms Lindiwe Madlala TEL.: 033-395 2174**

3.6 COMPLETENESS OF BID

- 3.6.1 Bids will only be considered if correctly completed and accompanied by all relevant certificates and other necessary applicable information.

3.7 COMPLETION OF SPECIFICATION

- 3.7.1 Where specifications are designed in such a way that responses would be required from bidders, these forms must be completed and submitted as part of the bid document.

3.8 CONDITIONS OF BID

- 3.8.1 The successful Contractor must be in a position to assume duty on the date stipulated in the letter of acceptance.
- 3.8.2 No bid received by telegram, telex, or facsimile will be considered.
- 3.8.3 It shall be noted that the Department is under no obligation to accept the lowest or any bid.
- 3.8.4 The offer shall be made strictly according to the specification. No alternative offers will be considered.
- 3.8.5 Bidders must provide the following particulars about themselves as part of the bid:
- 3.8.5.1 Where they have their Headquarters
- 3.8.5.2 Where they have their Regional Office.
- 3.8.5.3 Name, address and telephone number of bankers together with their bank account number.
- 3.8.5.4 The names, identity numbers and street addresses of all partners in cases where persons, a partnership, or a firm consists of a partnership.

- 3.9 In cases where a person or persons, a partnership, close corporation, firm or company enters business for the very first time, the following particulars shall be provided:

- 3.9.1 By whom, or with whose assistance, was the business plan drafted?
- 3.9.2 By whom, or with whose assistance, were the bid prices calculated?
- 3.9.3 Whose advice is relied on?
- 3.9.4 Who will provide financial support?

- 3.10 A list of references must accompany this bid. Particulars shall be submitted regarding similar agreements completed successfully or of projects which the bidder is engaged in.

3.11 CONFIDENTIALITY

The contractor's staff that comes into contact with the Department's confidential information and documents may be required to sign confidentiality agreements so as to protect the Department's information.

3.12 CONTRACT PERIOD

- 3.12.1 The contract period shall remain in force for a period of 36 months from date of signing of official contracts.

- 3.12.2 The Department of Co-operative Governance and Traditional Affairs reserves the right to terminate the contract with any contractor should the contractor fail to fulfil his/her contractual obligations in terms of the contract.

3.13 DETAILS OF CURRENT CONTRACTS HELD BY THE BIDDER

3.13.1 The bidder must furnish the following details of all current contracts:

- (i) Date of commencement of contract/s;
- (ii) Expiry date/s;
- (iii) Value per contract; and
- (iv) Contract details. That is, with whom held, phone number and address/s of the company.

3.14 EQUAL BIDS

3.14.1 In the event that two or more bids have equal total points, the successful bid will be the one scoring the highest number of preference points for specified goals. Should two or more bids be equal in all respects, the Adjudication shall be decided by the drawing of lots.

3.15 EXECUTION CAPACITY

3.15.1 The bidder will be required to provide an efficient and effective service. Therefore, the bidder is required to submit proof that he/she has the required capacity to execute the contract tendered for successfully. The bidder must supply references or state his/her experience as a company to undertake the contract. References of past experience of owners/employees of new entities must accompany the bid document.

3.16 EXTENSION OF CONTRACT

3.16.1 An extension of contract may be considered. It is the normal policy that contracts are not extended. However, circumstances may arise whereby a contract cannot be renewed in time. If this is found to be the case, the right is reserved to approach existing contractor(s) to extend the contract for such period agreed to.

3.17 GENERAL EVALUATION CRITERIA

The Bid Evaluation Committee will assess offers and adhere to the following basic guidelines when evaluating.

- a. Whether all the required information called for in the bid document has been submitted by the bidder.
- b. Has the bidder supplied references or stated his/her experience as a Company to undertake the contract. References of past experience must accompany the bid document.
- c. The financial standing of the bidder and ability to render a service may be examined before an award of bid take place.
- d. Preferences will be taken into consideration by the Department in terms of the B-BBEE Scorecard.
- e. Documented reports received from an institution/s pertaining to past bad performance by a company who is tendering, may be taken into consideration.
- f. Did the bidder attend the site inspection?
- g. Will the bidder be in a position to successfully execute the contract?
- h. The 80/20 Point System will apply in the evaluation of this bid.

3.18 IRREGULARITIES

2.18.1 Companies are encouraged to advise the Department timeously of any possible irregularities which might come to their notice in connection with this or other contracts.

3.19 JOINT VENTURES

3.19.1 In terms of the Supply Chain Management Policy Framework, a consortium or joint venture may, based on the percentage of the contract value managed or executed by respective members.

3.19.2 Should this bid be submitted by a joint venture, a certified copy of the joint venture agreement **must** accompany the bid document before the closing date and time of bid. The joint venture agreement must clearly specify the percentage of the contract to be undertaken by each company participating therein.

3.19.3 A trust, consortium or joint-venture must obtain and submit a **consolidated B-BBEE Status Level Verification Certificate**. The non-submission of a consolidated B-BBEE Certificate by a company will result in preference points not being allocated to such company. Failure to submit the joint venture Agreement will result in preference points not being allocated to all companies participating in the joint venture.

3.20 LATE BIDS

3.20.1 Bids are late if they are received at the address indicated in the bid documents after the closing date and time.

3.20.2 A late bid shall not be considered and, where practicable, shall be returned unopened to the Bidder, accompanied by an explanation.

3.21 NOTIFICATION OF ADJUDICATION OF BIDDER & ADVERTISING OF RESULTS

3.21.1 Notification of the Adjudication of bid shall be in writing by a duly authorized official of Co-operative Governance and Tradition Affairs' Supply Chain Management unit.

3.22 PRO RATA DECREASE OF COMPENSATION

3.22.1 Should the services not be rendered to the satisfaction of the Department and unsatisfactory items/ aspects/ events have already, in writing, been brought to the attention of the Contractor, the Department reserves the right in terms of paragraph 3.27 hereunder, to retain payment to the Contractor for as long as the unsatisfactory service continues.

3.23 CENTRAL SUPPLIERS DATABASE

2.23.1 A bidder submitting an offer must be registered on the Central Suppliers Database. A bidder who has submitted an offer and is not registered on the Central Suppliers Database will not be considered.

3.23.2 Each party to a Joint Venture/Consortium must be registered on the Central Suppliers Database at the time of submitting the bid.

3.24 SUBMISSIONS AND COMPLETION OF SBD 6.1

3.24.1 Bidders are to complete SBD 6.1 document where applicable. Failure by the bidder to submit a valid B-BBEE status level verification certificate will result in the bidder not being considered for preference points allocation. If the information required is not applicable to the business, clearly insert the symbols "N/A" in the appropriate space. If the space provided is left blank, it will be regarded as information that is still outstanding and the SBD 6.1 will not be processed further.

3.25 TERMINATION OF SERVICES

3.25.1 Should the Contractor fail to meet the conditions of this contract, or continue rendering unsatisfactory service, the Employer reserves the right to terminate the contract, after written notification has been served on the Contractor, with retention of the right to recover from the Contractor any losses which the Employer may suffer/ incur as a result of the failure, without prejudicing any other rights it may have.

3.26 TAX CLEARANCE CERTIFICATE

3.26.1 The original Tax Clearance Certificate must be submitted with the bid before the closing date and time of the bid. Failure to submit a valid Tax Clearance Certificate will invalidate your bid

unless a valid, as at the closing date of this bid, original Tax Clearance Certificate is already in the possession of the Departments Supply Chain Management Unit. In this regard, a clear reference must be provided e.g. bid number.

3.26.2 Each party to a Joint Venture/Consortium must submit an original valid Tax Clearance Certificate together with the bid before the closing date and time of bid.

3.27 UNSATISFACTORY PERFORMANCE

3.27.1 Unsatisfactory performance occurs when performance is not in accordance with the contract conditions.

- (i) Before any action is taken, the Department shall warn the contractor by registered/certified mail that action will be taken in accordance with the contract conditions unless the contractor complies with the contract conditions and delivers satisfactory supplies or services within a specified reasonable time (7 days minimum). If the contractor does not perform satisfactorily despite the warning the Department will:
 - (a) take action in terms of its delegated powers
 - (b) make a recommendation for cancellation of the contract concerned.

3.28 VALIDITY PERIOD AND EXTENSION THEREOF

3.28.1 The validity (binding) period for the bid must be **120** days from close of bid. However, circumstances may arise whereby this Department may request the bidders to extend the validity (binding) period. Should this occur, the Department will request bidders to extend the validity (binding) period under the same terms and conditions as originally tendered for by bidders. This request will be done before the expiry of the original validity (binding) period.

3.29 VAT

2.29.1 Bid prices must be inclusive of VAT.

2.29.2 A tax invoice shall be in the currency of the Republic of South Africa and shall contain the following particulars:

- (a) The name, address and registration number of the supplier;
- (b) the name and address of the recipient;
- (c) an individual serialized number and the date upon which the tax invoice is issued;
- (d) a description of the goods or services supplied;
- (e) the quantity or volume of the goods or services supplied;
- (f) either :–
 - (i) the value of the supply, the amount of tax charged and the consideration for the supply; **or**
 - (ii) where the amount of tax charged is calculated by applying the tax fraction to the consideration, the consideration for the supply and either the amount of the tax charged, or a statement that it includes a charge in respect of the tax and the rate at which the tax was charged.

3.30 REGISTERED ADDRESS

The Department provides the following:

Street address as it's *domicillium citandi et executandi* in respect of any lawsuit which might result from or bears relevance to this contract, as well as for purposes of notice to :

The Head SCM Unit, KwaZulu-Natal Co-operative Governance and Traditional Affairs

14 th floor, South Tower, Natalia Building. 330 Langalibalele Street PIETERMARITZBURG 3200	Private Bag X9078, PIETERMARITZBURG 3200
----------------------------------------------------------------------------------------------------------------	------------------------------------------------

SECTION M

OFFICIAL BRIEFING SESSION/SITE INSPECTION CERTIFICATE

Site/building/institution involved:

Bid No: **ZNT 1962/2019 LG**

Service: **THE APPOINTMENT OF SKILLED FINANCIAL PROFESSIONALS TO CONSTITUTE A PANEL OF EXPERTS TO PROVIDE FINANCIAL SUPPORT TO IDENTIFIED MUNICIPALITIES ON BEHALF OF THE DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS, INCLUDING FINANCIAL MANAGEMENT SUPPORT TO THE DEPARTMENT.**

THIS IS TO CERTIFY THAT (NAME):

ON BEHALF OF:

ATTENDED THE BRIEFING SESSION ON: **01 JULY 2019 AT 10:00 AM on 330 LANGALIBALELE STREET, NATALIA BUILDING, 1ST FLOOR, AUDITORIUM, NORTH TOWER, PMB**

AND IS THEREFORE FAMILIAR WITH THE CIRCUMSTANCES AND THE SCOPE OF THE SERVICE TO BE RENDERED.

.....
SIGNATURE OF BIDDER OR AUTHORISED REPRESENTATIVE
 (PRINT NAME)

DATE:

.....
SIGNATURE OF DEPARTMENTAL REPRESENTATIVE
 (PRINT NAME)

.....
DEPARTMENTAL STAMP:
 (COMPULSORY)

DATE:

**cogta**

Department:

Co-operative Governance and Traditional Affairs

PROVINCE OF KWAZULU-NATAL

TERMS OF REFERENCE

ZNT 1962/2019LG

THE APPOINTMENT OF SKILLED FINANCIAL PROFESSIONALS TO CONSTITUTE A PANEL OF EXPERTS TO PROVIDE FINANCIAL SUPPORT TO IDENTIFIED MUNICIPALITIES ON BEHALF OF THE DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS, INCLUDING FINANCIAL MANAGEMENT SUPPORT TO THE DEPARTMENT.

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PROJECT BRIEF

THE APPOINTMENT OF SKILLED FINANCIAL PROFESSIONALS CONSTITUTE A PANEL OF EXPERTS TO PROVIDE FINANCIAL SUPPORT TO IDENTIFIED MUNICIPALITIES ON BEHALF OF THE DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS INCLUDING FINANCIAL SUPPORT TO THE DEPARTMENT

1. OBJECTIVE

The Department of Cooperative Governance and Traditional Affairs is to appoint a panel of professional service providers to assist with the implementation of Operation Clean Audit, Provincial Interventions and identified financial management support to the Department in terms of the Public Finance Management Act (PFMA).

The objective of this deployment is to appoint suitably skilled qualified financial professionals who will be deployed to the municipality for a period agreed upon to provide hands on support to the municipality, identify financial challenges and develop an implementation/recovery support plan to restore the financial viability and sustainability of the municipality. Those Financial Professionals appointed to the panel in terms of Discipline 11 on page 4 of this document are expected to provide financial management support to the Department of Cooperative Governance and Traditional affairs in compliance with the PFMA.

2. BACKGROUND

The Department has a constitutional mandate to monitor and support municipalities. The Department itself is further legally bound to comply with the Public Finance Management Act. In keeping with its mandate, various programmes of support have been developed by the Department. For the purposes of this document the following three programmes are indicative of the support activities that will address the mandate of the Department.

OPERATION CLEAN AUDIT

Operation Clean Audit is a programme developed by the Department to address the areas raised by the Auditor General within an Audit report of a municipality. Audit opinions that are negative in nature, namely qualified, adverse and disclaimer of opinions are indications that support is required to address these findings. The purpose of Operation Clean Audit is to support and assist municipalities to eradicate all qualified audit opinions, adverse audit

opinions and disclaimer of opinions in order to achieve financially unqualified audit opinions thus improving the audit outcome. This can be addressed by supporting and making recommendations on matters of financial compliance, performance management and internal control deficiencies emerging in audit reports of municipalities and improve the quality of annual financial statements.

INTERVENTIONS

Municipalities that are in a financial crisis are assisted by interventions of the Department either through Constitutional section 139 Interventions or Provincial Interventions in terms of provisions of the Municipal Finance Management Act, S136- S138. Municipalities that are under intervention will be supported by an external resource with the development and implementation of a financial recovery plan. The financial recovery plan will address financial difficulties experienced by the municipality; improve governance and financial control systems thus restoring the financial health of the municipality in order that it may manage its own affairs.

The purpose of establishing a panel of expertise under the auspices of Operation Clean Audit and those municipalities under intervention is to provide financial support as identified in the scope of work in paragraph 3 of this document to restore financial viability and sustainability. The panel of experts will also include support to the Department in terms of the PFMA.

SUPPORT TO THE DEPARTMENT

Financial Management support to the Department will be identified in terms of the PFMA and will include modified cost accounting, commitments, addressing audit findings and other areas as identified by the Department.

3. DETAILED SCOPE OF WORK

Deployment methodology

The appointment of skilled financial professional/s will be deployed to the identified Municipality as determined by the Department of Cooperative Governance and Traditional Affairs in consultation with the client municipality. The appointed service provider will be required to perform a scope of work from activities detailed below as a guideline. The resource selected from the appointed panel established will be assigned to an identified municipality and will be required to develop and present a implementation/recovery support plan detailing tasks to be undertaken and key milestones and deliverables that will be

achieved. The implementation support/recovery plan will be subject to approval by the Department and Municipality. Financial experts tendering to support the Department will be assigned duties in line with the PFMA and as identified by the Department.

The established panel of expertise must have the following minimum competencies and expertise:

1. Comprehensive knowledge and understanding of the legislation applicable to municipalities, including but not limited to the MFMA, DoRA, VAT Act, Taxation Administration Act, Municipal Property Rates Act; Municipal Systems Act and Municipal Structures Act;
2. In the instance of support to the Department comprehensive knowledge and understanding of the legislation applicable to provincial departments including but not limited to the PFMA. Knowledge and experience with the financial system used by the Department;
3. Thorough knowledge and understanding of National Treasury Guidelines and Regulations relevant to municipalities;
3. Knowledge and experience in the workings of the various financial systems used by municipalities including the processing and extracting of information;
4. Knowledge and expertise in the application of Generally Recognised Accounting Practices (GRAP) in municipalities;
5. Knowledge, expertise and practical experience in contributing to improved sustainability and financial viability through the conduct of projects with particular reference to the scope of work identified in Clause 3 above.
6. Ability to transfer skills to provincial and municipal officials; and
7. A clear understanding of the dynamics of the KwaZulu-Natal municipalities and the Department of Cooperative Governance and Traditional Affairs.

4. AREAS OF DISCIPLINE:

SCOPE OF OPERATION CLEAN AUDIT AND PROVINCIAL INTERVENTIONS	
<i>Areas of financial discipline</i>	CODE
1. Review the audit report and management letter, audit implementation plan, reports of progress and make recommendations for improvement.	AD1
2. Preparation of GRAP compliant interim/financial statements and financial reporting aligned to MSCOA.	AD2
3. Asset and liability management (accounting treatment and infrastructure treatment of assets especially service delivery assets.	AD3

4. Assessing and reviewing municipal financial management processes resulting in improved audit outcomes	AD4
5. Revenue enhancement, debt management and credit control processes	AD5
6. Supply chain management processes, expenditure management and cash management.	AD6
7. Budget support and management, cash flow and cost containment	AD7
8. Internal Audit support and review of compliance in internal audit support plans and implementation.	AD8
9. Property Rates and implementation of the Municipal Property Rates Act	AD9
10. Provincial interventions in terms of section 136(2) of the MFMA and section 139 of the Constitution of South Africa.	AD10
11. Financial Management support to the Department of Cooperative Governance and Traditional Affairs in terms of the PFMA.	AD11
12. Support on Performance Management Systems	AD12

The projects will be managed in staged phases as indicated hereunder:

Phase One: Operation Clean Audit and Interventions

1. Assess the municipal environment by conducting a review of the internal processes of the following areas:
 - Audit report areas and audit response plan implementation
 - Financial reconciliations and update of ledgers
 - Grant reconciliations
 - Asset management
 - Budget management and cash flow
 - Non -compliance of GRAP standards and policy implementation
 - Financial management and reporting
 - Competency and skills levels of financial staff
 - Compliance and readiness of preparatory processes in relation to period of year.
2. Develop a recovery plan/implementation plan of support required.
3. Discuss the plan with COGTA, seek approval and finalize plan.

4. Present the recovery /implementation plan to Council for adoption and implementation.
5. Discuss support implementation plan/recovery plan and period of support with municipality and COGTA.

Phase two:

1. Execute the implementation of the support/recovery plan.
2. Prepare progress reporting on the implementation of the plan.
3. Convene monthly steering committee meetings with management and CoGTA to discuss progress
4. Review and revise plan as necessary with CoGTA approval.

Phase three:

1. Finalise project close out.
2. Prepare exit strategy.
3. Document skills transfer and best practices.
4. Discuss exit strategy with management and CoGTA.
5. Submit final report on implementation of plan and way forward.

Activities

The suitably qualified financial professional will be tasked with specific activities related to the following but not limited hereto:

Following the overview assessment the following activities will be incorporated where applicable into the implementation/recovery plan for **Operation Clean Audit and Provincial interventions:**

Operation clean audit

- Review all monthly transactions and ensure the General Ledger of the municipality is updated and in line with all other sub ledgers;
- Ensure all municipal financial reconciliations are up to date, accurate and appropriately recorded to form part of Audit working papers;
- Facilitate the audit preparation process for 2018/2019 up to the production of the audit working papers (Audit File).
- Review the Asset Register and ensure compliance with GRAP standard;
- Facilitate the preparation of a GRAP compliant Annual Financial Statements aligned to MSCOA;
- Review prior year audit issues and ensure progressive reporting on the implementation of the Audit Response Plan;

- Facilitate the Annual Report Implementation;
- Review the implementation of Performance Management as required;
- Address all performance related matters raised in the auditor general's report;
- Ensure the municipality is fully compliant with all performance related matters ,including alignment of KPI's, targets etc ;
- Provide weekly updates and progress reports to the Department on the implementation of the project management implementation plan;
- Analyse the tariff structure, determine appropriateness and determine a process to work towards cost reflective tariffs using an appropriate costing methodology for the 2019/2020 financial year;
- Match the billing system with the valuation roll and GIS data for completeness of revenue;
- Compare the records in the valuation roll against the GIS cadastral layer;
- Undertake a records match between the valuation roll records and the municipal billing system including comparison of physical records, values, ownership and categories;
- Identify anomalies, missing records and produce an exception report with a corrective action plan;
- Facilitate correction and updating of records in the valuation roll and billing;
- Providing assurance on credible data to be uploaded on the Revenue Management System;
- Assist in ensuring completeness and accuracy of billing;
- Assist in the implementation of the revenue enhancement strategy and debt reduction strategy;
- Identify debt that is recoverable and develop strategies to collect;
- Review the indigent management process for credible management of indigent debtors;
- Assist municipal staff in cleansing the existing consumer database;
- Advise the municipality on decisions required to increase efficiency of the units involved in the revenue management processes.(meter reading to billing);
- Assisting in the review of reports and reconciliations prepared by the officials;
- Recommend amendments necessary in the existing policies and procedures to improve efficiency;
- Assist in contributing towards the financial viability and sustainability of the municipality through improved revenue management practices;

- Improve capacity of municipalities to comply with the MFMA and related regulations, municipal by-laws, municipal policies and procedures linked to revenue management;
- Contributing towards improving the audit opinion of the municipality by ensuring that the corrective action plan and housekeeping issues on revenue management are effectively implemented. Assisting in the implementation of corrective action plan on AG queries on revenue management;
- Capacitating the revenue management unit in the execution of their duties;
- Ensure the functionality of the all financial forums including Interim finance committee and revenue and debt steering committee;
- Review the current cash flow projection for completeness, accuracy and credibility which must be used as a monitoring tool;
- Identify cost drivers and measures to reduce expenditure with consideration to circular 82 on cost containment to improve financial viability and cash flow;
- Assist with addressing unauthorised, irregular, fruitless and wasteful expenditure;
- Review financial reports for completeness, credibility and accuracy and make recommendations, identify areas of improvement;
- Utilise municipal staff to achieve targets on the implementation plan and assess capacity of staff and provide a report on the findings;
- Assess business processes across municipal departments to identify gaps and make recommendations to improve these processes for operational efficiency;
- Performing general financial management responsibilities;
- Capacity building of municipal officials, transferring of skill sets including the design and implementation of a plan to build capacity and transfer skills to the municipal officials in respect of the operational areas, for joint approval by the municipality and Department of Cooperative Governance and Traditional Affairs. This plan is to be included in the implementation support plan;
- Ensure transfers of skills to financial staff with portfolio of evidence.

Provincial Interventions will also include activities illustrated below and above;

- To prepare in terms of section 141 a financial recovery plan compliant with Section 141(3) and section 142 of the MFMA in conjunction with the municipal support team from the Provincial Treasury, the municipal management and COGTA Department for approval by the MEC for COGTA in terms of section 143(1) of the MFMA.

- To ensure adoption of the recovery plan by the municipal council and ensure implementation of the recovery plan in accordance with section 145 of the MFMA.
- To report to the municipal council and the MEC for COGTA on a monthly basis or additionally as and when required in accordance with section 145(1) of the MFMA.
- Assist the MEC responsible for local government to review the provincial intervention in accordance with section 147(1) of the MFMA.
- Coordinate all support initiatives in the municipality including external service providers appointed by the municipality itself to undertake either financial management activities or other activities on behalf of the municipality.
- Consider and advise council on whether it is necessary to make Applications for a Stay of Legal Proceedings in accordance with sections 152 of the MFMA.
- Ensure implementation of the recommendations of any forensic investigation report undertaken by the MEC for COGTA and report thereon.
- Ratify all recommendations by the administration to the Council which may have any financial implication.
- Provide guidance and advice in council decision making and report thereon to the MEC for COGTA.
- To coordinate and work together with the municipal team, provincial treasury team and COGTA team charged with execution of section 137 of the MFMA at the Municipality.

Provincial Interventions will also include activities illustrated below and above;

Support to the Department of Cooperative Governance and Traditional Affairs;

- Identified finance management support to the Department in terms of the PFMA, which will include but not limited to modified cost accounting, commitments, addressing audit findings and matters as identified by the Department.

5. TIME FRAMES

The procurement of the suitable company's/persons needs to take place immediately. The contract will be for a period determined by the Department through the advertisement of the appointment of the panel, which will be on a rotational basis as defined in the project brief accepted and signed by the appointed panel.

- (1) The Department will make use of the panel of experts as soon as it is appointed for a period of two years.

- (2) The Chief Director: Municipal Finance together with the expert or team of experts appointed by the Department will agree on the timeframe for the completion of a specific project as guided by a defined scope of work.

6. REMUNERATION

Experts will be remunerated in accordance with the offer for a brief that they have submitted. Any offer submitted shall not exceed the Auditor General Tariff fees as gazetted/ published from time to time.

7. CONTRACT CONDITIONS

If a particular brief requires a multi-disciplinary approach, experts on the panel of experts must form their own associations with other experts of the panel. Experts may not form associations with other experts who are not on the panel.

8. SKILLS, EXPERTISE AND EXPERIENCE REQUIRED

Municipal Finance Experts (individuals):

- (1) Directors/Partners must indicate whether they are CA's. Skills, expertise and experience of managers, supervisors and junior staff on the team must be indicated. All experts must have a minimum NQF level 7 qualifications in disciplines of Accounting, and/or Auditing.
- (2) All experts must have at least 6 years' experience in the Municipal Finance environment i.e. has a proven track record of work performed at a municipality. Experience must be indicated for each of the disciplines /categories. In the case of support to discipline 11, experience in supporting Provincial Departments (PFMA)
- (3) The proposal document must include specific details of projects undertaken within the municipal environment within the last three years or in the case of the PFMA projects undertaken at the Provincial Departments.
- (4) All experts must have a detailed knowledge of the relevant legislation relating to the municipal environment and PFMA.
- (5) Experience with the compilation of comprehensive close out reports, including a summary of highlights, achievements, challenges encountered and lessons learned together with recommendations on the implementation of future projects of this nature.

- (6) Registration with the Institute of Municipal Finance Officers or South African Institute of Chartered Accountants will be preferred.

9. DELIVERABLES

- 1) Development, approval and implementation of a comprehensive implementation/recovery plan
- 2) All targets on the implementation/recovery plan must be achieved.
- 3) Monthly progress reports.
- 4) Monthly meetings to be held with stakeholders.
- 5) Stability and recovery of financial position of the Municipality.
- 6) Review and document of business work processes.
- 7) A portfolio of evidence on the transfer of skills to municipal finance staff.
- 8) An exit strategy.

10. INSTITUTIONAL ARRANGEMENTS

The service provider appointed will be accountable to the Chief Director: Municipal Finance

11. MONITORING, REPORTING REQUIREMENTS AND PERFORMANCE MANAGEMENT

- (1) The service provider will provide the Department with a recovery/implementation support plan and monthly reports indicating the progress against all milestones in the plan;
- (2) A comprehensive close-out report together with operating manual that will charter the way forward for future operation clean audit projects, support to intervention municipalities and or support to the Department.

12. CONTRACT PERIOD

- (1) The service providers will be appointed by the Department for specific projects. Each project will have a specified timeframe set by the Department.
- (2) Panel will remain in place for a period of three years.

13. ADJUDICATION OF PANEL OF EXPERTS

Expressions of interest from service providers/individuals/partnerships will be accepted, including, Declaration of Interest form, capacity to successfully deliver, as well as proof

of registration on the Provincial Treasury's Provincial Suppliers Database. Failure to provide proof will automatically invalidate any proposal.

Service providers / individuals/ partnerships must also submit an original tax clearance certificate form obtainable from the South African Revenue Services (SARS) with each proposal. Failure to provide an original valid tax clearance certificate will lead to disqualification.

The expression of interest which have been received will be evaluated by the Department's Bid Evaluation Committee. The recommended bidders will be adjudicated by the Department's Bid Adjudication Committee who will make a final recommendation. The final panel of recommended service providers will then be authorised by the Accounting Officer of the Department.

Once the award has been finalised the names of the panel will be published and there will be an opportunity for other applicants to lodge an appeal.

14. PANEL OF EXPERTS EVALUATION

Only service providers who meet the eligibility criteria will qualify for evaluation.

SKILLS, EXPERTISE AND EXPERIENCE REQUIRED

It is envisaged that local government finance practitioners with current affiliation to professional bodies such as SAICA and CIGFARO would be the best suited to undertake this project. The incumbent should also have project management skills.

The quality assurance would be through requesting written references from municipalities where the bidding service providers have undertaken similar work in the last three years.

Ideally, the service provider is expected to have the following skills, expertise and experience:

- Must have a minimum NQF level 7 qualification in the disciplines of accounting and/or economics.

- The prospective bidder must have current affiliation to professional bodies such as the Institute of Chartered Accountants and the Chartered Institute of Government Finance, Audit and Risk Officers (CIGFARO).
- Must have a proven track record of working in the local government municipal finance environment;
- The service provider must have multi-disciplinary project management skills in the areas of asset management, debt management and revenue enhancement/protection, supply chain management, performance management and internal auditing and the ability to transfer skills to municipal and COGTA staff;
- The service provider must have detailed knowledge of the relevant legislation relating to local government and the public sector
- Experience in the compilation of comprehensive progress reports, close-out reports, including a summary of highlights, achievements, challenges encountered, lessons learned and recommendations for future projects of this nature.

15. EVALUATION

1) The evaluation process consists of the following 3 independent phases –

- i Phase1: Eligibility
- ii Phase 2: Functionality

Bids must meet the requirements of each phase in order to proceed to the next. Only bids that meet the eligibility criteria will be evaluated for functionality.

- 2) Bids that do not meet the requirements of a particular phase will be disqualified.
- 3) Only bids that meet the functionality criteria would be considered.
- 4) The bid is only open to EMEs or QSEs with B-BBEE Level 1 certificate.

PHASE 1: ELIGIBILITY

If a Bidder does not comply fully with each of the eligibility requirements (including submitting all information as required), it shall be regarded as non-compliance and the bid shall be disqualified. Unanswered questions will be regarded as a 'Not Comply'

The service provider must submit the following documents as part of its bid:

Affiliation to Professional Bodies (tick box)	Proof of registration of Project Leader (current)	CIGFARO	SAICA	Other relevant/equivalent bodies
Reference letters	Written references from previous clients/employers for both the company and/or the individual team members (minimum of 2 references)			
Certified copies	Certified copies of academic qualifications			

Phase 2: Functionality

- a) Service providers must provide project information to be evaluated against the functionality criteria in Schedule 2.
- b) Service providers must provide a portfolio of evidence in the format prescribed in Schedules 2-4 in order to be evaluated against the functionality criteria.
- c) Service providers must achieve a score of 70% or higher in order to proceed to the next phase in the evaluation process against the functionality criteria detailed in schedule 1 below.

SCHEDULE 1

FUNCTIONALITY

Please tick appropriate box

INDIVIDUAL		COMPANY	
-------------------	--	----------------	--

Tick area of discipline for bid and transfer codes to schedule 2

SCOPE OF OPERATION CLEAN AUDIT AND PROVINCIAL INTERVENTIONS		
<i>Areas of financial discipline</i>	CODE	PLEASE TICK
1. Review the audit report and management letter, audit implementation plan, reports of progress and make recommendations for improvement.	AD1	
2. Preparation of GRAP compliant interim/financial statements and financial reporting aligned to MSCOA.	AD2	
3. Asset and liability management (accounting treatment and infrastructure treatment of assets especially service delivery assets.	AD3	
4. Assessing and reviewing municipal financial management processes resulting in improved audit outcomes	AD4	
5. Revenue enhancement, debt management and credit control processes	AD5	
6. Supply chain management processes, expenditure management and cash management.	AD6	
7. Budget support and management, cash flow and cost containment	AD7	
8. Internal Audit support and review of compliance in internal audit support plans and implementation.	AD8	
9. Property Rates and implementation of the Municipal Property Rates Act	AD9	
10. Provincial interventions in terms of section 136(2) of the MFMA and section 139 of the Constitution of South Africa.	AD10	
11. Financial Management support to the Department of Cooperative Governance and Traditional Affairs in terms of the PFMA.	AD11	
12. Support on Performance Management Systems	AD12	

A. Application as an individual

DISCIPLINE BID FOR:	CODE	DISCIPLINE BID FOR:	CODE

B. Application as a company

SERVICE PROVIDER (COMPANY)				
	WEIGHT	INSTRUMENT	SCORING	SCORE
Number of municipal management projects (or similar projects such financial recovery, asset management, municipal revenue and debt) implemented in the public sector in the last three years	10	Portfolio of Evidence. Reference letter from the client/ employer on the official letter head Schedule 2	Less than 1 = 0 1-2 = 2 3-4 = 4 5-7 = 6 8-10 = 8 More >10 = 10	
Demonstration of the company capacity and/ or access to resources that display multi-disciplinary skills and expertise in the context of local government and the public sector	10	Portfolio of Evidence Schedule 3	More than 3 appropriately skilled resources – 5 x 2 3 resources – 4 x 2 Less than 2 resources – 0 (individual applicant n/a)	
Companies Years' experience in Local Government and Public Sector financial management	10	Portfolio of Evidence Reference letter from the client/ employer on the official letter head Schedule 2	Less than 1 years = 0 1-2 years = 2 3-4 years = 4 5-6 years = 6 6-8 years = 8 over 8 years = 10	
PROJECT TEAM LEADERS AND MEMBERS				
• Team Leader	15	Portfolio of Evidence Certified Copies of Qualifications Schedule 4	Honours Degree in Accounting and currently registered with a professional body such as SAICA or CIGFARO – 5 Degree in Accounting and currently registered with a professional body such as SAICA or CIGFARO - 4	
	15	Portfolio of Evidence. Certified copies of CV's Schedule 4	5 years' or more experience in accounting and local government – 5 4 years' experience in accounting and local government – 4 3 years' experience in accounting and local government – 3 2 years' experience in accounting and local government – 2	

			1 year experience in accounting and local government – 1	
<ul style="list-style-type: none"> Team members (Accounting) 	10	Certified Copies of Qualifications	<p>Bachelor's Degree in Accounting with economics and accounting as major subjects – 5</p> <p>Three 3 year diploma with accounting and economics as major subjects – 4</p>	
	10	Certified copies of CV's	<p>5 years' experience of which at least 2 must be in local government – 5</p> <p>4 years' experience of which at least 2 must be in local government – 4</p> <p>3 years' experience of which at least 2 must be in local government – 3</p> <p>2 years' experience of which at least 1 must be in local government – 2</p> <p>1 year experience in accounting – 1</p>	
<ul style="list-style-type: none"> Other team members (discipline) 	10	Certified Copies of Qualifications	<p>Bachelors Degree in the relevant discipline of discipline with current membership of the relevant professional associations – 5</p> <p>Diploma in the relevant discipline of discipline with current members of the relevant professional associations – 4</p>	
Methodology	10		The technical approach and / or methodology is poor / is unlikely to satisfy project 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. - 1	
			The approach is generic and not tailored to address the specific project objectives and methodology. The approach does not adequately deal with the critical characteristics of the	

SCHEDULE 2

PORTFOLIO OF EVIDENCE: PROJECT IMPLEMENTATION

SERVICE PROVIDER (COMPANY)

PROJECT	Discipline coding	DURATION	CLIENT	CONTACT PERSON	CONTACT NUMBER (CLIENT)
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

SCHEDULE 3**LIST OF RESOURCES****SERVICE PROVIDER (COMPANY)**

ACCESS TO RESOURCES
1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

SCHEDULE 4**PORTFOLIO OF EVIDENCE : QUALIFICATION AND EXPERIENCE****TEAM LEADER****NAME:**

PROJECT	DURATION	CLIENT	CONTACT PERSON	CONTACT NUMBER (CLIENT)
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

SCHEDULE 4(a)

PORTFOLIO OF EVIDENCE : QUALIFICATION AND EXPERIENCE

TEAM MEMBERS

NAME:

PROJECT	DURATION	CLIENT	CONTACT PERSON	CONTACT NUMBER (CLIENT)
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

SCHEDULE 5

PRICING SCHEDULE

[illegible]

APPENDIX 1

DETAILS FOR COMPLETION OF AN ENVELOPE FOR A BID/QUOTATION

Section 1 paragraph 6 of this bid/quotation document indicates the requirements for addressing of an envelope when a bid/quotation is submitted to the Department. Kindly ensure the envelope is addressed correctly because if it is not properly addressed the bid/quotation may be rejected as being invalid and returned to the respective bidder. The correct manner in which it is to be addressed is detailed below:

EXAMPLE FORMAT

FRONT SIDE OF ENVELOPE	
Name and address of bidder:	XYZ Consultants, PO Box 1234, Durban 4000
Bid/Quotation Number:	ZNT 1962/2019 LG
Description:	THE APPOINTMENT OF SKILLED FINANCIAL PROFESSIONALS TO CONSTITUTE A PANEL OF EXPERTS TO PROVIDE FINANCIAL SUPPORT TO IDENTIFIED MUNICIPALITIES ON BEHALF OF THE DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS, INCLUDING FINANCIAL MANAGEMENT SUPPORT TO THE DEPARTMENT.
Closing date:	15 July 2019
Closing time:	11:00

REVERSE SIDE OF ENVELOPE	
Department's details and address:	The Head: Supply Chain Management Department of Co-operative Governance and Traditional Affairs 13 th Floor, North Tower Natalia Building 330 Langalibalele Street Pietermaritzburg 3201

APPENDIX 2

RETURNABLE DOCUMENTS

BIDDERS ARE REQUIRED TO ATTACH THE FOLLOWING DOCUMENT TOGETHER WITH THEIR PROPOSAL ON THE CLOSING DATE OF THE BID:

CERTIFIED COPY OF B-BBEE STATUS VERIFICATION CERTIFICATE
VALID PIN STATUS FROM SARS VALID FOR A MINIMUM OF 12 MONTHS
COMPANY PROFILE
PROOF OF REGISTRATION WITH CENTRAL SUPPLIER DATABASE (CSD)
PDF COPY OF PROPOSAL ON A DISC (COMPULSORY)

ANNEXURE “B”

GENERAL CONDITIONS OF CONTRACT1

THE NATIONAL TREASURY
Republic of South Africa



GOVERNMENT PROCUREMENT: GENERAL CONDITIONS OF CONTRACT July 2010

NOTES

The purpose of this document is to:

- (i) Draw special attention to certain general conditions applicable to government bids, contracts and orders; and
- (ii) To ensure that clients be familiar with regard to the rights and obligations of all parties involved in doing business with government.

In this document words in the singular also mean in the plural and vice versa and words in the masculine also mean in the feminine and neuter.

1. The General Conditions of Contract will form part of all bid documents and may not be amended.
2. Special Conditions of Contract (SCC) relevant to a specific bid, should be compiled separately for every bid (if applicable) and will supplement the General Conditions of Contract. Whenever there is a conflict, the provisions in the SCC shall prevail.

1 A copy of the complete document set containing the General Conditions of Contract is available on www.kzncogta.gov.za/bids

**GENERAL CONDITIONS OF CONTRACT
TABLE OF CLAUSES**

1. Definitions
2. Application
3. General
4. Standards
5. Use of contract documents and information; inspection
6. Patent rights
7. Performance security
8. Inspections, tests and analysis
9. Packing
10. Delivery and documents
11. Insurance
12. Transportation
13. Incidental services
14. Spare parts
15. Warranty
16. Payment
17. Prices
18. Contract amendments
19. Assignment
20. Subcontracts
21. Delays in the supplier's performance
22. Penalties
23. Termination for default
24. Dumping and countervailing duties
25. Force Majeure
26. Termination for insolvency
27. Settlement of disputes
28. Limitation of liability
29. Governing language
30. Applicable law
31. Notices
32. Taxes and duties
33. National Industrial Participation Programme (NIPP)
34. Prohibition of restrictive practices