



WASTE COLLECTION TO UNDERTAKE HOUSEHOLD AND BUSINESS WASTE COLLECTION AT BURGERSFORT TOWN

CONTRACT NUMBER: FTM/T01/20/21

TENDER DOCUMENT

NAME OF TENDERER : _____
TENDERED AMOUNT : _____

TEL NUMBER : _____
FAX NUMBER : _____

.....

CLOSING DATE: 11th SEPTEMBER 2020
TIME: 12H00

FETAKGOMO TUBATSE

LOCAL MUNICIPALITY
PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (FETAKGOMO TUBATSE MUNICIPALITY)					
BID NUMBER:	FTM/T01/20/21	CLOSING DATE:	11 September 2020	CLOSING TIME:	12h00
DESCRIPTION	Waste Collection to undertake household and business waste collection at Burgersfort Town				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					

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

1 Kastania Street
Burgersfort
1150

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		<input 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]

1. 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]	2. 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]
3. TOTAL NUMBER OF ITEMS OFFERED		4. TOTAL BID PRICE	R
5. SIGNATURE OF BIDDER	6. DATE	
7. CAPACITY UNDER WHICH THIS BID IS SIGNED			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	FINANCE	CONTACT PERSON	MS. KJ Masebe
CONTACT PERSON	MAGOMA MD	TELEPHONE NUMBER	Tel: 013 231 1000
TELEPHONE NUMBER	013 231 1231	FACSIMILE NUMBER	
FACSIMILE NUMBER	013 231 7467	E-MAIL ADDRESS	Email: kmasebe@tubatse.gov.za
E-MAIL ADDRESS	dmmagoma@tubatse.gov.za		

PART B TERMS AND CONDITIONS FOR BIDDING

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

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

VERY IMPORTANT NOTICE ON DISQUALIFICATIONS:

A bid not complying with the peremptory requirements stated hereunder will be regarded as not being an "Acceptable bid", and as such will be rejected.

"Acceptable bid" means any bid which, in all respects, complies with the conditions of bid and specifications as set out in the bid documents, including conditions as specified in the Preferential Procurement Policy Framework Act (Act 5 of 2000) and related legislation as published in Government Gazette number 22549, dated 10 August 2001, in terms of which provision is made for this policy.

- Compliant tax status (the Municipality will verify tax compliance during evaluation and adjudication stage)
- Joint Venture Agreement, signed by both parties stipulating the percentage of shareholding agreement.
- Submission of Municipal rates and taxes or municipal service invoice issued to the bidder and all directors, by any other municipality or municipal entity .The rates and taxes charges must not be in arrears for more than three months for the company & directors. (If staying in a non-rate-able area, please attach original letter from the Tribal Authority/ Chief or Headman). If you are renting, attach valid signed lease agreement.
- Signing of the Form of Offer, completed in Words and Figures (with a bid price/amount) in full.
- Fully signed and Completed MBD forms
- Certified ID Copies of all directors/members/shareholders of company/business/ (For all companies in case of a Joint Venture)
- All pages signed or initialled
- Authority of signatory, signed by all the parties (a letter showing who is authorised to sign the documents).
- Price amendment without signature will amount to disqualification
- Company Registration with Institute for Waste Management in Southern Africa (IWMSA)
- Insurance indemnity of R5 000 000

Special requirements

- Originally certified copies of B-BBEE Level Contribution Certificate (from SANAS accredited agencies) or original sworn affidavit (for EME's with a turnover of less than 10million rand) consolidated B-BBBEE certificate or sworn affidavit. Only for preference points not a disqualification factor. (If JV, certified copy of consolidated B-BBEE certificate or sworn affidavit).
- Bidders who do not comply with above will be scored zero.

CONTACT DETAILS

Supply Chain Management Enquiries:
Mr MD Magoma
Tel: +27 13 231 1231
Email: dmmagoma@tubatse.gov.za

Technical Enquiries:

Ms. KJ Masebe, Tel: 013 231 1000, email: kmasebe@tubatse.gov.za

COMPULSORY MUNICIPAL BID DOCUMENTS

MBD 2: TAX CLEARANCE CERTIFICATE

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.

1. In order to meet this requirement bidders are required to complete in full form TCC001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids. Copies of form TCC 001 are available from any SARS branch office nationally or on the website www.sars.gov.za.
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The Tax Clearance Certificate must be submitted together with the bid. Failure to submit the TCC pin/ number will result in the invalidation of the bid.
4. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
- 5.** Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

MBD 4

DECLARATION OF INTEREST

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

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

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

3.2 Identity Number:

3.3 Position occupied in the Company (director, trustee, hareholder²):.....

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

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

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

3.8.1 If yes, furnish particulars.

.....

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

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;

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

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

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

3.9.1 If yes, furnish particulars.....

.....

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

3.10.1 If yes, furnish particulars.

.....

.....

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

3.11.1 If yes, furnish particulars

.....

.....

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

3.12.1 If yes, furnish particulars.

.....

.....

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

3.13.1 If yes, furnish particulars.

.....

.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. **YES / NO**

3.14.1 If yes, furnish particulars:

.....
.....

(a) 4. Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

BROAD-BASED BLACK ECONOMIC EMPOWERMENT (B-BBEE) STATUS LEVEL CERTIFICATES

Bidders are required to submit original and valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their bids, to substantiate their B-BBEE rating claims.

Bidders who do not submit B-BBEE Status T Level Verification Certificates or are non-compliant contributors to B-BBEE do not qualify for preference points for B-BBEE but should not be disqualified from the bidding process. They will score points for out of 90 or 80 for price only and zero points out of 10 or 20 for B-BBEE.

Under the amended B-BBEE codes, Accounting officers and verification professionals are no longer permitted to issue B-BBEE certificates to Exempt Micro Enterprises (EMEs) and black controlled and owned Qualifying Small Enterprises (QSEs). **Only the sworn affidavits and certificates issued by SANAS accredited agencies are acceptable.**

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

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

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

1. GENERAL CONDITIONS

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

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

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

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

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

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

3. POINTS AWARDED FOR PRICE

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

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

80/20

or

90/10

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

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. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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

B-BBEE Status Level of Contributor	Number of points (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

5. BID DECLARATION

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

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

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

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

7. SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1 If yes, indicate:

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

(Tick applicable box)

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

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

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

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

8.7 MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account Number:

Stand Number:.....

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

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

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

WITNESSES

1.

2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

.....

CONTRACT FORM - RENDERING OF SERVICES

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

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

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution) in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number at the price/s quoted. My offer(s) remain(s) binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of Bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1
2
DATE:

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

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

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

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

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

DATE:

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Municipal Bidding Document must form part of all bids invited.
2. It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
3. The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - a) abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b) been convicted for fraud or corruption during the past five years;
 - c) willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - d) been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
4. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

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

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: _____ that:
 (Name of Bidder)

1. I have read and I understand the contents of this Certificate.
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect.
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder.
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder.
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation);
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

SPECIFICATION FOR APPOINTMENT OF SERVICE PROVIDER FOR WASTE COLLECTION TO UNDERTAKE HOUSEHOLD AND BUSINESS WASTE COLLECTION AT BURGERSFORT TOWN WITHIN FETAKGOMO TUBATSE LOCAL MUNICIPALITY

• **Introduction**

The right to a clean environment and sustainable development is fundamental and closely connected to the right to health and well-being. It is of fundamental importance to note that there is a strong connection between the quality of the environment and the health of the people living and/or exposed to those environments.

The responsibility for the provision of a safe and healthy environment is outlined in a range of legislation and Section 24 of the Constitution which provides that:

- ✓ Everyone has a right to an environment that is not harmful to their health and well-being;
- ✓ To have the environment protected for the benefit of present and future generations, through reasonable legislative and other measures that prevent pollution and ecological degradation;
- ✓ Promote conservation
- ✓ Secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.

The Constitution further places an obligation in terms of section 152 (1)(b) and (d) on the part of local government as stipulated in sections 4(2)(d)3 and 4(2)(i), 4 73(1) and (2) of the Municipal System.

The amenable powers and function bestowed on the municipality is to manage waste management Which includes inter-alia: the collection, transportation, disposal of waste, and monitoring. One of the greatest challenges facing South Africa and the rest of the world is to improve the quality of human life for both the present and future generations through sustainable development.

Limpopo Economic Development, Environment and Tourism (LEDET) executes regulatory responsibility of waste management processes through NEM: Waste Act, (Act no 59 of 2008).

• **Background on the project**

Fetakgomo Tubatse Local Municipality provide waste management services to its citizens with two categories of services namely household services and commercial services. The services comprised of:

- ✓ The collection and disposal of domestic,
- ✓ Business, street cleaning
- ✓ Litter picking and management of litter bins
- ✓ The collection of illegal dumped waste
- ✓ The collection and disposal of animal carcasses found on the public areas

• **Project area**

All prospective service providers who wish to undertake this project are required to obligatory undertake all agreed work as per specification stipulated bellow:

Area	Total no. of units/stands	No. of skip bins	Frequency of collection
Burgersfort residential and Business Centre	1544 / once per week	04 alongside R37 road	Once per week
		35 within the town	Daily

- **Scope of work**
- Removal of waste containers 85 litre household refuse bags, 6m³ skip containers, 240 litre bins and 85 litre bins which are mostly utilized in Burgersfort.
- Removal of 35 x 6m³ skip bins within the town, 04 alongside R37 road. Attached is the strategic areas where the bins are placed.
- Removal of 85 litre household refuse bags at 1544 units/stands in Burgersfort.
- The service provider shall clean the 39 x 6m³ skip bins (including 04 alongside R37 road) every month with detergents including application of pesticides to prevent nuisance/smell.
- The surrounding area around the bins must be maintained and cleaned every time during collection.
- Spillages of waste during transportation will not be allowed, the transport mode must be covered to avoid waste being blown away by wind, failure to comply will result in penalties.
- **Additional information**
- Waste will be disposed at Malogeng Landfill site
- The service provider will provide the municipality with monthly statistics stipulating records on the volume of waste collected.
- The service provider shall attend the meetings as and when called by the Municipality.
- The services will be rendered as per Municipal waste collection schedule attached in the document.
- The service provider will comply with EPWP standards as requested by the Municipality.
- The municipality shall be responsible for the disposal cost whereby the appointed service provider not be levied for disposal charges at Malogeng Landfill site.
- Turnaround time for backlog in case of emergency or unforeseen circumstances (e.g strike, rain) the service provider will be given 48 hours to address outstanding work, failure to comply will lead to penalties.
- The service provider shall comply with OHS Act.
- In case of fire incidents the service provider shall be liable for the provision of fire distinguishing on burning bins within the area of collection
- **Equipments required**
- The successful bidder must provide own branded two (2) x Skip loader, two (2) x Waste Collection Compactor Truck, (Tipper Truck, and Front End loader as and when required for removal of illegal dumps heaps), drivers, runners and fuel for daily operation. The successful bidder must have capacity to make provision of additional compactor truck as and when to cater during the breakdown.
- The successful bidder shall provide the working tools such as waste pickers, disinfectants, shovels, rakes, refuse bags and protective clothing to the appointed beneficiaries.
 - **Contract duration**
 - The project is a 36 months fixed contract.
- **Disclosure of similar services within jurisdiction of the municipality**
- It will be compulsory for the successful bidder to disclose if they are currently undertaking **similar projects** within the jurisdiction of the municipality for the purpose of separating records for bills at municipal disposal site.

- **Project commencement date**
- The successful bidder must be prepared to provide relevant services within specified period as per provision in the appointment letter and Service Level Agreement.

BINS TO BE COLLECTED FOR BURGERSFORT PROJECT

Areas / Sites	Number of Skip Bins	Frequency
Corner Morone Street/Autozone	01	Daily
Next to Obaro	01	Daily
BFS/Baco Hardware	01	Daily
Cheap cheap Butchery	01	Daily
Spar Aloe receiving area	01	Daily
Tubatse Crossing Mall	06	Daily
Spar twin city	02	Daily
Boxer Fouchie Complex	01	Daily
Boxer next to Ace	01	Daily
Factory Shop	01	Daily
Long Distance Taxi Rank	01	Daily
Burgersfort Mall(behind roots and Shoprite	02	Daily
Sasol Filling Station	01	Daily
Extension 10	01	Daily
Choice Supermarket	01	Daily
Magaba Garage	01	Daily
Morone Complex	02	Daily
The Market/Fashion World	01	Daily
Lewis	01	Daily
Total Garage/Solly	01	Daily
New Midas Passage	01	Daily
Engine Garage(Crossing)	01	Daily
Engine Aloe Spar	01	Daily

R555 PPS Garage	01	Daily
Next to old landfill site	02	Daily
Municipal Park	01	Daily
Cambridge	01	Daily
• R37		
Riba Cross	01	Once per week
Driekop/Dilokong	01	Once per week
Global /Bothashoek cross	01	Once per week
Mandaagshoek	01	Once per week
Total = 39 Bins		

• **Evaluation on Quality/Functionality = 100%**

Bidder evaluation criteria for Functionality	Weight	Scores	Points allocations
Size of the Enterprise and Current Workload of Bidder(attached company profile) <ul style="list-style-type: none"> In case of ownership attach proof of fleet registration certificates generated from approved traffic licensing system. In case of the lease attach signed letter of intent which is supported by fleet registration certificates generated from traffic licensing system. 	30	The bidder must have the following fleet which must be owned or leased. <ul style="list-style-type: none"> Compactor Truck x 2- Provision of valid certificate of registration in respect of motor vehicle if not 2 is zero Skip Loader x 2- Provision of valid certificate of registration in respect of motor vehicle Tipper Truck x 1 Provision of valid certificate of registration in respect of motor vehicle Front end loader (when required) Provision of valid certificate of registration in respect of motor vehicle 	20 10 2 3
Profile of key staff applicable to the execution of the project (Manager and Site Supervisor) Proof of Qualification, Certificates and Registration Documents to be attached	30	<ul style="list-style-type: none"> Site Manager (Honours in Environmental Management and equivalent), 6 years' experience and above) Site Supervisor (Degree or equivalent in Environment management and equivalent) 4-5 years experience National Diploma in Environmental management 1-3 years experience 	15 15 10 10 7.5

		<ul style="list-style-type: none"> • Compactor Truck Drivers x 2 must have a Driver's license & valid PDP to operate required vehicles. Must have 2-years or more working as a driver • Skip Driver X 2 Must have a valid Driver's license & valid PDP to operate required vehicles. Must have 2 years or more working as a driver • Safety Officer must have a minimum of N6 qualification in Safety related matters, must have 1- or more years in similar working experience 	7.5
<p>Previous experience (Signed reference letters from previous clients)</p> <ul style="list-style-type: none"> • Relevant experience in similar projects ✓ and letter from institution where service has been rendered 	20	<ul style="list-style-type: none"> • Four projects in waste collection services-attach completion certificate. • Three similar projects in household waste collection services-attach completion certificate • Two similar projects in household waste collection services-attach completion certificate appointment letter • One similar project in household waste collection services-Attach completion certificate + appointment letter 	20 10 5
<p>Financial viability</p> <ul style="list-style-type: none"> • Approved credit facility or bank guarantee letter between R1million and above • Approved credit between R500 000 and R999 000 • Approved credit below R500 000 or bank facility 	10		10 5 2
	100		TOTAL

The bidder must obtain a minimum score of 70% of points allocated for quality (functionality) to qualify for further evaluation.

- Penalties**

The following penalties will be levied from the contractor

Item	Description	Penalty
1	Failure to collect waste from households and skip bins without tangible reasons e.g. due to strike, rain	R10 000 for each day
2	Workers working without safety clothing throughout the shift.	R500 for each worker.
3	Failure to collect and dispose animal carcasses within 48 hours' notice	R1000 per day after 48 hours' notice
4	Flying waste on the roads and disposal of waste illegally	R5 000 for each discrepancy
5	Failure to submit monthly report by 05 th of each month.	R5 000
6	Non-compliance to plant, equipment and operational conditions	R10 000 per condition per month after 24 Hours in a given month
7	Failure to collect waste as per waste collection schedule	R5000 per day
8	Failure to collect waste at household only	R5000 per day
9	Failure to collect/offload skip bins	R5000 per week
10	Failure to clean around the bin after each collection circle	R1000 per week
11	Non- provision of fire extinguishing on burning bins	R5000 per week per bin

- WASTE COLLECTION SCHEDULE**

Week Day	Service Points
Monday	<ul style="list-style-type: none"> ✓ Extension 10 Burgersfort ✓ Extension 5 Burgersfort ✓ Longtill/Mapodile ✓ Steelpoort houses unit C, commercial and industrial site ✓ Burgersfort commercial area ✓ Police station ✓ Calvin college
Tuesday	<ul style="list-style-type: none"> ✓ Praktiseer A Township ✓ Appiesdoring area (Fire station, Iepelle plant, Natosville, ST Thomas) ✓ Simon Du Toit /Metro area (Municipal Park Houses). ✓ Mooifontein ✓ Burgersfort Commercial area
Wednesday	<ul style="list-style-type: none"> ✓ Leopards Bush ✓ Lions Rock ✓ Police Station ✓ Steelpoort houses/laerskool and commercial area ✓ Ohrigstad ✓ Burgersfort commercial area

	✓ Piterwinterbach Houses and Burgersfort laerskool
Thursday	✓ Aloe Ridge East and West ✓ Spekboom Houses ✓ Elephant hills ✓ Burgersfort commercial area ✓ Lapeng lodge
Friday	✓ Motaganeng ext 34 green houses ✓ Praktiseer Dark City ✓ Steelpoort commercial area ✓ Burgersfort commercial area and Police station
Saturday	✓ Burgersfort commercial area.

13. BILL OF QUANTITIES

Any alterations made to the Tender Documents must be signed in fully by the Tenders Authorized Signatory. A letter on the Company's official letterhead shall accompany any alterations, failure to observe this may disqualify the tender. Correction fluid, pencil and erasable ink will not be accepted and disqualify the tender.

The following Bill of Quantity must be completed in full with all line items. Failure to do so will disqualify the tender.

BID NUMBER.....

SCHEDULE OF PRICES

Item	Description	Unit	Frequency/ Weeks/days	QTY (Contract period)	Rate per day (R)	Rate per month (R)	Rate per year (R)	Total Amount (R) for 36 months
1.	Burgersfort residential kerbside waste collection on estimated 1544 units	Month	Daily	36 months				
2.	Burgersfort waste collection at commercial area (removal of 35 x6m ³ skip bins)	Month	Daily	36 months				
3.	Removal of 04 x 6m ³ skip bins alongside R37 road	Month	Once per week	36 months				
4.	Cleaning of 39 x skip bins with disinfectants	Month	Monthly	36 months				

Total Costs								R.....
VAT@ 15%								R.....
Total Price Including VAT								R.....

NB: All the rates should include transportation, labour and all other related costs. All collected waste shall be disposed at Malogeng landfill site in Apel.

- Collection points for the 39 x 6m³ skip bins are attached to the specification.
- Municipality reserve the right to add another fleet as when required in line with approved rates.
- Price will be subject to annual CPIX increase.

FORM OF OFFER AND ACCEPTANCE

Form of Offer

The employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the procurement of:

Project No. **FTM/T01/20/21: Waste collection to undertake household and business waste collection at Burgersfort Town**

The tenderer, identified in the offer signature block, 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 of 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.

***THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS:**

.....
..... (rands)(in words);
R (in figures)

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 Block: Tenderer	
Signature	Date
Name	
Capacity	
Name of organization	
Address of organization	
.....	
Signature of witness	Date
Name of witness	

*** BIDDERS HAVE TO COMPLETE THE OFFERED TOTAL OF THE PRICES IN WORDS AS WELL AS IN FIGURES**

Form of Acceptance

By signing this part of this 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.

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 completed copy of this agreement, including the schedule of deviations (if any), contact the employer’s agent (whose details are given in the contract data) for delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. 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 working 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 Block: Employer	
Signature	Date
Name	
Capacity	
for the Employer	Fetakgomo Tubatse Municipality P.O. Box 206, Burgersfort, 1150
Signature of witness	Date
Name of witness	

Schedule of Deviations

- 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 changes 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.

ANNEXURE A

GENERAL CONDITIONS OF CONTRACT (GCC)