



CAPE WINELANDS DISTRICT
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

QUOTATION Q 2022/063
PAINTWORK AND THE SUPPLY AND
INSTALLATION OF CARPET TILES IN OFFICES
STELLENBOSCH

Closing date: 11:00 on Friday 11 November 2022

(RETURNABLE DOCUMENT)

| | | | |
|--|---------------------------------|--------------------------|---|
| Name of Tenderer | Potts Devco (Pty) Ltd | | |
| Postal Address | 24 Bosch Street Strand, 7140 | | |
| Telephone number | 021 224 0799 | | |
| E-Mail address | info@pottsdevco.co.za | | |
| TOTAL BID PRICE (INCL. VAT) (Refer to Page 56) | R 99 112 - 75 | | |
| COMPLETION PERIOD: | June 2022 or as mutually agreed | B-BBEE LEVEL CLAIMED: | 1 |

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

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

Cape Winelands District Municipality
QUOTATIONS
Opened at 11h00 on
14 NOV 2022
Witness: _____

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THE TENDER

Part T1: Tendering procedures

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T1.1 Tender Notice and Invitation to Tender

T1.1.1 TENDER NOTICE

The Cape Winelands District Municipality invites tenders from Service Providers for paintwork and the supply and installation of carpet tiles in offices at 46 Alexander Street Stellenbosch. Tenderers must have a CIDB contractor's grading of 1GB or higher.

Technical enquiries regarding this bid may be directed to **Mr T. Solomon** at tel. **0861 265 263**.

This quotation is subject to Regulation 8 "Local Production and Content" of the Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulations, 2017 (No. R.32 dated 20 January 2017). Submitting of MBD 6.2 is compulsory. Bidders must use the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date of the advertisement.

This tender will be evaluated in terms of the Preferential Procurement Regulations, 2017 that was promulgated by the Minister of Finance on 20 January 2017 in Government Gazette No 40553. Please take note of the responsiveness criteria as stipulated in the tender document.

PROCUREMENT PREFERENCE POINT SYSTEM: 80/20

All prospective tenderers must ensure that they are registered and accredited on the CWDM's Supplier Database and National Treasury's Central Supplier Database.

Tender documents, in English, are available free of charge on the websites: www.capewinelands.gov.za or <https://etenders.treasury.gov.za>. Alternatively, hard copies of the document can be obtained from the offices of the Supply Chain Management Unit, Cape Winelands District Municipality at 29 Du Toit Street, Stellenbosch, upon payment of a non-refundable fee of R 210.00 per document.

Queries relating to the issuing of these documents may be addressed to **Ms E. Niemand**, Tel No: **0861 265 263**, or e-mail: elmine@capewinelands.gov.za

The closing time for receipt of tenders is before or at **11H00 on Monday, 14 November 2022**

Tenders must only be submitted on the tender documentation as issued.

Duly completed tenders must be enclosed in a (separate) sealed envelope and endorsed with the relevant tender number and description on the envelope/s. The sealed tenders must be placed in the official tender box of the District Municipality's offices at **29 Du Toit Street, Stellenbosch** on the abovementioned time and date.


All bids received will be opened in public. Late proposals and proposals submitted by e-mail or fax will under no circumstances be accepted. The CWDM reserves the right to withdraw any proposal, invitation and/or to re-advertise or to reject any proposals or to accept any part of it. The CWDM does not bind itself to accepting the lowest bid or to award a contract to the bidder who scores the highest number of points.

Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.

HF PRINS
MUNICIPAL MANAGER

T1.1.2

INVITATION TO BID – MBD 1

| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY) | | | | | |
|--|---|---------------|--|---|--------------|
| Tender number: | Q 2022/063 | Closing date: | 14/11/2022 | Closing time: | 11h00 |
| Description | PAINTWORK AND THE SUPPLY AND INSTALLATION OF CARPET TILES IN OFFICES STELLENBOSCH | | | | |
| THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7). BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE TENDER BOX SITUATED AT: 29 DU TOIT STREET, STELLENBOSCH | | | | | |
| SUPPLIER INFORMATION | | | | | |
| Name of bidder | Potts Devco (Pty) Ltd | | | | |
| Postal address | 24 Bosch Street, Strand, 7140 | | | | |
| Street address | Unit 14D, 90 De Kock & Boundary Avenue, Strand, 7140 | | | | |
| Telephone number | Code | 021 | Number | 224 0799 | |
| Cell phone number | 081 557 5165 | | | | |
| E-mail address | info@pottsdevco.co.za | | | | |
| VAT registration number | 4440274720 | | | | |
| Tax compliance status | TCS PIN: | B4C42142EK | OR | CSD No: | MAAA 0011478 |
| B-BBEE status level verification certificate [tick applicable box] | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | B-BBEE status level sworn affidavit | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| [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] | |
| Total number of items offered | Various | | Total bid price | R 99 112 - 75 | |
| Signature of bidder |  | | Date | 8 November 2022 | |
| Capacity under which this bid is signed | Director | | | | |
| TECHNICAL INFORMATION MAY BE DIRECTED TO: | | | | | |
| Contact person | Tommy Solomon | | | | |
| Telephone number | 021 888 5204 | | | | |
| E-mail address | thomas@capewineland.gov.za | | | | |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED | | | | | |
| Contact person | Elmine Niemand | | | | |
| Telephone number | 021 888 5175 | | | | |
| E-mail address | elmine@capewineland.gov.za | | | | |

TERMS AND CONDITIONS FOR BIDDING – PART B

1. BID SUBMISSION:

- 1.1. Bids must be delivered by the stipulated time to the correct address. Late bids will not be accepted for consideration.
- 1.2. All bids must be submitted on the official forms provided– (not to be re-typed) or online
- 1.3. This bid is subject to the Preferential Procurement Policy Framework Act and the Preferential Procurement Regulations, 2017, the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 Bidders must ensure compliance with their tax obligations.
- 2.2 Bidders are required to submit their unique personal identification number (pin) issued by SARS to enable the organ of state to view the taxpayer's profile and tax status.
- 2.3 Application for the tax compliance status (TCS) certificate or pin may also be made via e-filing. To use this provision, taxpayers will need to register with SARS as e-filers through the website www.sars.gov.za.
- 2.4 Foreign suppliers must complete the pre-award questionnaire in part b:3.
- 2.5 Bidders may also submit a printed TCS certificate together with the bid.
- 2.6 In bids where consortia / joint ventures / sub-contractors are involved; each party must submit a separate TCS certificate / pin / CSD number.
- 2.7 Where no TCS is available, but the bidder is registered on the central supplier database (CSD), a CSD number must be provided.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. Is the entity a resident of the republic of South Africa (RSA)? Yes No
- 3.2. Does the entity have a branch in the RSA? Yes No
- 3.3. Does the entity have a permanent establishment in the RSA? Yes No
- 3.4. Does the entity have any source of income in the RSA? Yes No
- 3.5. Is the entity liable in the RSA for any form of taxation? Yes No

If the answer is "no" to all the above, then it is not a requirement to register for a tax compliance status system pin code from the South African Revenue Service (SARS) and if not register as per 2.3 above.

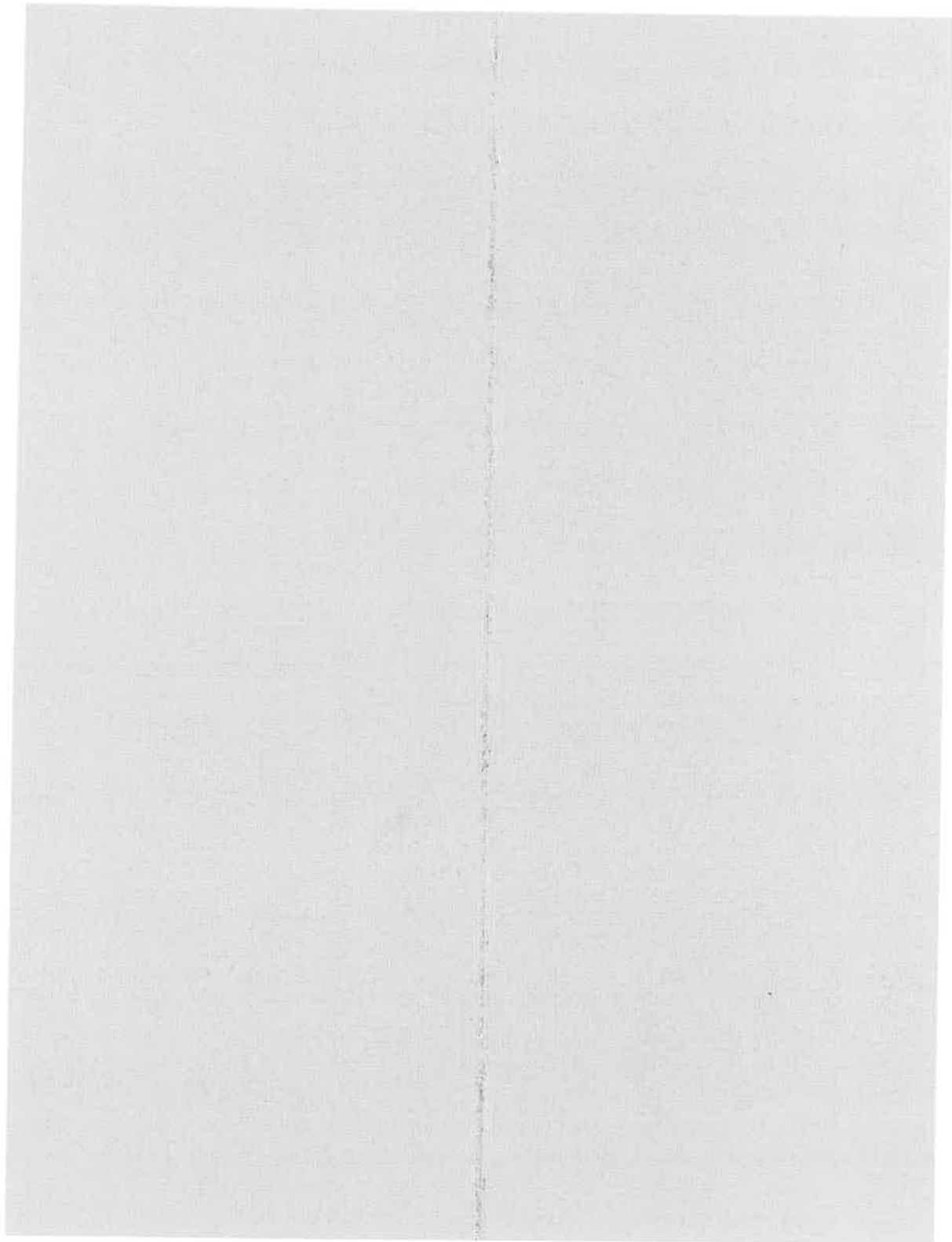
**NB: failure to provide any of the above particulars may render the bid invalid.
No bids will be considered from persons in the service of the state.**

Signature (s): 

Name (s): Leroy Potts

Capacity for the Tenderer: Director

Date: 8 November 2022



T1.2: TENDER DATA

Tender data - T1.2.1

The conditions of tender are the Standard Conditions of Tender as contained in Annex F of Board Notice 136 of 2015 in Government Gazette 38960 of 10 July 2015, Construction Industry Development Board (CIDB) Standard for Uniformity in Construction Procurement. See www.cidb.org.za which is reproduced without amendment or alteration for the convenience of tenderers as Annex A to this Tender Data.

The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the standard Conditions of Tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

The following variations, amendments and additions to the Standard Conditions of Tender as set out in the Tender Data below shall apply to this tender.

Clause Wording

C.1 General

C.1.1 Actions

Add the following:

The employer is Cape Winelands District Municipality.

C.1.2 Tender Documents

Add the following:

The tender documents issued by the employer comprise of those listed in the contents page.

The Tender Document and possible drawings shall be obtained from the Employer at the physical address stated in the Tender Notice, upon payment of the fee stated in the Tender Notice.

The following documents form part of this contract:

- **VOLUME 1:** *The General Conditions of Contract for Construction Works (Third Edition) 2015 as published by the South African Institution of Civil Engineering. This publication is available, and tenderers must obtain copies at their own cost from the South African Institution of Civil Engineering (SAICE), Private Bag X200, Halfway House 1685, Tel: (011) 805 5947, Fax: (011) 805 5971, e-mail: civilinfo@saice.org.za.*
- **VOLUME 2:** *The South African Bureau of Standards Standardized Specification for Construction Procurement SANS 10845, prepared by and obtainable from the South African Bureau of Standards, Private Bag X191, Pretoria 0001, Tel: (012) 428 6929, Fax: (012) 428 6928, Web site: www.stansa.co.za.*

Volumes 1 and 2 may also be inspected, by appointment, at the offices of the Employer's Agent during normal office hours.

• National Treasury - Government Procurement: General Conditions of Contract

C.1.4 Communication and Employer's Contact

Add the following:

The Employer's Agent is T. Solomon

Name: Department: Technical Services / Division: Facilities Management
Address: P.O. Box 100, Stellenbosch, 7599
Attention: Mr T. Solomon
Tel: 021 888 5204
e-mail: thomas@capewinelands.gov.za

C.1.6.2 Competitive negotiation procedure

Add the following:

A competitive negotiation procedure will **not** be followed.

C.1.6.3 Proposal procedure using two-stage system

Add the following:

A two-stage system will **not** be followed.

C.2 Tenderer's obligations**C.2.1 Eligibility***Add the following:*

Only those tenderers who satisfy the following criteria are eligible to submit tenders:

C2.1.1 Only those tenderers who are registered with the **Construction Industry Development Board (CIDB)** prior to the tender closing time and evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered or a value determined in accordance with Regulation 25 (1B) or 25 (7A) of the Construction Industry Development Regulations, for an **1GB** class of construction work or higher, are eligible to have their tenders evaluated.

C2.1.2 As a statutory requirement, the contractor must be registered with the Department of Labour for Compensation for Occupational Injury and Diseases Act (COIDA) or any other accredited Compensation Insurer. Proof of Registration and a valid Letter of Good Standing must be handed in with the tender in this regard.

C2.1.3 As a statutory requirement, the contractor must be registered in the name of the entity with the relevant Building Bargaining Council (BBC). Proof of Registration and a valid Letter of Good Standing must be handed in with the tender in this regard.

C2.1.4 Bidder must provide proof of at least three (3) previous contactable references of previous projects of a similar nature.

C.2.7 Clarification meeting*Add the following:*

No clarification meeting will take place.

C.2.9 Insurance*Add the following:*

The employer will not provide any insurance for goods prior to the transfer of ownership.

C.2.12 Alternative tender offers*Replace with:*

C.2.12.1 No alternative tender offers will be accepted.

C.2.13 Submitting a Tender Offer*Add the following:*

Tenderers shall not tamper with the Tender Documents which must be submitted as issued. Tender Documents found to have been unbound may be deemed unacceptable.

Each Tenderer is required to submit under sealed cover the complete set of Tender Documents with all the required information and complete in all respects. The envelope shall be addressed to the CAPE WINELANDS DISTRICT MUNICIPALITY and endorsed as described in the Tender Notice and placed in the tender box of the CAPE WINELANDS DISTRICT MUNICIPALITY before closing date and time of tender.

Any tender which is delivered to an address other than the one stipulated in the Tender Notice will not be accepted. Uncompleted tenders must be clearly marked with the contract number, as well as "Uncompleted Tender".

C.2.13.3 Parts of each tender offer communicated on paper shall be submitted as an original, plus zero (0) copies.

C.2.13.5 Parts of each tender offer communicated on paper shall be submitted as an original, plus zero (0) copies.

C.2.13.7 The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:

Location of tender box: 29 Du Toit Street, **STELLENBOSCH**, 7600

Physical address: 29 Du Toit Street, **STELLENBOSCH**, 7600

Identification details: **Q 2022/063**

Title of Tender: **PAINTWORK AND THE SUPPLY AND INSTALLATION OF CARPET TILES IN OFFICES STELLENBOSCH**

C.2.13 A two-envelope procedure will not be followed.

C.2.15 Closing time*Add the following to clause C.2.15.*

C.2.15.1 The closing time for submission of tender offers is stated in the Tender Notice and Invitation to Tender. Telegraphic, telephonic, telex, facsimile or e-mailed tenders offers will not be accepted.

The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:

Location of tender box: 29 Du Toit Street, **STELLENBOSCH**, 7600

Physical address: 29 Du Toit Street, **STELLENBOSCH**, 7600

Identification details: **Q 2022/063**

Title of Tender: **PAINTWORK AND THE SUPPLY AND INSTALLATION OF CARPET TILES IN OFFICES STELLENBOSCH**

C.2.16 Tender offer validity

Add the following to clause C.2.16.1:

- C.2.16.1** The fact and action of handing in a tender to the Municipality is accepted as a contract between the Municipality and the bidder whereby such a tender remains valid and available for a period of ninety (90) days, calculated from the closing date as advertised for the tender, for acceptance, or non-acceptance by the Municipality. The bidder undertakes not to withdraw, or alter, the tender during this period.

C.2.23 Certificates

Add the following:

The tenderer is required to submit the certificates listed in the Returnable Documents.

C.3.4 Opening of tender submissions

Add the following:

The time and location for opening the tender offers are in accordance with C.2.15.1.

C.3.5 Two-envelope system

Add the following:

- C.3.5.1** The two-envelope system will **not** be followed for this contract.

C.3.11 Evaluation of tender offers

Add the following

- C.3.11.2** The method for the evaluation of tender offers is Method 1: Price and Preference.

- C.3.11.7** The financial offer will be scored using Formula 2 where W1 is.

80 where the financial value inclusive of VAT of all responsive tenders received do not exceed R50,000,000.00. Up to 100 minus W1 tender evaluation points will be awarded to tenders who duly complete the Preferential Procurement Declaration Schedule and who are found to be eligible for the preference claimed.

C.3.13 Acceptance of tender offer

Add the following to C.3.13:

- C.3.13.1** Tender offers will only be accepted if:

- a) the tenderer is registered and in good standing with the South African Revenue Service (SARS) and has submitted the unique person identification number (pin) issued by SARS to enable the organ of state to view the taxpayer's profile and tax status.
- b) the tenderer or any of its directors is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector.
- c) the tenderer has not:
 - i) abused the Employer's Supply Chain Management System; or
 - ii) failed to pay municipal rates and taxes or service charges and such rates, taxes and charges are in arrears for more than three months.
 - iii) failed to perform on any previous contract and has been given a written notice to this effect.
- d) the tenderer has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the employer or potentially compromise the tender process.

Tender offers will be rejected if they show any conditional or incomplete offers and irregularities of any kind in the tender.

The Employer does not bind himself to accept the lowest priced tender, highest points tender or any tender offer. The Employer has the right to accept any part of a tender as he may deem expedient subject to negotiation with the successful tenderer for the whole tender.

C.3.13.2 Disputes, objections, complaints, and queries

In terms of Regulations 49 and 50 of the Local Government: Municipal Finance Management Act, 2003 – Municipal Supply Chain Management Regulations (Notice 868 of 2005):

- a) Persons aggrieved by decisions or actions taken by the Cape Winelands District Municipality in the implementation of its supply chain management system, may lodge within 14 days of the decision or action, a written objection or complaint or query or dispute against the decision or action.
- b) Objections, complaints, queries, and disputes must be submitted in writing to the Municipal Manager, Cape Winelands District Municipality, 46 Alexander Street, Stellenbosch or posted to P O Box 100, Stellenbosch, 7599.

C.3.13.3 Appeals

- a) In terms of Section 62 of the Systems Act 32 of 2000 a person whose rights are affected by a decision taken by the Cape Winelands District Municipality in the implementation of its supply chain management system, may appeal against that decision by giving written notice of the appeal and reasons to the Municipal Manager within 21 days of the date of the notification of the decision.
- b) An appeal must contain the following:
 - i) Reasons and/or grounds for the appeal
 - ii) The way in which the appellants rights have been affected
 - iv) Remedy sought by appellant
- c) Appeals must be submitted in writing to the Municipal Manager, Cape Winelands District Municipality, 46 Alexander Street, Stellenbosch or posted to P O Box 100, Stellenbosch, 7599

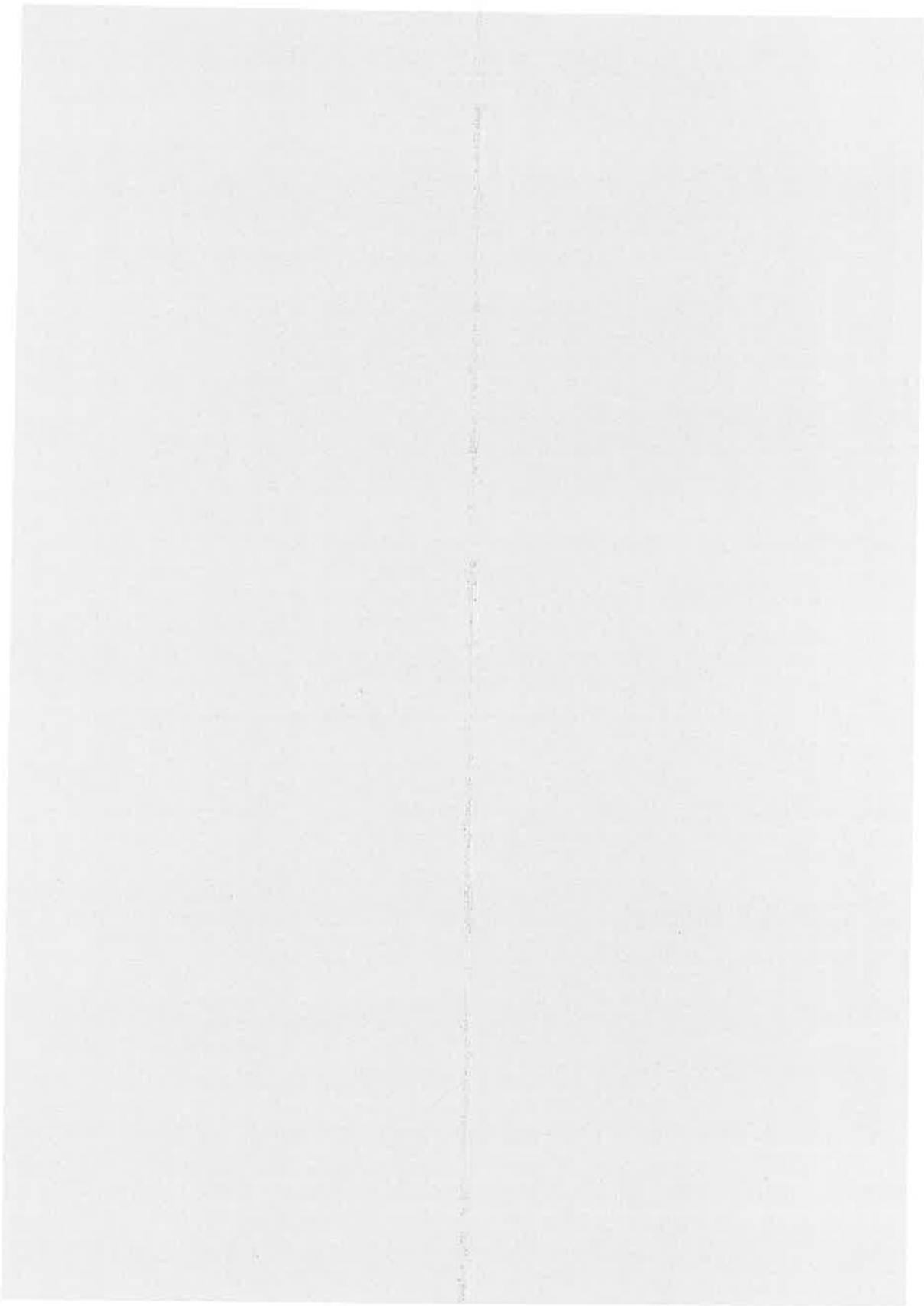
C.3.13.4 Right to approach the courts & rights in terms of Promotion of Administrative Justice Act (Act 3 of 2000) and Promotion of Access to Information (Act 2 of 2000)

Clauses C.3.13.2 and C.3.13.3 do not influence any affected person's rights to approach the High Court at any time or its rights in terms of the Promotion of Administrative Justice Act and Promotion of Access to Information Act.

- a) All legal process and pleadings must be served on the Municipal Manager, Cape Winelands District Municipality, 46 Alexander Street, Stellenbosch or posted to P O Box 100, Stellenbosch, 7599
- b) All requests in terms of PAJA and PAIA must be submitted in writing to Municipal Manager, Cape Winelands District Municipality, 46 Alexander Street, Stellenbosch or posted to P O Box 100, Stellenbosch, 7599

C.3.17 Add the following to Clause F.3.17

The number of paper copies of the signed contract to be provided by the Employer is **one (1)**.



PART T2: RETURNABLE DOCUMENTS

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| T.2.2 Returnable Schedules..... | 14-51 |

PART T 2.1: LIST OF RETURNABLE DOCUMENTS

The following documents are to be completed and returned as they constitute the tender. Whilst many of the returnable documentation are required for the purpose of evaluating the tenders, some will form part of the subsequent contract, as they form the basis of the tender offer. For this reason, it is very important that tenderers return **all information requested**.

RETURNABLE SCHEDULES REQUIRED FOR TENDER EVALUATION PURPOSES (included hereafter for completion)

OTHER DOCUMENTS REQUIRED FOR TENDER EVALUATION PURPOSES (appendix to schedule in document)

RETURNABLE SCHEDULES THAT WILL BE INCORPORATED INTO THE CONTRACT (to be attached with submission)

OTHER SCHEDULES AND AFFIDAVITS THAT WILL BE INCORPORATED INTO THE CONTRACT (included hereafter for completion)

PART T2.1 List of Returnable Documents

The following documents are to be completed and returned as they constitute the tender. Whilst many of the returnable documents are required for evaluating the tenders, some will form part of the subsequent contract, as they form the basis of the tender offer. For this reason, it is very important that tenderers return all information requested. The tenderer must complete the Returnable Documents in **black ink**:

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| 1: COMPULSORY ENTERPRISE QUESTIONNAIRE..... | 14-15 |
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| 4: CERTIFICATE OF SOLE PROPRIETOR..... | 18 |
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| 7: PROPOSED AMENDMENTS AND QUALIFICATIONS BY TENDERER..... | 21 |
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| 12: RECORD OF MINUTES AND ADDENDA TO TENDER DOCUMENTS..... | 30 |
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Other documents required for tender evaluation purposes

Joint Venture Agreement (if applicable) – append to Schedule 3.

Documentary evidence / proof of registration and verification on Cape Winelands District Municipality Supplier Database. Append to Schedule 22.

Documentary evidence / proof of registration and verification on CIDB Contractor Database. Append to Schedule 21.

B-BBEE Verification Certificate – append to Schedule 14.

Returnable Schedules that will be incorporated into the Contract

19: RECORD OF ADDENDA TO TENDER DOCUMENT

Preferencing Schedule(s)

20: PREFERENCING SCHEDULE – B-BBEE STATUS LEVEL CONTRIBUTION PREFERENCE

PART T 2.1 Returnable Document checklist

Bidders are required to complete the schedule below indicating that all requested information has been submitted with their offer.

| Schedule No. | Document | Please tick if enclosed |
|--------------|---|-------------------------|
| 1 | COMPULSORY ENTERPRISE QUESTIONNAIRE | ✓ |
| 2 | AUTHORITY OF SIGNATORY | ✓ |
| 3 | CERTIFICATE OF JOINT VENTURE | ✓ |
| 4 | CERTIFICATE OF SOLE PROPRIETOR | ✓ |
| 5 | CERTIFICATE OF CLOSE CORPORATION | ✓ |
| 6 | SCHEDULE OF WORK SATISFACTORILY COMPLETED | ✓ |
| 7 | PROPOSED AMENDMENTS AND QUALIFICATIONS BY TENDERER | ✓ |
| 8 | DECLARATION IN TERMS OF MUNICIPAL RATES AND SERVICES | ✓ |
| 9 | DECLARATION OF INTEREST (MBD 4B) | ✓ |
| 10 | TAX CLEARANCE REQUIREMENTS | ✓ |
| 11 | JOINT VENTURE AGREEMENT, IF APPLICABLE | ✓ |
| 12 | RECORD OF MINUTES AND ADDENDA TO TENDER DOCUMENTS | ✓ |
| 13 | PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL | ✓ |
| 14 | DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES | ✓ |
| 15 | CERTIFICATE OF INDEPENDENT BID DETERMINATION | ✓ |
| 16 | QUESTIONNAIRE | ✓ |
| 17 | CREDIT ORDER INSTRUCTION | ✓ |
| 18 | LOCAL PRODUCTION AND CONTENT | ✓ |
| 19 | COIDA LETTER OF GOOD STANDING | ✓ |
| 20 | CIDB CONTRACTOR REGISTRATION | ✓ |
| 21 | CONFIRMATION OF CWDM AND CENTRAL SUPPLIER DATABASE REGISTRATION | ✓ |
| 22 | RECORD OF ADDENDA TO TENDER DOCUMENTS | ✓ |
| | DOCUMENTARY EVIDENCE / PROOF OF REGISTRATION AND VERIFICATION ON CAPE WINELANDS DISTRICT MUNICIPALITY SUPPLIER DATABASE | ✓ |
| | B-BBEE VERIFICATION CERTIFICATE | ✓ |

PART T 2.2 Returnable Documents

SCHEDULE 1: COMPULSORY ENTERPRISE QUESTIONNAIRE

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

| Section 1: | Name of enterprise: Potts Devco (Pty) Ltd | | | | | | |
|--|---|-----------------------------|------------------|-----------------------------|-------------|----------------|--------------|
| Section 2: | VAT registration number, if any: 4440274720 Has and original and valid TAX clearance certificate been attached under Schedule 2D? Yes / <input checked="" type="radio"/> | | | | | | |
| Section 3: | Has a B-BBEE status level verification certificate been submitted? Yes / <input checked="" type="radio"/> If yes, who was the certificate issued by? (Tick applicable box) <input type="checkbox"/> An accounting officer as contemplated in the Close Corporation Act. <input type="checkbox"/> A verification agency accredited by the South African National Accreditation System (SANAS). <input type="checkbox"/> A registered auditor. NB. A B-BBEE status level verification certificate must be submitted to qualify for preference points for B-BBEE. | | | | | | |
| Section 4: | CIDB registration number, if any: 10069205 | | | | | | |
| Section 5: | Particulars of sole proprietors and partners in partnership | | | | | | |
| | <table border="1"> <thead> <tr> <th>Name*</th> <th>Identity number*</th> <th>Personal income tax number*</th> </tr> </thead> <tbody> <tr> <td>Leroy Potts</td> <td>820822 577 086</td> <td>088 267 2173</td> </tr> </tbody> </table> | Name* | Identity number* | Personal income tax number* | Leroy Potts | 820822 577 086 | 088 267 2173 |
| Name* | Identity number* | Personal income tax number* | | | | | |
| Leroy Potts | 820822 577 086 | 088 267 2173 | | | | | |
| | * Complete only if sole proprietor or partnership and attached separate page if more than 3 partners | | | | | | |
| Section 6: | Particulars of companies and close corporations | | | | | | |
| | Company registration number: 2014/216951/07 | | | | | | |
| | Close corporation number: N/A | | | | | | |
| | Tax reference number: 9284996189 | | | | | | |
| Section 7: | Record of service of the state | | | | | | |
| | Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following: | | | | | | |
| <input type="checkbox"/> a member of any municipal council <input type="checkbox"/> a member of any provincial legislature <input type="checkbox"/> a member of the National Assembly or the National Council of Province <input type="checkbox"/> a member of the board of directors of any municipal entity <input type="checkbox"/> an official of any municipality or municipal entity | <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity <input type="checkbox"/> an employee of Parliament or a provincial legislature | | | | | | |
| If any of the above boxes are marked, disclose the following: (insert separate page if necessary) | | | | | | | |

| Name of sole proprietor, partner, director, manager, principal shareholder, or stakeholder | Name of institution, public office, board or organ of state and position held | Status of service (Tick appropriate column) | |
|--|---|---|-----------------------|
| | | current | Within last 12 months |
| | N | | |
| | A | | |
| | | | |
| | | | |

Section 8: Record of spouses, children, and partners in the service of the state

Indicate by marking the relevant boxes with a cross, if any spouse, child or partner of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

- | | |
|---|---|
| <input type="checkbox"/> a member of any municipal council | <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Provinces | <input type="checkbox"/> an employee of Parliament or a provincial legislature |
| <input type="checkbox"/> a member of the board of directors of any municipal entity | |
| <input type="checkbox"/> an official of any municipality or municipal entity | |


If any of the above boxes are marked, disclose the following:

| Name of sole proprietor, partner, director, manager, principal shareholder, or stakeholder | Name of institution, public office, board or organ of state and position held | Status of service (Tick appropriate column) | |
|--|---|---|-----------------------|
| | | current | Within last 12 months |
| | N | | |
| | A | | |
| | | | |

* Insert separate page if necessary

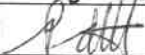
The undersigned, who warrants that he/ she is duly authorised to do so on behalf of the enterprise:

- i) Authorized the Employer to obtain a tax clearance certificate from the South Africa Revenue Service that my / our matters are in order;
- ii) Confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- iii) Confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iv) Confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- v) Confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

| | | | |
|-------------|---|-----------|---------------------------------------|
| Signature: |  | Date: |08...../.....11...../20...22.... |
| Print Name: | Leroy Potts | Position: | Director |

SCHEDULE 2: AUTHORITY FOR SIGNATORY

We, the undersigned, hereby authorize Mr./Mrs. Leroy Potts acting in his/her capacity as Director of the business trading as Potts Devco (pty) Ltd to sign all documentation in connection with Tender Q 2022 / 063

| Name of members / directors | Signature | Date |
|-----------------------------|---|------------------|
| Leroy Potts |  | 08 November 2022 |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

Note: If bidders attached a copy of their Authorized Signatory, it is not necessary to complete this form.

SCHEDULE 3: CERTIFICATE FOR JOINT VENTURE

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorized Mr/Ms , authorized signatory of the company , acting in the capacity of lead partner, to sign all documents in connection with the tender offer for Contract and any contract resulting from it on our behalf.

This authorization is evidenced by the attached power of attorney signed by legally authorized signatories of all the partners to the Joint Venture.

| NAME OF FIRM | ADDRESS | AUTHORISING SIGNATURE, NAME & CAPACITY |
|--------------|---------|--|
| Lead partner | | |
| | | |
| | | |
| | | |

SCHEDULE 4: CERTIFICATE FOR SOLE PROPRIETOR

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

As witnesses:

| | | | |
|----|--|-----------|--|
| 1. | | Chairman: | |
| 2. | | Date: | |

SCHEDULE 5: CERTIFICATE FOR CLOSE CORPORATION

We, the undersigned, being the key members in the business trading as hereby authorize Mr/Ms acting in the capacity of to sign all documents in connection with the tender for Contract and contract resulting from it on our behalf.

| NAME | ADDRESS | SIGNATURE | DATE |
|------|---------|-----------|------|
| | | | |
| | | | |
| | | | |

SCHEDULE 6: TENDERER'S EXPERIENCE

This schedule is to determine the capability of the bidder to execute the contract.

All bidders must provide proof of their ability to render the services applicable to the deliverables as explained in this tender and it must be submitted with the Bid or within a reasonable timeframe to be agreed upon between the Cape Winelands District Municipality and the successful service provider.

Bidder must provide proof of at least three (3) previous contactable references of previous projects of a similar nature

| | |
|---------------------------------|----------------------|
| Company Name | |
| Description of project | |
| Contact person name | ATTACHED AS ANNEX. A |
| Contact person telephone number | |
| Value of project | |

| | |
|---------------------------------|----------------------|
| Company Name | |
| Description of project | |
| Contact person name | ATTACHED AS ANNEX. A |
| Contact person telephone number | |
| Value of project | |


| | |
|---------------------------------|----------------------|
| Company Name | |
| Description of project | ATTACHED AS ANNEX. A |
| Contact person name | |
| Contact person telephone number | |
| Value of project | |

SCHEDULE 7: PROPOSED AMENDMENTS AND QUALIFICATIONS

The Tenderer should record any deviations or qualifications he may wish to make to the tender documents in this Returnable Schedule. Alternatively, a tenderer may state such deviations and qualifications in a covering letter to this tender and reference such letter in this schedule.

The Tenderer's attention is drawn to clause C.3.8 of the Standard Conditions of Tender referenced in the Tender Data regarding the Employer's handling of material deviations and qualifications.

| Page | Clause or Item | Proposal |
|------|----------------|----------|
| | | |

| | | | |
|-------------|---|-----------|-----------------|
| Signature: |  | Date: | 8 November 2022 |
| Print Name: | Leroy Potts | Position: | Director |
| Tenderer: | Potts Devco (Pty) Ltd | | |


SCHEDULE 8: DECLARATION IN TERMS OF MUNICIPAL RATES AND SERVICES

| PART A: PROPERTY OWNED BY ENTERPRISE OR DIRECTORS | |
|---|--|
| Please complete the following if property is owned by the enterprise, the proprietors, directors, or partners in their personal capacity, which must be confirmed by the relevant municipality (ATTACH COPY OF MUNICIPAL ACCOUNT(S) NOT OLDER THAN 30 DAYS: | |
| Name of account holder: | |
| Account number: | |
| Account number: | |
| <p>FOR MUNICIPAL USE ONLY</p> <p>I/we hereby certify that the municipal account details of our client as indicated above is correct.</p> <p>.....</p> <p>Name of municipal official (print name)</p> <p>.....</p> <p>Signature of municipal official</p> | <div style="border: 1px solid black; width: 100%; height: 100%; margin: 10px auto;"></div> <p>Official date stamp of municipality</p> |

| PART B: PROPERTY LEASED BY ENTERPRISE OR DIRECTORS |
|---|
| Please attach a sworn affidavit or a copy of your lease agreement if the property is leased by the enterprise or the proprietors or directors in their personal capacity, for which the aforementioned is not responsible for payment of municipal rates and taxes. |

| PART C: WHERE PROPERTY IS NOT OWNED OR LEASED BY ENTERPRISE OR DIRECTORS |
|--|
| Please attach a sworn affidavit from the proprietor or director of the enterprise confirming that the enterprise does not own or lease any property and that the aforementioned is not responsible for payment of any municipal rates and taxes. |

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

.....

 Signature for and on behalf of the bidder

.....
8 November 2022
 Date

SCHEDULE 9: DECLARATION OF INTEREST (MBD 4 B)

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

1. No bid/database registration will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid/database registration. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in the service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid/database registration in respect of owners/shareholders² of the company.

| | | | | |
|-----------------|--|-----------------|-------------------------------------|--|
| 3.1 | Full Name of bidder or his or her representative | Leroy Potts | | |
| 3.2 | Identity Number (person submitting this declaration) | 880822 5177 086 | | |
| 3.3 | Position occupied in the Company (official/director/trustee/shareholder ²): | Director | | |
| 3.4 | Company Registration Number | 2014/216951/07 | | |
| 3.5 | Tax Reference Number | 9284996189 | | |
| 3.6 | VAT Registration Number | 4440274720 | | |
| 3.7 | The names of all directors/ members/ trustees/ principal shareholders, their individual identity numbers, personal tax reference numbers and state employee numbers must be indicated in paragraph 4 below | | | |
| 3.8 | Are you or any director/ member/ trustee/ principal shareholder presently in the service of the state? | Yes | <input checked="" type="checkbox"/> | |
| 3.8.1 | If yes, furnish particulars. (Please write in Block Letters. Add separate page if more than one. | | | |
| SA ID Number: | | Relation: | | |
| Surname: | N/ | Persal No: | | |
| Full Names: | | | | |
| Organ of State: | A | Position: | | |
| 3.9 | Have you or any director/ member/ trustee/ principal shareholder been in the service of the state for the past twelve months? | Yes | <input checked="" type="checkbox"/> | |
| 3.9.1 | If yes, furnish particulars. (Please write in Block Letters. Add separate page if more than one. | | | |
| SA ID Number: | | Relation: | | |
| Surname: | N/ | Persal No: | | |
| Full Names: | | | | |
| Organ of State: | A | Position: | | |

| | | | |
|------|--|-----|---------|
| 3.10 | Do you or any director/ member/ trustee/ principal shareholder have any relationship (family, friend, other) with persons in the service of the state and/or who may be involved with the evaluation and/or adjudication of this or any other prospective bid? | Yes | No ✓ |
|------|--|-----|---------|

| | | | |
|-----------------|---|------------|--|
| 3.10.1 | If yes, furnish particulars. (Please write in Block Letters. Add separate page if more than one.) | | |
| SA ID Number: | | Relation: | |
| Surname: | N/A | Persal No: | |
| Full Names: | A | | |
| Organ of State: | | Position: | |

| | | | |
|------|---|-----|---------|
| 3.11 | Are you aware of any relationship (family, friend, other) between you or any director/ member/ trustee/ principal shareholder and any persons in the service of the state who may be involved with the evaluation and/or adjudication of this or any other prospective bid? | Yes | No ✓ |
|------|---|-----|---------|

| | | | |
|-----------------|---|------------|--|
| 3.11.1 | If yes, furnish particulars. (Please write in Block Letters. Add separate page if more than one.) | | |
| SA ID Number: | | Relation: | |
| Surname: | N/A | Persal No: | |
| Full Names: | A | | |
| Organ of State: | | Position: | |

| | | | |
|------|---|-----|---------|
| 3.12 | Is any spouse, child or parent of the company's directors/ members/ trustees/ principal shareholders or stakeholders in the service of the state? | Yes | No ✓ |
|------|---|-----|---------|

| | | | |
|-----------------|---|------------|--|
| 3.12.1 | If yes, furnish particulars. (Please write in Block Letters. Add separate page if more than one.) | | |
| SA ID Number: | | Relation: | |
| Surname: | N/A | Persal No: | |
| Full Names: | A | | |
| Organ of State: | | Position: | |

| | | | |
|------|--|-----|---------|
| 3.13 | Do you or any director/ member/ trustee/ principal shareholder/ stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. | Yes | No ✓ |
|------|--|-----|---------|

| | | | |
|--------|--|--|--|
| 3.13.1 | If yes, furnish particulars. N/A A | | |
|--------|--|--|--|

| | | | |
|------|--|-----|---------|
| 3.14 | Is the supplier or any director/ member/ trustee/ principal shareholder listed on the National Treasury's database as a company or person prohibited from doing business with the public sector? | Yes | No ✓ |
|------|--|-----|---------|

| | | | |
|--------|--|--|--|
| 3.14.1 | If yes, furnish particulars. N/A A | | |
|--------|--|--|--|

T.2.2.11 Returnable Schedules

| | | | |
|--------|---|-----|---------|
| 3.15 | Is the supplier or any director/ member/ trustee/ principal shareholder listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? | Yes | No X |
| 3.15.1 | If yes, furnish particulars. N/A | | |
| 3.16 | Was the supplier or any director/ member/ trustee/ principal shareholder convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years? | Yes | No ✓ |
| 3.16.1 | If yes, furnish particulars. N/A | | |
| 3.17 | Does the supplier or any director/ member/ trustee/ principal shareholder owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months? | Yes | No ✓ |
| 3.17.1 | If yes, furnish particulars. N/A The municipality may not do business with individuals/businesses, including that of all the owners/partners/members/directors, whose municipal rates and taxes and/or service charges are in arrears for more than three (3) months unless arrangements have been made with the municipality to settle such arrears. Refer to SCM Regulation 38(d). (Certified copies of your most current accounts/statements and/or proof of any arrangement to be submitted every three months – provide individual information in the schedule under par. 4. | | |
| 3.18 | Was any contract between the supplier and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract? | Yes | No ✓ |
| 3.18.1 | If yes, furnish particulars. N/A | | |

T.2.2.12 Returnable Schedules

MFMA Circular No 62 of July 2013 require bidders to submit the names of their directors/ trustees/ shareholders, their individual identity numbers, personal tax reference numbers and employee numbers of those who are in the service of the state as defined in the Municipal Supply Chain Management Regulations as part of their bid submissions. **A shareholder is defined as a person who owns shares in the company and is actively involved in the management of the company or business, and exercises control over the company.**

| | Full name of directors / trustees / shareholders | Identity Number | % Shareholding in company | Personal Tax Reference Number | State Employee Number (Persal) | Municipal rates & services account numbers (3.17.1) Municipal clearance or most recent service account must be attached as evidence |
|----|--|-----------------|---------------------------|-------------------------------|--------------------------------|--|
| 4 | | | | | | |
| 1 | Leroy Potts | 880822 5177 086 | 100 | 0882672173 | N/A | 171499141 & 171747350 |
| 2 | | | | | | |
| 3 | | | | | | |
| 4 | | | | | | |
| 5 | | | | | | |
| 6 | | | | | | |
| 7 | | | | | | |
| 8 | | | | | | |
| 9 | | | | | | |
| 10 | | | | | | |

I, the undersigned, certify that the information furnished on this declaration form is true and correct. I accept that my/my company's bid/registration may be rejected and in addition to the rejection that action may be taken against me/ my company should this declaration prove to be false.

Signature

Date

DIRECTOR

POTTS DEVCO

Capacity of Signatory

MANDATORY SECTION: THIS DECLARATION WILL NOT BE ACCEPTED IF NOT CERTIFIED:

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

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

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

Commissioner of Oaths

Signed and sworn to before me at

Strand

on this the 14th day of November 20... by the Deponent, who has acknowledged that he/she knows and understands the contents of this Affidavit, it is true and correct to the best of his/her knowledge and that he/she has no objection to taking the prescribed oath, and that the prescribed oath will be binding on his/her conscience.

Commissioner of Oaths

Position:

Address

Tel:

Apply official stamp of authority on this page:

This document is compulsory, in terms of Regulation 44 of the Supply Chain Management Regulations, to do business with any municipality – If not endorsed by a Commissioner of Oaths, or failure to submit it, will disqualify your business from the acquisition process. (Must be submitted annually)



SCHEDULE 10: TAX CLEARANCE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

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

Each party to a Consortium/Joint Venture shall comply to the conditions stated in MBD 1.

SCHEDULE 11: JOINT VENTURE AGREEMENT, IF APPLICABLE


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

SCHEDULE 12: RECORD OF MINUTES AND ADDENDA TO TENDER DOCUMENTS

We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been considered in this tender offer:

| No. | Date | Title or Detail |
|-----|------|-----------------|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |
| 9. | | |
| 10. | | |

Attach additional pages if more space is required.

| | | | |
|-------------|---|-----------|-----------------|
| Signature: |  | Date: | 8 November 2022 |
| Print Name: | Leroy Potts | Position: | Director |
| Tenderer: | Potts Devco (Pty) Ltd | | |

SCHEDULE 13: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This document serves as a claim form to qualify for preference points in respect of Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution and must accompany the applicable certificate.

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
 - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 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
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).
- 1.2 Points for this bid shall be awarded for:
- (a) Price; and
 - (b) B-BBEE Status Level of Contributor.
- 1.3 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 |

- 1.4 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.5 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim regarding 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) **"price"** 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. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

4. POINTS AWARDED FOR PRICE

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

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

$$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) \text{ or } P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

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

4.2 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME-GENERATING PROCUREMENT

4.3 POINTS AWARDED FOR PRICE

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

$$P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) \text{ or } P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where:

- P_s = Points scored for price of bid under consideration
 P_t = Price of bid under consideration
 P_{max} = Price of highest acceptable bid

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

5.1 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 (90/10 system) | Number of points (80/20 system) |
|------------------------------------|---------------------------------|---------------------------------|
| 1 | 10 | 20 |
| 2 | 9 | 18 |
| 3 | 6 | 14 |
| 4 | 5 | 12 |
| 5 | 4 | 8 |
| 6 | 3 | 6 |
| 7 | 2 | 4 |
| 8 | 1 | 2 |
| Non-compliant contributor | 0 | 0 |

6. BID DECLARATION

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

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

7.1 B-BBEE Status Level of Contributor: | =20..... (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.

8. SUB-CONTRACTING

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

(Tick applicable box)

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

8.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted?0.....%

ii) The name of the sub-contractor.....N/A.....

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

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

(Tick applicable box)

| | | | |
|-----|--------------------------|----|-------------------------------------|
| YES | <input type="checkbox"/> | NO | <input checked="" 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 | N | / |
| Black people with disabilities | | / |
| Black people living in rural or underdeveloped areas or townships | | A |
| Cooperative owned by black people | | |
| Black people who are military veterans | | |
| OR | | |
| Any EME | | |
| Any QSE | | |

9. **DECLARATION WITH REGARD TO COMPANY/FIRM**

9.1 Name of company/firm..... Potts Devco (Pty) Ltd

9.2 VAT registration number..... 444 0274 720

9.3 Company registration number..... 2014 / 216951 / 07

9.4 **TYPE OF COMPANY/ FIRM**

- Partnership/Joint Venture / Consortium
 - One person business/sole propriety
 - Close corporation
 - Company
 - (Pty) Limited
- [TICK APPLICABLE BOX]

9.5 **DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

..... Construction & Civils
 Maintenance, Tiling, fencing, Plumbing
 Related Services & Supplies

9.6 **COMPANY CLASSIFICATION**

- Manufacturer
 - Supplier
 - Professional service provider
 - Other service providers, e.g., transporter, etc.
- [TICK APPLICABLE BOX]

9.7 **MUNICIPAL INFORMATION**

Municipality where business is situated: City of Cape Town

Registered Account Number: 171 499141

Stand Number: 2464

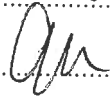
9.8 Total number of years the company/firm has been in business: 7 Years


9.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificates, 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 because 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
 - v) 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 because 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. R. du Plessis

2. 



.....

SIGNATURE(S) OF BIDDERS(S)

DATE: 8 November 2022

ADDRESS Unit 140, 90 De Kock / Boudry
Avenue, George Park Industrial,
Strand, 7140

SCHEDULE 14: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
- abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system.
 - been convicted for fraud or corruption during the past five years.
 - willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4 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 page. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4.1.1 | If so, furnish particulars: N/A | | |
| 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 checked="" type="checkbox"/> |
| 4.2.1 | If so, furnish particulars: N/A | | |
| 4.3 | Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4.3.1 | If so, furnish particulars: N/A | | |
| 4.4 | Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4.4.1 | If so, furnish particulars: N/A | | |
| 4.5 | Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4.7.1 | If so, furnish particulars: N/A | | |

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME) Leroy Potts CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM TRUE AND CORRECT.

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


Signature

8 November 2022
Date

Director
Position

Potts Devco (Pty) Ltd
Name of Bidder

SCHEDULE 15: CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
3. Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
4. This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid rigging.
5. To give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

Q 2022/063 - Paintwork and the Supply and Installation of Carpet Tiles in Offices in Stellenbosch
(Bid Number and Description)

in response to the invitation for the bid made by: CAPE WINELANDS DISTRICT MUNICIPALITY do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of Porto Devco (Pty) Ltd that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate.
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect.
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder.
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder.
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) Has been requested to submit a bid in response to this bid invitation.
 - (b) Could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities, or experience; and
 - (c) Provides the same goods and services as the bidder and/or is in the same line of business as the bidder

T.2.2.25 Returnable Schedules

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. Without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement, or arrangement with any competitor regarding:
 - (a) Prices.
 - (b) Geographical area where product or service will be rendered (market allocation)
 - (c) Methods, factors or formulas used to calculate prices.
 - (d) The intention or decision to submit or not to submit, a bid.
 - (e) The submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) Bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements, or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No. 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No. 12 of 2004 or any other applicable legislation.



Signature

8 November 2022

Date

Director

Position

Potts Devco (Pty) Ltd

Name of Bidder

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

SCHEDULE 16: QUESTIONNAIRE

T.2.2.26 Returnable Schedules

| List all partners / members / directors of this enterprise | | | |
|--|---------------------------------|---------------------|-----------------------|
| Van / Surname / Ifani | Voornaam / First name / Amagama | ID Nr./No. Inombolo | State Employee Number |
| Potts | Leroy | 880822 5177 086 | N/A |
| | | | |

BROAD-BASED BLACK ECONOMIC EMPOWERMENT (Act 53 of 2003)

LWI Om Voorkeerpunte te eis moet 'n gesertifiseerde afskrif van u Gebalanseerde Breë Basis Swart Ekonomiese Bemagtigings-telkaart voorgelê word tesame met die **MBD 6.1** Eisvorm vir punte.

NBI To claim Preference points a certified copy of your Balanced Broad-Based Black Economic Empowerment Score Card must be submitted with the **MBD 6.1 Claim Form**.

QAPHELA! Ukuba ufuna ukwenza ibango lamanqaku akhethekileyo, kufuneka ukuba isicelo sakho sekopi eqinisekisiweyo ye Balanced Broad-Based Black Economic Empowerment Score Card ihambe kunye nefomu eyi **MBD 6.1 Claim Form**.

Vir meer inligting besoek: / For more information please visit: / Inkcukach ezithe vetshe uzakuzifumana aph:

The Department of Trade and Industry: <http://bee.thedti.gov.za/>
 South African National Accreditation System: <http://www.sanas.co.za/directory.php>
 Independent Regulatory Board of Auditors: <http://irba.co.za/index.php>

Potts Devco (Pty) Ltd

Besigheid of persoon se naam:- / Business or person's name:- / Igama leshishini okanye lomntu

- | | |
|---|---|
| <p>**1. Persentasie aandeelhouing van persone (HBI) in die besigheid wat histories benadeel is as gevolg van onregverdige diskriminasie gebaseerd op ras. Percentage of shareholding of persons (HDI) in the business historically disadvantaged because of unfair discrimination based on race. Ipersenti yesabelo sabantu kwishishini elalisakuthinteleka ekuxhamleni amalungelo athile ngenxa yobandlululo ngokobuhlanga.</p> | 100% |
| <p>2. Persentasie aandeelhouing van persone (HBI) in die besigheid wat histories benadeel is as gevolg van onregverdige diskriminasie gebaseerd op geslag. Percentage of shareholding of persons (HDI) in the business historically disadvantaged because of unfair discrimination based on gender. Ipersenti yesabelo sabantu kwishishini elalisakuthinteleka ekuxhamleni amalungelo athile ngenxa yobandlululo ngokwesini.</p> | 6% |
| <p>3. Persentasie aandeelhouing van persone (HBI) in die besigheid wat histories benadeel is as gevolg van onregverdige diskriminasie gebaseerd op gestremdheid. Percentage of shareholding of persons (HDI) in the business historically disadvantaged because of unfair discrimination based on disability. Ipersenti yesabelo sabantu kwishishini elalisakuthinteleka ekuxhamleni amalungelo athile ngenxa yobandlululo ngokobulwelwe.</p> | 0% |
| <p>4. Persentasie aandeelhouing van persone geklassifiseer as jeug. (18 – 35 Jaar oud). Percentage of shareholding of persons in the business classified as youth. (18 – 35 Years old) Ipersenti labantu abanezabelo kwinkonzo zoshishino ababizwa ngokuba lulutsha (18 – 35 Yeminyaka)</p> | 100% |
| <p>5. Is u besigheid geleë binne die jurisdiksie van die Distriksmunisipaliteit? In / Uit Is your business established within the area of jurisdiction of the District Municipality? In / Out Ingaba ishishini lakho limi kwingingqi elawulwa nguMasipala wesithili? Ngaphakathi / Ngaphandle</p> | <input type="checkbox"/> In/Ngaphakathi <input checked="" type="checkbox"/> Uit/Out/Ngaphandle |
| <p>6. Maak u gebruik van plaaslike arbeid (werkskepping)? Ja / Nee Do you make use of local labour (job creation)? Yes / No Uyawasebenzisa amathuba avelayo odalo lomsebenzi (ukudala umsebenzi)? Ewe / hayi</p> | <input checked="" type="checkbox"/> Ja/Yes/Ewe <input type="checkbox"/> Nee/No/Hayi |

SCHEDULE 17: CREDIT ORDER INSTRUCTION

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

DETAILS OF FIRM/INSTITUTION

| | | | | | | | | | | | | | | | | | | | | | | |
|------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| Name | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |

DETAILS OF MY/OUR BANK ACCOUNT ARE AS FOLLOWS:

| | | | | | | | | | | | | | | | | | | | | | | |
|-----------------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| NAME OF BANK | | | | | | | | | | | | | | | | | | | | | | |
| NAME OF BRANCH | | | | | | | | | | | | | | | | | | | | | | |
| BRANCH CODE | | | | | | | | | | | | | | | | | | | | | | |
| ACCOUNT NUMBER | | | | | | | | | | | | | | | | | | | | | | |
| TYPE OF ACCOUNT | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |

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

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

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

.....
INITIALS AND SURNAME:

.....
AUTHORISED SIGNATURE:

.....
DATE:

.....
TELEPHONE NUMBER:

FOR BANK USE ONLY

I/we hereby certify that the details of our client's bank account as indicated on the credit order instruction is correct:

OFFICIAL DATE STAMP

.....
AUTHORISED SIGNATURE

FOR FULL SUPPLIER ACCREDITATION ALL PARTS MUST BE COMPLETED AND SIGNED

SCHEDULE 18: LOCAL PRODUCTION AND CONTENT

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8. (2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two-stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where:

- x is the imported content in Rand
y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 3.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation.
2. **The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

| <u>Industry/sector/sub-sector</u> | <u>Stipulated minimum threshold</u> |
|-----------------------------------|-------------------------------------|
| Textile (Carpet tiles) | 100% |

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

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

- 3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

| Currency | Rates of exchange |
|----------------|-------------------|
| US Dollar | |
| Pound Sterling | |
| Euro | |
| Yen | |
| Other | |

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP, OR INDIVIDUAL)

IN RESPECT OF BID NO. Q 2022/018: SUPPLY, DELIVER AND INSTALL THREE SECURITY GUARD HOUSES

ISSUED BY: CAPE WINELANDS DISTRICT MUNICIPALITY

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thdti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid to substantiate the declaration made in paragraph 1 below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, Leroy Potts (Full names),
do hereby declare, in my capacity as Director
of Potts Davco (name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
 - (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

| | | |
|--|---|--------|
| Bid price, excluding VAT (y) | R | 42 750 |
| Imported content (x), as calculated in terms of SATS 1286:2011 | R | 0 |
| Stipulated minimum threshold for local content (paragraph 3 above) | | 100 |
| Local content %, as calculated in terms of SATS 1286:2011 | | 100 |

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product have been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: 

DATE: 8 November 2022

WITNESS No. 1 R. de Plessis

DATE: 8/11/2022

WITNESS No. 2 

DATE: 8/11/2022

Annex C

Local Content Declaration - Summary Schedule

Tender No: Q 2622063
 Tender description: SUPPLY AND DELIVER OF CARPET TILES
 Designated product(s): TEXTILES
 Tender Authority: CAPE WINELANDS DISTRICT MUNICIPALITY
 Tendering Entity name: POTTS & CO
 Tender Exchange Rate: 100
 Specified local content %: 100

Note: VAT to be excluded from all calculations

EUR GBP

| Tender item no | List of items | Tender price - each (and VAT) | | | Tender value - set of exempted imported content | Calculation of local content | | | Tender summary | | |
|----------------|---------------|-------------------------------|-------|-------|---|------------------------------|----------------|-------------|------------------------|--------------------|---------------------------------|
| | | £ | € | GBP | | Exempted imported value | Imported value | Local value | Local content % (item) | Total tender value | Total exempted imported content |
| (C6) | (C8) | (C10) | (C11) | (C12) | (C13) | (C14) | (C15) | (C16) | (C17) | (C18) | (C19) |
| | CARPET TILES | 475 | 0 | 475 | 0 | 475 | 100 | | 90M ² | 42750 | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |


| | |
|---|-------|
| (C20) Total tender value | 42750 |
| (C21) Total Exempt imported content | 0 |
| (C22) Total Tender value net of exempted imported content | 42750 |
| (C23) Total imported content | 0 |
| (C24) Total local content | 42750 |
| (C25) Average local content % of tender | 100 |

Signature of tenderer from Annex B: 
 Date: 8 November 2022

SCHEDULE 19: COIDA LETTER OF GOOD STANDING

The successful bidder should ensure that before any work commences on site that every principal contractor is registered and in good standing with the compensation fund or with a licensed compensation insurer as contemplated in the Compensation for Occupational Injuries and Diseases Act, 1993 (Act 130 of 1993).

The tenderer, by signing this schedule, declares that the contractor adheres to the statutory requirement, as applicable.

| | | | |
|-------------|---|-----------|-----------------|
| Signature: |  | Date: | 8 November 2022 |
| Print Name: | Leroy Potts | Position: | Director |
| Tenderer: | Potts Devco (Pty) Ltd | | |

SCHEDULE 20: CIDB CONTRACTOR REGISTRATION

Refer to Tender Data clauses C.2.1.2, C.2.23.3 and C.3.13.1:

I/We hereby confirm my/our registration on the Construction Industry Development Board (CIDB) Contractor Database:

| COMPANY NAME | CIDB CONTRACTOR GRADING DESIGNATION | CRS REGISTRATION NUMBER AS APPLICABLE |
|-----------------------|-------------------------------------|---------------------------------------|
| Potts Devco (Pty) Ltd | 5 GB, PE | 10069205 |

I/We attach a printed copy of the Active Contractor's Listing off the CIDB website www.cidb.org.za as documentary proof of the Contractor's Registration issued by the Construction Industry Development Board (CIDB) to this schedule.

Where a tenderer satisfies CIDB Contractor grading designation requirements through joint venture formation, such tenderers must submit the Certificates of Contractor Registration in respect of each partner.


Failure to affix such documentation as proof of Contractor Enterprise registration as prescribed to this Schedule shall result in this tender not being further considered for the award of the Contract.

SCHEDULE 21: CONFIRMATION OF CWDM AND CENTRAL SUPPLIER DATABASE REGISTRATION

| | | | |
|---|---------------------------------------|---|--|
| Company Name | Potts Devco (Pty) Ltd | | |
| CWDM Supplier Database | Registered | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No (tick appropriate box) |
| | Supplier Code | 006655 | |
| Central Supplier Database (a copy of the CSD summary report must be attached to this schedule) | Registered | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No (tick appropriate box) |
| | Supplier Code | MAAA0011478 | |
| | Unique 36 Character Registration Code | 786C074F-06F9-4CE3-A808E5F9BA5E4847 | |

Bidders who are not registered on the CWDM and/or Central Supplier Databases are not precluded from submitting tenders but must however be registered prior to the evaluation of tenders in order for their tenders to be responsive.

In this regard it is the sole responsibility of bidders to ensure that this requirement is complied with. In the case of Joint Venture Partnerships this requirement will apply to each party to the Joint Venture.

| | | | |
|-------------|---|-----------|-----------------|
| Signature: |  | Date: | 8 November 2022 |
| Print Name: | Leroy Potts | Position: | Director |
| Tenderer: | Potts Devco (Pty) Ltd | | |

*** Cape Winelands District Municipality and Central Supplier Database Registration**

Only those bidders who are registered on the Cape Winelands District Municipality's Supplier Database and the Central Supplier Database as a service provider prior to the closing date of this bid are eligible to have their tenders evaluated. The employer will only enter into a formal contract with a bidder who is registered on both databases. In the case of Joint Venture partnerships this requirement will apply individually to each party of the Joint Venture.

Bidders who wish to register on the Cape Winelands District Municipality Supplier Database may download the supplier application form from our website www.capewinelands.gov.za


Bidders who wish to register on the Central Supplier Database may do so online on www.csd.gov.za and click on the REGISTER A NEW CSD ACCOUNT tab.

SCHEDULE 22: RECORD OF ADDENDA TO TENDER DOCUMENTS

We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been considered in this tender offer:

| | Date | Title or Details |
|----|------|------------------|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |
| 9. | | |

Attach additional pages if more space is required.

| | | | |
|-------------|---|-----------|-----------------|
| Signature: |  | Date: | 8 November 2022 |
| Print Name: | Leroy Potts | Position: | Director |
| Tenderer: | Potts Devco (Pty) Ltd | | |

THE CONTRACT

Part C1: Agreements and Contract Data

| | Pages |
|---|--------------|
| C1.1 Form of Offer and Acceptance | 54-59 |
| C1.2 Contract Data | 60-64 |

Part C2: Pricing Data

| | Pages |
|-------------------------------|--------------|
| C2.1 Pricing Assumptions..... | 66-67 |
| C2.2 Bill of Quantities..... | 68 |

Part C3: Scope of Works

| | Pages |
|--------------------------|--------------|
| C3.1 Scope of Work | 71-72 |

C1.1 FORM OF OFFER AND ACCEPTANCE

IMPORTANT NOTE:

The Tender Form (Offer by Tenderer) shall be completed and signed by all tenderers. Failure to properly complete and sign the Tender Form shall lead to disqualification of the tender.

The Acceptance Form shall be signed by the Employer to formalise the Contract Agreement after the successful tenderer has been formally notified of award.

The Schedule of Deviations forms an integral part of the Contract Agreement.

C1.1 FORM OF OFFER AND ACCEPTANCE (AGREEMENT)**OFFER BY TENDERER**


The Employer, identified in the Acceptance signature block, has solicited offers to enter a contract in respect of the following works: Contract No: Q2022/063: PAINTWORK AND THE SUPPLY AND INSTALLATION OF CARPET TILES IN OFFICES STELLENBOSCH

The Tenderer, identified in the Offer signature block below, has examined the documents listed in the Tender Data and addenda thereto as listed in the Returnable Schedules, and by submitting this Offer has accepted the Conditions of Tender.

By the representative of the Tenderer, deemed to be duly authorized, signing this part of this Form of Offer and Acceptance, the Tenderer offers to perform all the obligations and liabilities of the Contractor under the Contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the Conditions of Contract identified in the Contract Data.

| OFFER | |
|---|---------------|
| Total brought forward from Page 68 | R 86 185 - 00 |
| VAT @ 15% (If applicable) | R 12 927 - 75 |
| TENDER AMOUNT | R 99 112 - 75 |
| (Tender Amount in words): NINETY NINE THOUSAND ONE HUNDRED AND TWELVE RANS AND SEVENTY FIVE CENTS | |

This Offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the Tender Data, whereupon the Tenderer becomes the party named as the Contractor in the Conditions of Contract identified in the Contract Data.

Signature: (of person authorized to sign the tender) 


Name: (of signatory in capitals): LEMOY POTTS

Capacity: (of Signatory): DIRECTOR
POTTS DEVCO

Name of Tenderer: (organisation):

Address: UNIT 14 D, CORNER OF DE KOUK AND BOUNDARY
AVENUE, STRAND, 7140 Telephone number: 021 224 0799

Email address: INFO@POTTSDEVCO.CO.ZA

Witness: 

Signature: R. du Plessis

Name: (in capitals): RUSHANDE DU PLESSIS

Date: 14 NOVEMBER 2022

[Failure of a Tenderer to complete and sign this Form of Offer will invalidate the tender]

ACCEPTANCE BY EMPLOYER

By signing this part of the Form of Offer and Acceptance, the Employer identified below accepts the Tenderer's Offer. In consideration thereof, the Employer shall pay the Contractor the amount due in accordance with the Conditions of Contract identified in the Contract Data. Acceptance of the Tenderer's Offer shall form an agreement between the Employer and the Tenderer upon the terms and conditions contained in this Agreement and in the Contract that is the subject of this Agreement.

The terms of the contract are contained in

- Part C1 Agreement, and Contract Data, (which include this Agreement)
- Part C2 Pricing Data, including the Bill of Quantities
- Part C3 Scope of Work

and drawings and documents or parts thereof, which may be incorporated by reference into Parts C1 to C3 above.

Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto as listed in the Tender Schedules as well as any changes to the terms of the Offer agreed by the Tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Agreement. No amendments to or deviations from said documents are valid unless contained in this Schedule.

The Tenderer shall within two weeks after receiving a formal Letter of Award, including the Schedule of Deviations (if any), contact the Employer or its agent (whose details are given in the Contract Data) to arrange the delivery of bonds, guarantees and any other documentation to be provided in terms of the Conditions of Contract identified in the Contract Data, upon receipt of which the Employer will execute the contract by signing this Agreement. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this Agreement.

Notwithstanding anything contained herein, this Agreement comes into effect on the date when the Tenderer receives one fully completed original copy of this document, including the Schedule of Deviations (if any). Unless the Tenderer (now Contractor) within five days of the date of such receipt notifies the Employer in writing of any reason why he cannot accept the contents of this Agreement, this Agreement shall constitute a binding contract between the parties.

Signature (s): *F. ECU*
 Name(s): *FRANCOIS VAN ECK*
 Capacity for the Tenderer: ~~Director~~ *UP* ~~ED:TS~~
 Name of organization: ~~Potts Devco (Pty) Ltd~~ *UP* ~~CWDM~~
 Name and Signature of Witness: ~~Rushande R. du Plessis~~ *UP* Date: ~~5 November 2022~~ *UP*

SCHEDULE OF DEVIATIONS

Notes:

1. The extent of deviations from the tender documents issued by the Employer prior to the tender closing date is limited to those permitted in terms of the Conditions of Tender,
2. A Tenderer's covering letter shall not be included in the final contract document. Should any matter in such, letter, which constitutes a deviation as aforesaid become the subject of agreements reached during the process of offer and acceptance, the outcome of such agreement shall be recorded here,
3. Any other matter arising from the process of offer and acceptance either as a confirmation, clarification or change to the tender documents and which it is agreed by the Parties becomes an obligation of the contract shall also be recorded here,
4. Any change or addition to the tender documents arising from the above agreements and recorded here, shall also be incorporated into the final draft of the Contract,

1. **Subject:**

Details:

.....

.....

2. **Subject:**

Details:

.....

.....

3. **Subject:**

Details:

.....

.....

4. **Subject:**

Details:

.....

.....

5. **Subject:**

Details:

.....

.....

By the duly authorised representatives signing this Agreement, the Employer and the Tenderer agree to and accept the foregoing Schedule of Deviations as the only deviations from and amendments to the documents listed in the Tender Data and addenda thereto as listed in the Tender Schedules, as well as any confirmation, clarification or change to the terms of the offer agreed by the Tenderer and the Employer during this process of offer and acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the Tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this Agreement.

For the Tenderer:

Signature: 

Name: (in capitals) LEROY POTTS

Capacity: DIRECTOR

Name of Tenderer (organisation) Potts De'ca

Address: Unit 14A, 4e De Kock & Boundary Avenue, George Park Industrial
Stand, 7140

Witness: Signature: R. du Plessis Name (in capitals): RUSHANDE DU PLESSIS

Date: 8 November 2022

For the Employer:

Signature: 

Name: (in capitals) FRANCOIS VAN ECK

Capacity: ED:TS

Name of Employer (organisation) CAPE WINELANDS DISTRICT MUNICIPALITY

Address:

Witness: Signature: Name (in capitals):

Date:

CONFIRMATION OF RECEIPT

The Tenderer, (now Contractor), identified in the Offer part of this Agreement hereby confirms receipt from the Employer, identified in the Acceptance part of this Agreement, of one fully completed original copy of this Agreement, including the Schedule of Deviations (if any) today:

the (day) of (month) 20..... at (place).

For the Contractor:

Signature:

Name: (in capitals)

Capacity:

Name of Contractor (organisation)

Address:

Witness: Signature: **Name (in capitals):**

Date:

For the Employer:

Signature: 

Name: (in capitals)

Capacity:

Name of Employer (organisation)

Address:

Witness: Signature: **Name (in capitals):**

Date:

2 Contract Data (Part 1)

General Conditions of Contract

The General Conditions of Contract are the *General Conditions of Contract for Construction Works, Third Edition (2015)*, published by the South African Institution of Civil Engineering, Private Bag X200, Halfway House, 1685 are applicable to this Contract and are obtainable from www.saice.org.za.

The Conditions of Contract is available for inspection and scrutiny at the offices of the Employer's Agent.

The General Conditions of Contract for Construction Works make several references to the Contract Data. The Contract Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the General Conditions of Contract.

PART 1: APPENDIX TO PART 1 - DATA PROVIDED BY THE EMPLOYER

| Clause | Wording |
|----------|--|
| 1 | General |
| 1.1.1.14 | Due Completion Date <u>Add:</u> The Completion Date will be the date on the Works Programme as agreed upon. |
| 1.1.1.15 | Employer <u>Add:</u> The Employer is the CAPE WINELANDS DISTRICT MUNICIPALITY |
| 1.2.1.2 | Employer's Address <u>Add:</u> The address of the Employer is: Address: 46 Alexander Street P.O. Box 100 Stellenbosch 7599 Telephone: 086 126 5263 |
| 1.1.1.16 | Employer's Agent <u>Add:</u> The authorised and designated representative of the Employer is: Designation: Deputy Director Facilities Management Name: Mr. T. Solomon Employer's Agent's Address <u>Add:</u> The address for receipt of communications is: E-mail: thomas@capewinelands.gov.za Address: 29 du Toit Street P.O. Box 100 Stellenbosch 7599 Telephone: 021 888 5204 |
| 1.1.1.26 | Pricing Strategy <u>Add:</u> The Pricing Strategy is a Re-measurable Contract |
| 1.1.1.29 | Site <u>Add:</u> The location where the work will be performed is 46 Alexander Street Stellenbosch. |
| 1.2.1.2 | Any written communication between the parties shall be delivered at the address of the Employer or the Employer's Agent. |
| 1.3.6 | Employer's Copyright <u>Add:</u> Copyright of documents prepared for the different Projects shall be vested with the Employer. |

- 5.2 **Commencement of the contract**
Add:
- 5.2.1 The commencement of the contract will be the date which appears on the Appointment Letter issued by the Employer's Agent.
- 5.3 **Commencement of the Works**
Add:
The commencement of the Works will be the date which appears on the Works Programme as agreed upon.
- 5.3.1 The documentation required before commencement with the Works execution are:
- Works Programme
 - Public Liability Insurance
- 5.3.2 The time to submit the documentation required before commencement of the works is within ten (10) working days of the award of the tender.
- 5.11 **Suspension of the Works by the Employer**
Add:
The Period of Suspension shall not exceed three (3) months from the date of issue of a Written Order.
- 5.13 **Penalty for Delay**
Add:
- 5.13.1 The penalty for late completion or failing to complete the Works is R 750.00 for every day that elapses between the due Completion Date and the actual date of Practical Completion including non-working and special non-working days.
- 5.14.1 **Practical Completion**
Add:
The time for Practical Completion is the date as it appears on the Works Programme as agreed upon.
- 6.8 **Adjustment in rates and/or prices**
Add:
- 6.8.2 The contract price shall not be subject to any contract price adjustment and the rates and prices tendered in the Bill of Quantities shall be final and binding throughout the period of the contract.
- 6.10 **Payments**
Interim Payments
Add:
- 6.10.1 The Contractor shall deliver to the Employer's Agent a monthly statement for payment of all amounts he considers to be due to him for payment subject to approval, for payment within 28 days from the date of the invoice.
- 6.10.1.5 No payments will be made for material brought on to site but not yet built into the Permanent Works.
- 8.6.1.3 **Public Liability Insurance**
Add:
The successful contractor must ensure that he/she has adequate Public Liability Insurance that will cover any possible claim(s) arising from or during the fulfilment of the Contract, irrespective of the amount of such claim(s).
- 10.4 **Amicable Settlement**
Add:
- 10.4.1 Interim settlement of disputes shall be by Mediation.
- 10.7.1 **Arbitration**
Add:
The determination of disputes shall be by arbitration.

C1.2 Contract Data (Part 2)

| | | | | | | | | | | | | |
|---|---|--|---|---|---|---|---|---|---|---|---|---|
| 1 | Name of Bidder | Potts Devco (Pty) Ltd | | | | | | | | | | |
| 2 | Postal address | 24 Bosch Street, Strand, 7140 | | | | | | | | | | |
| 3 | Street address | Unit 140, 90 De Kock & Boundary Avenue | | | | | | | | | | |
| 4 | Telephone number | 021 224 0799 | | | | | | | | | | |
| 5 | Company Registration Number is | 2014/216951/07 | | | | | | | | | | |
| 6 | Income Tax Reference Number | 9284996189 | | | | | | | | | | |
| 7 | VAT Reference Number | 4440274720 | | | | | | | | | | |
| 8 | COIDA certificate number | 2021012470 | | | | | | | | | | |
| The authorised and designated representative of the Service Provider is: | | | | | | | | | | | | |
| 9 | Name | Leroy Potts | | | | | | | | | | |
| 10 | Cellular phone number | 081 557 5165 | | | | | | | | | | |
| 11 | E-mail: | info@pottsdevco.co.za | | | | | | | | | | |
| 12 | Telephone number | 021 224 0799 | | | | | | | | | | |
| CSD registration number | | M | A | A | A | 0 | 0 | 1 | 1 | 4 | 7 | 8 |
| 1 | The Period of Performance is till final completion including retention period | | | | | | | | | | | |
| The Key Persons and their jobs / functions in relation to the services are: | | | | | | | | | | | | |
| ALTINO WILLIAMS | | | | | | | | | | | | |
| CARLO MAVUSA | | | | | | | | | | | | |
| DEON JOUBERT | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |

C1.3 OCCUPATIONAL HEALTH AND SAFETY AGREEMENT

CONTRACT No. Q2022/063: PAINTWORK AND THE SUPPLY AND INSTALLATION OF CARPET TILES IN OFFICES STELLENBOSCH

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

I, Potts Devco (Pty) Ltd
Contractor/ Mandatary/Company/CC Name)

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

I, Leroy Potts
representing

Potts Devco (Pty) Ltd, as an employer
Do hereby undertake to ensure, as far as is reasonably practicable, that all work will be performed, and all equipment, machinery or plant used in such a manner as to comply with the provisions of the Occupational Health and Safety Act (OHSA) and the regulations promulgated thereunder.

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

COID ACT Registration Number: 990001013339

OR

Other accredited Compensation Insurer: Santam

Policy Number: MZAR 76060 - CAR

I undertake to appoint, where required, suitable competent persons, in writing, in terms of the requirements of OHSA and the Regulations and to charge him/them with the duty of ensuring that the provisions of OHSA and Procedures are adhered to as far as reasonably practicable.

I further undertake to ensure that any subcontractor employed by me will enter into an Occupational Health Safety Agreement separately, and that such subcontractors comply with the conditions set.

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

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

Signed at Strand on the 08th day of November 2022

R. du Plessis
Witness

[Signature]
Mandatary

Signed at..... on the..... day of..... 20.....

Witness

[Signature]
For and on behalf of the Cape
Winelands District Municipality

OCCUPATIONAL HEALTH AND SAFETY CONDITIONS

1. The Chief Executive Officer of the Contractor shall assume the responsibility in terms of Section 16(1) of the Occupational Health and Safety Act (as amended). Should the Contractor assign any duty in terms of Section 16(2), a copy of such assignment shall immediately be provided to the representative of the Employer as defined in the Contract.
2. All work performed on the Employer's premises shall be performed under the supervision of the construction supervisor who understand the hazards associated with any work that the Contractor performs on the site in terms of Construction Regulations 2003.
3. The Contractor shall appoint a Competent Person who shall be trained on any occupational health and safety aspect pertaining to them or to the work that is to be performed.
4. The Contractor shall ensure that he familiarises himself with the requirements of the Occupational Health and Safety Act and that he, his employees, and any sub-contractors, comply with them.
5. Discipline in the interests of occupational health and safety shall be strictly enforced.
6. Personal protective equipment shall be issued by the Contractor as required and shall be always worn where necessary.
7. Written safe work procedures and appropriate precautionary measures shall be available and enforced, and all employees shall be made conversant with the contents of these practices.
8. No substandard equipment/machinery/articles or substances shall be used on the site.
9. All incidents referred to in terms of Section 24 of the Occupational Health and Safety Act shall be reported by the Contractor to the Department of Labour and the Employer.
10. The Employer hereby obtains an interest in the issue of any formal inquiry conducted in terms of Section 32 of the Occupational Health and Safety Act and into any incident involving a Contractor and/or his employees and/or his sub-contractor/s.
11. No use shall be made of any of the Employer's machinery/plant/equipment/substance/personal protective equipment or any other article without prior arrangement and written approval.
12. No alcohol or any other intoxicating substance shall be allowed on the site. Any person suspected of being under the influence of alcohol or any other intoxicating substance shall not be permitted access to or allowed to remain on the site.
13. Prior to commencement of any work, verified copies of all documents mentioned in the agreement, must be presented to the Employer.

C2. PRICING DATA

| | Page |
|---------------------------------------|---------------|
| C2.1: Pricing Assumptions..... | .66-67 |
| C2.2: Bill of Quantities..... | .68 |

C2.1: PRICING ASSUMPTIONS

C2.1.1 GENERAL

The bill of quantities forms part of the Contract Documents and must be read and priced in conjunction with all the other documents comprising the Contract Documents, which include the Conditions of Tender, Conditions of Contract, the Specifications (including the Contract Specification) and the Drawings.

C2.1.1.2 DESCRIPTION OF ITEMS IN THE BILL OF QUANTITIES

The short descriptions given in the bill of quantities are a brief description used to identify the activities for which prices are required. Detailed descriptions of the activities to be priced are provided in the Scope of Works.

While it is entirely at the tenderer's discretion as regards pricing the bill of quantities, guideline tariffs of fees or indicative time-based fee rates are gazetted annually by each of the built environment professional bodies, which are useful documents that will give tenderers some idea of industry norms against which they may compare their rates, sums, percentage fees and / or price as applicable.

C2.1.1.3 QUANTITIES REFLECTED IN THE BILL OF QUANTITIES

The quantities reflecting in the bill of quantities and the tendered rates as per the bill of quantities will be the amounts used to evaluate and award the tender.

The Contract Price for the completed contract shall be according to the bill of quantities.

C2.1.1.4 PRICING OF THE BILL OF QUANTITIES

OVERVIEW

The bill of quantities includes normal services and additional services when needed. The Form of Offer will be approved for purposes of finalising the final account of the successful service provider.

C2.2: PRICING SCHEDULE

BILL OF QUANTITIES (Page 1/1)

| Item No | Unit | Quantity | Rate | Amount | |
|---|---|----------------|------|--------|--------|
| Bill No 1 | | | | | |
| NOTE: | | | | | |
| Service Providers are advised to study the Model Preambles for Trades before pricing this bill of quantities | | | | | |
| This is not a lump-sum quotation. Service Providers shall allow opposite each item for any cost involved with such item. A fully completed and priced quotation document must be handed in with quotation-closing | | | | | |
| <u>PAINTWORK, ETC</u> | | | | | |
| A | Prepare and apply two coats Acrylic Emulsion paint to colour on walls | m ² | 295 | 70 | 20 650 |
| B | Prepare and apply two coats Acrylic PVA colour "White" on ceilings | m ² | 129 | 75 | 9 675 |
| C | Prepare and apply two coats clear Eggshell Varnish on timber skirtings not exceeding 150mm girth | m | 111 | 35 | 3 885 |
| D | Prepare and apply two coats clear Eggshell Varnish on small pane timber window, (Both sides measured). | m ² | 6 | 75 | 450 |
| E | 18 x 69mm Standard Meranti skirting plugged to wall with and including plugs and screws | m | 6 | 125 | 750 |
| F | Apply one skim coat in patchwork on plastered wall. (Provisional) | m ² | 17 | 125 | 2 125 |
| <u>CARPETING, ETC</u> | | | | | |
| G | Take up existing broadloom carpet including underfelt, remove from site and prepare floor to receive new carpet tiles. (New carpet tiles elsewhere measured) | m ² | 80 | 55 | 4 400 |
| H | 7 x 500 x 500mm Plainback Needle-punch BP 920* heavy-duty tiles manufactured from Stainproof Miracle Fibre and Stainproof Eco Fibre Blend (Polypropylene), colour "Provincial" laid in accordance with the code of practice for the installation of textile floor coverings (SANS 10186) and fitted with an approved Acrylic Emulsion Adhesive. (Net cover area measured - allow for cutting and waste) | m ² | 80 | 475 | 38 000 |
| J | Supply only of 7 x 500 x 500mm Plainback Needle-punch BP 920* Heavy-Duty tiles manufactured from Stainproof Miracle Fibre and Stainproof Eco Fibre Blend (Polypropylene) colour "Provincial" | m ² | 10 | 475 | 4 750 |
| K | Bronze fished aluminium dividers nailed to floor | m | 10 | 150 | 1 500 |
| TENDER TOTAL CARRIED FORWARD TO FORM OF OFFER ON C1.1- PAGE 55 | | | | R | 86 185 |
| | | | | | 00 |

37535

R48650.00

R12927.75

DECLARATION (In respect of completeness of Tender)

C2.2.2 Pricing Schedule

CAPE WINELANDS DISTRICT MUNICIPALITY
29 Du Toit Street
STELLENBOSCH
7600

I/We, the undersigned, do hereby declare that the preceding page is the Bill of Quantities forming Part C2.2 of this Contract Document upon which my / our tender for Q 2022/063: PAINTWORK AND THE SUPPLY AND INSTALLATION OF CARPET TILES IN OFFICES STELLENBOSCH

Signature: (of person authorized to sign the tender)



Name: (of signatory in capitals):

LEROY POTTS

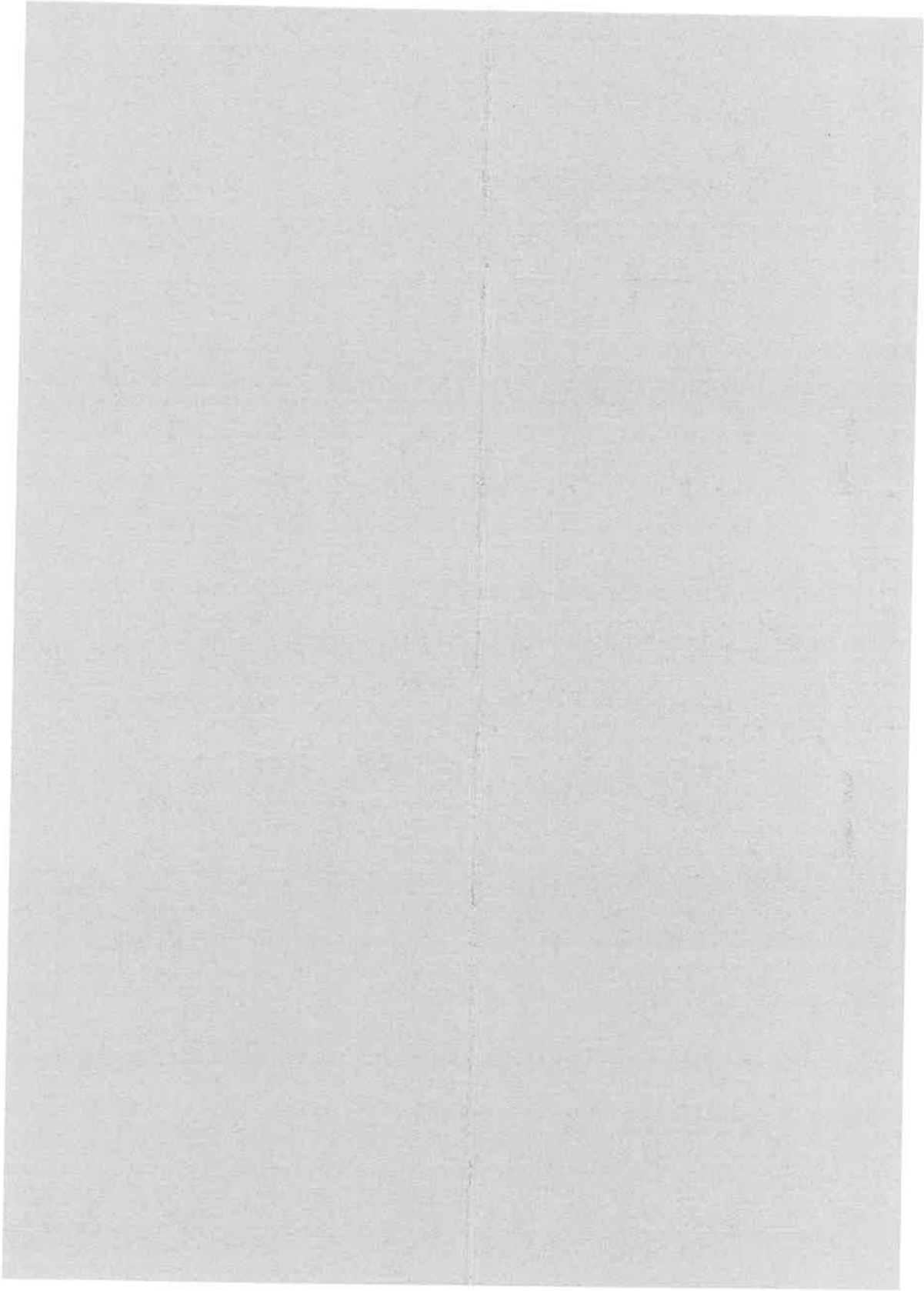
Capacity: (of Signatory):

DIRECTOR

Name of Tenderer: (organisation):

POTTS DEVCO

1
2
3



PART C3: SCOPE OF WORK**C3.1 INTRODUCTION AND BACKGROUND**

Formal written price quotations are hereby invited from service providers for paintwork and the supply and installation of carpet tiles in offices at 46 Alexander Street Stellenbosch.

C3.2 OBJECTIVES

To provide a clean working environment for staff to work in by upgrading the offices. Staff are migrating between offices and new staff members are to be accommodated.

C3.3 DESCRIPTION OF SERVICES**SCOPE OF WORK:**

The successful Contractor will be responsible for the following:

C3.3.1 Paintwork to walls, ceilings, timber skirtings and windows, etc.

C3.3.2 Supply and installation of carpet tiles to specification.

C3.4 CONTRACTOR REGISTRATION

C3.4.1 As a statutory requirement, the contractor must be registered with the Construction Industry Development Board (CIDB). The contractor must have a CIDB contractor's grading of 1 GB or higher. Proof of Registration and a valid Letter of Good Standing must be handed in with the tender in this regard.

C3.4.2 As a statutory requirement, the contractor must be registered with the Department of Labour for Compensation for Occupational Injury and Diseases Act (COIDA) or any other accredited Compensation Insurer. Proof of Registration and a valid Letter of Good Standing must be handed in with the tender in this regard.

C3.4.3 As a statutory requirement, the contractor must be registered in the name of the entity with the relevant Building Bargaining Council (BBC). Proof of Registration and a valid Letter of Good Standing must be handed in with the tender in this regard.

C3.4.4 Bidder must provide proof of at least three (3) previous contactable references of previous projects of a similar nature.

C3.5 TECHNICAL REQUIREMENTS**NOTE:**

- Bidders are required to complete the Schedule below as it will form part of the tender evaluation criteria for award of the tender.
- Cognisance should be taken that bidders who do not comply to all the technical requirements will be regarded as non-responsive.

| Minimum Requirements | | Please indicate with an "X" whether the offer complies with the requirements | | | Reference (Supporting documents attached) |
|----------------------|---|--|----|---------|--|
| | | Yes | No | Comment | |
| C3.5.1 | CIDB contractor's grading of 1 GB or higher. (See. C3.4.1 above) | X | | | |
| C3.5.2 | Tenderer must be COIDA registered. (See. to C3.4.2 above) | X | | | |
| C3.5.3 | BBC Registration. (See. C3.4.3 above) | X | | | |
| C3.5.4 | Tenderer must provide proof of at least <u>three</u> (3) previous | X | | | |

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|--|--|---|--|--|--|--|--|--|--|--|--|--|--|--|--|
| | contactable references of previous projects of a similar nature. (See. C3.4.4 above) | X | | | | | | | | | | | | | |
|--|--|---|--|--|--|--|--|--|--|--|--|--|--|--|--|

C3.6 APPLICABLE KEY PERFORMANCE INDICATORS (KPIs)

- C3.6.1 Work/ services rendered within time frames specified.
- C3.6.2 Work/ services rendered within financial framework specified.
- C3.6.3 Acceptable standard and quality of work delivered.

C3.7 REPORTING LINES

The successful Service Provider will perform its services under control and management of the Employer's Agent. No instructions are to be taken from any Councillor or other employee from the Cape Winelands District Municipality other than the appointed Agent.

C3.8 OFFICE

To be considered for appointment in terms of this tender, tenderers must have an office in the Western Cape through which all communication with the Municipality will flow. The address of the office must be indicated on the returnable schedules, and which will be regarded as the domicilium citandi et xecutandi for any contract arising from this tender submission. All the work in terms of this tender will be carried out within the Cape Winelands District Municipal area.

C3.9 RISKS

In the event of the successful Service Provider being unable to perform its duties under this appointment, or if in the opinion of the Municipality the progress of work, or the quality thereof is not satisfactory, the Municipality shall be entitled to cancel the contract. The Service Provider will however first be granted the opportunity to rectify his mistakes within a mutually agreed time frame and quality of work expected. Where any damage is caused due to negligence by the Service Provider, the Service Provider shall be held responsible and shall make good such damage at his/her own expense to the satisfaction of the Municipality, and with the minimum disruption of essential services.

Special note:

Where the municipality is forced to carry out any repairs due to the Service Provider's activities, the cost will be billed to the appointed Contractor.

C3.10 REMUNERATION

- C3.10.1 No upfront payments will be made.
- C3.10.2 No payments will be made for material on-site.
- C3.10.3 Interim payments will only be made based on the actual value of work done to date.
- C3.10.4 Final payment to the contractor will only be affected on completion of the project.
- C3.10.5 Any fees or remuneration are inclusive of Value Added Tax where applicable.

C3.11 TENDER EVALUATION

The final scores for responsive tenders shall be calculated as follows: sum of points scored for price based on the tender unit prices plus preferential points scored.

C3.12 APPOINTMENT TERMS

The successful Tenderer's appointment shall be based on the scale of tariffs as reflected in the Tenderer's bill of quantities in the accepted tender document.

C3.13 GENERAL REQUIREMENTS

C3.13.1 The offices, depots, sites etc. will be fully operational during the execution of the work. The work area as well as the surrounding area must be kept clean during installation work. Rubble must be removed at regular intervals. Noise and dust levels must be kept to an absolute minimum