



# EMALAHLENI LOCAL MUNICIPALITY

**ELM 01/2023**

**SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA  
NETWORK SERVERS AND COMPONENTS.**

**EMPLOYER:**  
**Emalahleni Local Municipality**  
P.O Box 3  
Witbank  
1035

**Acting Municipal Manager**  
Tel No.: +27 (13) 690 6911  
Fax No.: +27 (17) 690 6207  
E-mail: [matleboanes@emalahleni.gov.za](mailto:matleboanes@emalahleni.gov.za)

**QUERIES:**  
**Directorate: Corporate Services**  
082 481 0671  
E-mail: [radingwanam@emalahleni.gov.za](mailto:radingwanam@emalahleni.gov.za)

**Supply Chain Management**  
Mr LD Nkosi  
Tel No.: +27 (13) 690 6502  
E-mail: [nkosild@emalahleni.gov.za](mailto:nkosild@emalahleni.gov.za)

*Tender Closing Date:*  
**Friday, 03 February 2023 at 11:00**

## TENDER PRICE

TOTAL MONTHLY  
COST  
(INCL. VAT)

.....

AMOUNT IN WORDS

.....

## Bidder's Details:

|                               |  |
|-------------------------------|--|
| Company Name                  |  |
| Physical Address              |  |
| Contact No.                   |  |
| E-mail Address                |  |
| Contact Person                |  |
| Central Supplier Database No. |  |
| Company Registration No.      |  |

EMALAHLENI LOCAL MUNICIPALITY

SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA  
NETWORK SERVERS AND COMPONENTS

TENDER NO: ELM 01/2023

CONTENTS

SECTION            DESCRIPTION

COVER PAGE

CONTENTS

THE TENDER

**PART T1            TENDERING PROCEDURES**

T1.1                Tender Notice and Invitation to Tender

T1.2                Tender Data

**PART T2            RETURNABLE DOCUMENTS**

T2.1                List of Returnable Documents

T2.2                Returnable Schedules

THE CONTRACT

**PART C1            AGREEMENT AND CONTRACT DATA**

C1.1                Form of Offer and Acceptance

C1.2                Contract Data

**PART C2            PRICING DATA**

C2.1                Pricing Instructions

C2.2                Bills of Quantities

**PART C3            SCOPE OF WORK**

C3.1                Description of the Works

APPENDICES

**APPENDIX A    General Conditions of Contract ( GCC )**



**EMALAHLENI LOCAL MUNICIPALITY**

**SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA  
NETWORK SERVERS AND COMPONENTS**

**T1.1 : TENDER NOTICE AND INVITATION TO TENDER**

## Tender Notice and Invitation to Tender

TENDER NO.: ELM 01/2023  
CLOSING DATE: 03 FEBRUARY 2023

### SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA NETWORK SERVERS AND COMPONENTS

Emalahleni Local Municipality hereby invites service providers to submit quotations for the supply, installation, commissioning and testing of the storage area network servers and components with warranty.

Tender documents with full specifications can be obtained from [www.emalahleni.gov.za](http://www.emalahleni.gov.za) or [www.etenders.gov.za](http://www.etenders.gov.za).

The closing time for receipt of tenders is **11:00** on **03, February 2023**. Telegraphic, telephonic, telex, facsimile, e-mail, unmarked and **late tenders** will under no circumstances be considered and accepted. The tender box will be emptied just after closing time on the closing date. Thereafter all bids will be opened in public.

Any technical enquiries relating to the tender document may be directed to Mr Tau Radingwana at telephone number 082 481 0671 and during working hours or e-mails may be sent to [radingwanam@emalahleni.gov.za](mailto:radingwanam@emalahleni.gov.za). Supply Chain Management Office may also be contacted on (013) 690 6483/6497/6484.

Fully completed tender documents, clearly marked "**Tender No. ELM 01/2023 SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA NETWORK SERVERS AND COMPONENTS**" must be placed in a sealed envelope and placed in the **tender box** situated on the **First floor**, Emalahleni Local Municipality, Civic Centre, 29 Mandela Street, eMalahleni 1035 **by no later than 11h00 on 03/02/2023**.

A preferential point system shall apply whereby a contract will be allocated to a tenderer in accordance with the Preferential Procurement Policy Framework Act, Act No. 5 of 2000 and as defined in the Conditions of Tender in the tender document, read in conjunction with the Supply Chain Management Policy of Emalahleni Local Municipality where **80** points will be allocated in respect of price and **20** points in respect of B-BBEE Status Level of Contribution.

No awards will be made to a person:

- Who is not registered on the **Central Supplier Database (CSD)**;
- Who is in the service of the state;
- If that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; and/or
- Who is an advisor or consultant contracted with the municipality or municipal entity.

The municipality reserves the right to withdraw any invitation to tender and/or to re-advertise or to reject any tender or to accept a part of it. The municipality does not bind itself to accepting the lowest tender or award a contract to the bidder scoring the highest number of points.

Should you not hear from us within 90 days after the closing date, please consider your tender unsuccessful.

**S. MATLEBJOANE**  
**ACTING MUNICIPAL MANAGER**

## T1.2 : TENDER DATA

### Wording

The employer is the EMALAHLENI LOCAL MUNICIPALITY.

The tender documents issued by the employer comprise:

#### **PART T1 : TENDERING PROCEDURES**

T1.1: Tender Notice and Invitation to Tender

T1.2: Tender Data

#### **PART T2 : RETURNABLE DOCUMENTS**

T2.1: List of Returnable Documents

T2.2: Returnable Schedules

#### **PART C1: AGREEMENTS AND CONTRACT DATA**

C1.1: Form of Offer and Acceptance

C1.2: Standard Conditions of Tender

#### **PART C2 : PRICING DATA**

C2.1: Pricing Instructions

C2.2: Bills of Quantities

C2.3 Evaluation and Adjudication Criteria

#### **PART C3 : SCOPE OF WORKS**

C3 Scope of Work

C3.1 Description of the Works

#### **APPENDICES**

The Employer is represented by:

Name: Mr. M Radingwana

Address: 29 Mandela Street, eMalahleni, 1035

Tel: 082 572 1384

E-mail: [radingwanam@emalahleni.gov.za](mailto:radingwanam@emalahleni.gov.za)

No alternative tender offer will be considered; however proposals and suggestions are welcomed provided that they clearly state the manner of approach, designs if any, calculations and cost implications.

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

|   |
|---|
| <b>Wording</b>  |
| All documents accompanying this invitation must be completed in detail where applicable, be sealed in an envelope and be deposited in the bid box before the closing date and time. The bid box is situated at Civic Centre, First Floor, Mandela Street, eMalahleni  |
| The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:<br>Location of tender box: EMALAHLENI LOCAL MUNICIPALITY<br>Physical address: 29 Mandela Street, eMalahleni, 1035   |
| Duly completed and signed original bid documents should be sealed in an envelope marked:<br><br><b>"TENDER NO. ELM 01/2023"</b><br><br><b>SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA NETWORK SERVERS AND COMPONENTS</b><br><br>Closing date: 03 February 2023<br>Closing time: 11:00<br>Name of bidder: _____                                |
| The closing time for submission of tender offers is stated in the Tender Notice/Invitation to Tender  |
| Late bids shall not be accepted. Please note that bids are late if they are not received at the address given in the invitation after the bid closing date and time.  |
| Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.   |
| All bid prices must be quoted in South African currency on a fixed price basis and include VAT.   |
| The tender offer validity period is 90 Days from the closing date.  |
| All relevant documents attached to this bid must be completed and signed in black ink by an authorized representative of the business. The authorized representative of the business is required to initial each page of the bidding document.  |
| The tender shall, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the labour-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements.  |
| Access shall be provided for the following inspections, tests and analysis: Due to the spatial displacement of the various sites the site clarification meeting shall be conducted at the offices of Emalahleni Local Municipality, whereby a site briefing shall be presented. The Employer shall discuss the scope of works and answer any questions raised.    |
| Tender offers will be opened immediately after the closing time at 11:00 for tenders at the Civic Centre Building of the municipality in the presence of a municipal representative and the tenderers whom wish to attend the session. The tender offer amounts shall be read out publicly and the list of returnable documents shall be stamped by the employer. |
| The conditions contained in the General Conditions of Contract (GCC) 2010, and the attached bid forms, as well as any other conditions accompanying this invitation are applicable.   |
| The work procedure, the bidder proposes to follow in order to obtain the required result must be clearly outlined and its terms may not conflict with those contained in the General Conditions of Contract.  |
| The Emalahleni Local Municipality reserves the right to accept any bid in whole or in part and does not bind itself to accept the lowest or any bid at all.   |

| Wording  |
|--|
| <p>The following preference point systems are applicable to all bids:</p> <ul style="list-style-type: none"> <li>- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and</li> <li>- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).</li> </ul> <p>The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the <b>80/20</b> preference point system shall be applicable.</p>  |
| <p>Tender offers will only be accepted on condition that :</p> <ul style="list-style-type: none"> <li>a) the tenderer is registered on the Central Supplier Database (CSD) of the National Treasury;</li> <li>b) the tenderer or any of its directors is not listed in 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; and</li> <li>c) the tenderer has not: <ul style="list-style-type: none"> <li>i) abused the Employer's Supply Chain Management System; or</li> <li>ii) failed to perform on any previous contract and has been given a written notice to this effect; and</li> </ul> </li> <li>d) has completed the Compulsory Municipal Bidding Documents ( MBD) 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 comprise the tender process.</li> </ul> |
| <p>The number of paper copies of the signed contract to be provided by the Employer is ONE (1).</p>  |

**EMALAHLENI LOCAL MUNICIPALITY**

**SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA  
NETWORK SERVERS AND COMPONENTS**

**TENDER NO: ELM 01/2023**

|                                       |
|---------------------------------------|
| <b>PART T2 : RETURNABLE DOCUMENTS</b> |
|---------------------------------------|

**T2.1 List of Returnable Documents**

**T2.2 Returnable Schedules**



## TENDER NO: ELM 01/2023

### 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 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**.

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

|               |  |
|---------------|--|
| Schedule : 1A | MBD 1 - Invitation to Bid  |
| Schedule : 1B | MBD 2 - Broad-Based Black Economic Empowerment (B-BBEE) status level certificates                |
| Schedule : 1C | MBD 4 - Declaration of Interest  |
| Schedule : 1D | MBD 6.1 – Preference Points Claim Form in Terms of the Preferential Procurement Regulations 2017 |
| Schedule : 1E | MBD 8 - Declaration of Bidder's Past Supply Chain Management Practices                           |
| Schedule : 1F | MBD 9 - Certificate of Independent Bid Determination   |
| Schedule : 1G | Authority of Signatory   |
| Schedule : 1H | Record of Addenda to Tender Documents  |
| Schedule : 1I | Schedule of Similar Work satisfactorily carried out by the Tenderer                              |
| Schedule : 1J | List of previous client and certificate of excellence  |

#### 2. OTHER MANDATORY DOCUMENTS REQUIRED FOR TENDER COMPLIANCE PURPOSES

|               |  |
|---------------|--|
| Schedule : 2A | Proof of Authority of Signatory  |
| Schedule : 2B | Municipal water and lights statement or written confirmation that municipal rates and taxes and municipal service charges of the prospective bidder and directors of the business are not in arrears from the relevant municipality for more than 90 days. |
| Schedule : 2C | Proof of registration on the Central Suppliers Database (CSD) of the National Treasury   |
| Schedule : 2D | Submission of a Certified B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a B-BBEE sworn Affidavit ( if applicable)   |
| Schedule : 2E | Joint Venture Agreement in case of a Joint Venture signed by both parties  |
| Schedule : 2F | A Letter of authorization from <b>original equipment manufacturer</b> (OEM) platinum partnership   |

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

*As listed in Item 1*

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

C1.1 : The offer portion of the Form of Offer and Acceptance

C1.2 : Standard Conditions of Tender

C2.1: Pricing instructions

C2.2 : Bills of Quantities

C2.3 Evaluation and Adjudication Criteria

C3.1 Description of the Works

# SCHEDULE 1A: MBD 1 - INVITATION TO BID

## YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE EMALAHLENI LOCAL MUNICIPALITY

|             |  |               |                         |               |              |
|-------------|--|---------------|-------------------------|---------------|--------------|
| BID NUMBER: | <b>ELM 01/2023</b>   | CLOSING DATE: | <b>03 FEBRUARY 2023</b> | CLOSING TIME: | <b>11:00</b> |
| DESCRIPTION | <b>SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA NETWORK SERVERS AND COMPONENT</b> |               |                         |               |              |

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

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

**EMALAHLENI LOCAL MUNICIPALITY  
CIVIC CENTRE  
29 MANDELA STREET  
eMALAHLENI**

### 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<br>VERIFICATION CERTIFICATE<br>[TICK APPLICABLE BOX] | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |  | B-BBEE STATUS<br>LEVEL SWORN<br>AFFIDAVIT | <input type="checkbox"/> Yes<br><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<br>REPRESENTATIVE IN SOUTH<br>AFRICA FOR THE GOODS<br>/SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES ENCLOSE PROOF] | ARE YOU A FOREIGN<br>BASED SUPPLIER<br>FOR THE GOODS<br>/SERVICES /WORKS<br>OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES, ANSWER PART B:3 ] |
| TOTAL NUMBER OF ITEMS<br>OFFERED   |  | TOTAL BID PRICE  | R  |
| SIGNATURE OF BIDDER  | .....  | DATE   |  |
| CAPACITY UNDER WHICH THIS<br>BID IS SIGNED   |  |  |  |

### BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:

|                  |                  |
|------------------|------------------|
| DEPARTMENT       | SCM              |
| CONTACT PERSON   | MS ZINHLE MOROKU |
| TELEPHONE NUMBER | (013) 690 6497   |
| FACSIMILE NUMBER | (013) 690 6207   |

### TECHNICAL INFORMATION MAY BE DIRECTED TO:

|                  |  |
|------------------|--|
| CONTACT PERSON   | MR TAU RADINGWANA  |
| TELEPHONE NUMBER | 082 481 0671   |
| FACSIMILE NUMBER | (013) 690 6207   |
| E-MAIL ADDRESS   | <a href="mailto:radingwnanam@emalahleni.gov.za">radingwnanam@emalahleni.gov.za</a> |

## PART B TERMS AND CONDITIONS FOR BIDDING

|   |
|---|
| <b>1. BID SUBMISSION:</b>   |
| <p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</b></p> <p>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.</p>   |
| <b>2. TAX COMPLIANCE REQUIREMENTS</b>   |
| <p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR 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.</p> <p>2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.</p> <p>2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>   |
| <b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>  |
| <div style="display: flex; justify-content: space-between;"> <div> <p>3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?</p> <p>3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?</p> <p>3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?</p> <p>3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?</p> <p>3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?</p> </div> <div style="text-align: right;"> <p><input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO</p> </div> </div> <p><b>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.</b></p> |

**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: .....

|   |
|---|
| <b>SCHEDULE 1B: MBD 2 - BROAD-BASED BLACK ECONOMIC EMPOWERMENT (B-BBEE)<br/>STATUS LEVEL CERTIFICATES</b> |
|---|

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

Bidders who do not submit B-BBEE Status Level Verification Certificates or are noncompliant 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.

|   |
|---|
| <b>SCHEDULE 1C: MBD 4 - DECLARATION OF INTEREST</b> |
|---|

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

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

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

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

2.2 Identity Number: .....

2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>): .....

2.4 Company Registration Number: .....

2.5 Tax Reference Number: .....

2.6 VAT Registration Number: .....

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

<sup>1</sup>"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

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

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

2.7.1 If so, furnish the following particulars:

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

Name of state institution at which you or the person connected to the bidder is employed:  
.....

Position occupied in the state institution:.....

Any other particulars:.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?

**YES / NO**

2.7.2.1 If yes, did you attached proof of such authority to the bid document?

**YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

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

.....  
.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?

**YES / NO**

2.8.1 If so, furnish particulars:

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

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?

**YES / NO**

2.9.1If so, furnish particulars:

.....  
.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

**YES/NO**

2.10.1 If so, furnish particulars.  
 .....  
 .....  
 .....

2.11Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?

YES/NO

2.11.1 If so, furnish particulars:  
 .....  
 .....  
 .....

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

| Full Name | Identity Number | Personal Reference Number | Tax Number | State Number | Employee / Persal Number |
|-----------|-----------------|---------------------------|------------|--------------|--------------------------|
|           |                 |                           |            |              |                          |
|           |                 |                           |            |              |                          |
|           |                 |                           |            |              |                          |
|           |                 |                           |            |              |                          |
|           |                 |                           |            |              |                          |

4 DECLARATION

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

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

.....

Signature

Date

.....

.....

Position

Name of bidder



|  |
|--|
| <b>SCHEDULE 1D: MBD 6.1 - PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017</b> |
|--|

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 be less than R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable.

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.**

- (j)

**3.**

### 3.1

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

**or**

or

$P_{min}$  = 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:

| <b>Designated Group: An EME or QSE which is at last 51% owned by:</b> | <b>EME</b><br>√ | <b>QSE</b><br>√ |
|---|-----------------|-----------------|
| 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                                |                 |                 |
| <b>OR</b>   |                 |                 |
| 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
- ☐ Construction 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-BBEE 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:.....

.....

.....

|  |
|--|
| <b>SCHEDULE 1E: MBD 8 - DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES</b> |
|--|

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
  - a. abused the institution's supply chain management system;
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

| Item  | Question   | Yes                             | No                             |
|-------|--|---------------------------------|--------------------------------|
| 4.1   | Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector?<br><br>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).   | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.1.1 | If so, furnish particulars:  |                                 |                                |
| 4.2   | Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?<br><b>To access this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.</b> | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.2.1 | If so, furnish particulars:  |                                 |                                |
| 4.3   | Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?   | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.3.1 | If so, furnish particulars:  |                                 |                                |
| 4.4   | Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?  | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |

|       |                             |
|-------|-----------------------------|
| 4.4.1 | If so, furnish particulars: |
|-------|-----------------------------|

## CERTIFICATION

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

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

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

.....

**Signature**

.....

**Date**

.....

**Position**

.....

**Name of Bidder**

|  |
|--|
| <b>SCHEDULE 1F: MBD 9 - CERTIFICATE OF INDEPENDENT BID DETERMINATION</b> |
|--|

- 1 This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

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



**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Institution)

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

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

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

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

**<sup>3</sup> 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**

|  |
|--|
| <b>SCHEDULE 1G: AUTHORITY OF SIGNATORY</b> |
|--|

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category.

|              |                  |                    |                      |                        |
|--------------|------------------|--------------------|----------------------|------------------------|
| A<br>Company | B<br>Partnership | C<br>Joint Venture | D<br>Sole Proprietor | E<br>Close Corporation |
|              |                  |                    |                      |                        |

**A. Certificate for Company**

I, ..... , chairperson of the board of directors of ...  
 ..... , hereby confirm that by resolution of the  
 board **(copy attached)** taken on ..... 20..., Mr./Ms. ....  
 acting in the capacity of ..... , was authorized to sign all documents in  
 connection with this tender for contract ..... and any contract resulting from it on  
 behalf of the company.

**As witnesses :**

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

Tenderers must attach a copy of the Resolution of the Board.

**B. Certificate for Partnership**

We, the undersigned, being the key partners 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 any contract resulting from it  
 on our behalf.

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

**NOTE :** This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole

**C. Certificate for Joint Venture**

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms.

....., authorised 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 |         |  |
|              |         |  |
|              |         |  |

**D. Certificate for Sole Proprietor**

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

**As witnesses:**

1. .... : Signature  
2. .... : Sole owner : .....  
Date : .....

**E. 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 any contract resulting from it on our behalf.

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

|  |
|--|
| <b>CERTIFICATE OF AUTHORITY FOR JOINT VENTURES (if applicable)</b> |
|--|

This returnable schedule is to be completed by joint ventures.

We, the undersigned, are submitting this tender offer in joint venture and hereby authorize Mr/Ms ....  
 ....., authorised signatory of the company, close corporation or partnership .....  
 ....., acting in the capacity of lead partner, to sign all documents in  
 connection with the tender offer and any contract resulting from it on our behalf.

| NAME OF FIRM | ADDRESS | DULY AUTHORISED SIGNATORY |
|--------------|---------|---------------------------|
|              |         | <b>Signature</b> .....    |
|              |         | <b>Name</b> .....         |
|              |         | <b>Designation</b> .....  |
|              |         | <b>Signature</b> .....    |
|              |         | <b>Name</b> .....         |
|              |         | <b>Designation</b> .....  |
|              |         | <b>Signature</b> .....    |
|              |         | <b>Name</b> .....         |
|              |         | <b>Designation</b> .....  |

**NOTE:** A copy of the Joint Venture Agreement showing clearly the **percentage contribution of each partner** to the Joint Venture shall be appended to this schedule.

EMALAHLENI LOCAL MUNICIPALITY

**SCHEDULE 1H: 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 taken into account in this tender offer :

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

Attach additional pages if more space is required.

Signed .....

Date .....

Name .....

Position .....

Tenderer .....

EMALAHLENI LOCAL MUNICIPALITY

**SCHEDULE 1I: SCHEDULE OF WORK SATISFACTORILY  
CARRIED OUT BY THE TENDERER**

The following is a statement of similar work successfully executed by myself/ourselves:

| <b>Employer, contact person<br/>and telephone number</b> | <b>Description of Contract</b> | <b>Value of Work<br/>Inclusive of VAT<br/>(Rand)</b> | <b>Date<br/>Completed</b> |
|--|--------------------------------|--|---------------------------|
|  |                                |  |                           |

Signed .....

Date .....

Name .....

Position .....



## EMALAHLENI LOCAL MUNICIPALITY

|   |
|---|
| <b>SCHEDULE 1J: SUITABLE REFERENCES AND PROOF OF EXCELLENCE</b> |
|---|

Five (5) Suitable references, may include: International Organizations, Banks, other financial institutions, Large Public or Private Companies, large NGO's. Must have successfully carried out similar projects in large institutions in similar business areas.

**SCHEDULE 2A: PROOF OF AUTHORITY OF SIGNATORY**

## EMALAHLENI LOCAL MUNICIPALITY

### SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA NETWORK SERVERS AND COMPONENTS

|   |
|---|
| <b>SCHEDULE 2B: MUNICIPAL RATES AND TAXES</b> |
|---|

Section 38 (d) (i) of Municipal Supply Chain Regulations requires that the municipality must reject a bidder whose municipal rates and taxes are in arrears for more than three months.

The purpose of this schedule is to obtain proof that municipal services, rates and taxes of the service provider are not in arrears for more than three months, with the relevant municipality / landlord in the municipal area where the service provider conduct his / her business.

The tenderer must attach to this page proof of registration with the Municipalities (local and/or district) as a payer of municipal levies and valid proof that municipal rates and taxes and municipal service charges of the prospective bidder and directors of the business are not in arrears from the relevant municipality for more than 90 days.

**EMALAHLENI LOCAL MUNICIPALITY**

**SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA  
NETWORK SERVERS AND COMPONENTS**

|                                      |
|--------------------------------------|
| <b>SCHEDULE 2C: CSD REGISTRATION</b> |
|--------------------------------------|

The tenderer must attach to this page proof of registration on the Central Suppliers Database (CSD) of the National Treasury.

**EMALAHLENI LOCAL MUNICIPALITY**

**SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA  
NETWORK SERVERS AND COMPONENTS**

|  |
|--|
| <p><b>SCHEDULE 2D: BROAD-BASED BLACK ECONOMIC EMPOWERMENT (B-BBEE)<br/>STATUS LEVEL CERTIFICATES</b></p> |
|--|

The tenderer must attach to this page a Certified B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a B-BBEE sworn Affidavit ( if applicable).

**EMALAHLENI LOCAL MUNICIPALITY**

**SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA  
NETWORK SERVERS AND COMPONENTS**

|   |
|---|
| <b>SCHEDULE 2E: JOINT VENTURE AGREEMENT</b> |
|---|

The tenderer must attach to this page proof of Joint Venture Agreement in case of a Joint Venture signed by both parties.

**EMALAHLENI LOCAL MUNICIPALITY**

**SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA  
NETWORK SERVERS AND COMPONENTS**

|   |
|---|
| <b>SCHEDULE 2F: CONFIRMATION LETTER/ CERTIFICATE FROM ORIGINAL<br/>EQUIPMENT MANUFACTURER (OEM)</b> |
|---|

A platinum partnership/membership or higher should be submitted.

**EMALAHLENI LOCAL MUNICIPALITY**

**SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA  
NETWORK SERVERS AND COMPONENTS**

**TENDER NO: ELM 01/2023**

|  |
|--|
| <b>PART C1 : AGREEMENT AND STANDARD CONDITIONS OF TENDER</b> |
|--|

- C1.1      Form of Offer and Acceptance**
- C1.2      Standard Conditions of Tender**



EMALAHLENI LOCAL MUNICIPALITY

**SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA  
NETWORK SERVERS AND COMPONENTS**

**TENDER NO: ELM 01/2023**

**C1.1 : FORM OF OFFER AND ACCEPTANCE**

**1. OFFER**

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

**SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA NETWORK  
SERVERS AND COMPONENTS**

The tenderer, identified in the offer signature block, has examined the documents listed in the tender data and addenda thereto as listed in the tender 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:**

.....  
.....

Rand (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 terms of the conditions of contract identified in the contract data.

Signature(s) ..... ..

Name(s) ..... ..

Capacity ..... ..

for the **Tenderer** .....  
(Name and address of organization)

Name ..... and ..... signature  
of witness ..... Date .....

## 2. 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.

The terms of the contract are contained in

Part C1 : Agreements and conditions of tender (which includes this agreement)

Part C2 : Pricing data

Part C3 : Scope of work

Part C4 : Site Information

and drawings and documents or parts thereof, which may be incorporated by reference into Parts C1 to C4 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 completed copy of this agreement including the schedule of deviation (if any), contact the employer's agent (whose details are given in the contract data) to arrange the delivery of any bonds, guarantees, proof 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 the 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 (5) 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(s) ..... ..

Name(s) ..... ..

Capacity ..... ..

for the **Employer** .....  
(Name and address of organization)

Name ..... and ..... signature  
of witness ..... Date .....

## C 1.2: Standard Conditions of Tender

### 1 GENERAL

#### 1.1 Actions

1.1.1 The employer and each tenderer submitting a tender offer shall comply with these conditions of tender. In their dealings with each other, they shall discharge their duties and obligations timeously and with integrity, and behave equitably, honestly and transparently, comply with all legal obligations and not engage in anticompetitive practices.

1.1.2 The employer and the tenderer and all their agents and employees involved in the tender process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Tenderers shall declare any potential conflict of interest in their tender submissions. Employees, agents and advisors of the employer shall declare any conflict of interest to whoever is responsible for overseeing the procurement process at the start of any deliberations relating to the procurement process or as soon as they become aware of such conflict, and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate.

#### Note:

- a) A conflict of interest may arise due to a conflict of roles which might provide an incentive for improper acts in some circumstances. A conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly in his or her position even if no improper acts result.
- b) Conflicts of interest in respect of those engaged in the procurement process include direct, indirect or family interests in the tender or outcome of the procurement process and any personal bias, inclination, obligation, allegiance or loyalty which would in any way affect any decisions taken.

1.1.3 The employer shall not seek and a tenderer shall not submit a tender without having a firm intention and the capacity to proceed with the contract

#### 1.2 Tender documents

The documents issued by the employer for the purpose of a tender offer are listed in the tender data.

#### 1.3 Interpretation

1.3.1 The tender data and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these conditions of tender.

1.3.2 These conditions of tender, the tender data and tender schedules which are only required for tender evaluation purposes, shall not form part of any contract arising from the invitation to tender.

1.3.3 For the purposes of these conditions of tender, the following definitions apply:

- a) **conflict of interest** means any situation in which:
  - i) someone in a position of trust has competing professional or personal interests which make it difficult to fulfill his or her duties impartially;
  - ii) an individual or organization is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit; or
  - iii) Incompatibility or contradictory interests exist between an employee and the organization which employs that employee.
- b) **comparative offer** means the tenderer's financial offer after all tendered parameters that will affect the value of the financial offer have been taken into consideration in order to enable comparisons to be made between offers on a comparative basis
- c) **corrupt practice** means the offering, giving, receiving or soliciting of anything of value to influence the action of the employer or his staff or agents in the tender process; and
- d) **fraudulent practice** means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels
- e) **organization** means a company, firm, enterprise, association or other legal entity, whether incorporated or not, or a public body
- f) **quality (functionality)** means the totality of features and characteristics of a product or service that bear on its ability to satisfy stated or implied needs

#### 1.4 **Communication and employer's agent**

Each communication between the employer and a tenderer shall be to or from the employer's agent only, and in a form that can be read, copied and recorded. Writing shall be in the English language. The employer shall not take any responsibility for non-receipt of communications from or by a tenderer. The name and contact details of the employer's agent are stated in the tender data.

#### 1.5 **The employer's right to accept or reject any tender offer**

1.5.1 The employer may accept or reject any variation, deviation, tender offer, or alternative tender offer, and may cancel the tender process and reject all tender offers at any time before the formation of a contract. The employer shall not accept or incur any liability to a tenderer for such cancellation and rejection, but will give written reasons for such action upon written request to do so.

- 1.5.2 The employer may not subsequent to the cancellation or abandonment of a tender process or the rejection of all responsive tender offers re-issue a tender covering substantially the same scope of work within a period of three months unless only one tender was received and such tender was returned unopened to the tenderer.

## **1.6 Procurement procedures**

### **1.6.1 General**

Unless otherwise stated in the tender data, a contract will be concluded with the tenderer who is the highest ranked or the tenderer scoring the highest number of tender evaluation points, as relevant, based on the tender submissions that are received at the closing time for tenders.

### **1.6.2 Competitive negotiation procedure**

1.6.2.1 Where the tender data require that the competitive negotiation procedure is to be followed, tenderers shall submit tender offers in response to the proposed contract in the first round of submissions.

1.6.2.2 All responsive tenderers, or not less than three responsive tenderers that are highest ranked in terms of the evaluation method and evaluation criteria stated in the tender data, shall be invited in each round to enter into competitive negotiations, based on the principle of equal treatment and keeping confidential the proposed solutions and associated information. Notwithstanding, the employer may request that tenders be clarified, specified and fine-tuned in order to improve a tenderer's competitive position provided that such clarification, specification, fine-tuning or additional information does not alter any fundamental aspects of the offers or impose substantial new requirements which restrict or distort competition or have a discriminatory effect.

1.6.2.3 At the conclusion of each round of negotiations, tenderers shall be invited by the employer to make a fresh tender offer, based on the same evaluation criteria, with or without adjusted weightings. Tenderers shall be advised when they are to submit their best and final offer.

1.6.2.4 The contract shall be awarded in accordance with the provisions of the General Conditions of Contract after tenderers have been requested to submit their best and final offer.

## 2 TENDERER'S OBLIGATIONS

### 2.1 Eligibility

- 2.1.1 Submit a tender offer only if the tenderer satisfies the criteria stated in the tender data and the tenderer, or any of his principals, is not under any restriction to do business with employer.
- 2.1.2 Submit a tender offer only if the tenderer satisfies that the minimum score for functionality criteria will be met.
- 2.1.3 Notify the employer of any proposed material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used by the employer as the basis in a prior process to invite the tenderer to submit a tender offer and obtain the employer's written approval to do so prior to the closing time for tenders.

### 2.2 Cost of tendering

Accept that, unless otherwise stated in the tender data, the employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer complies with requirements.

### 2.3 Check documents

Check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.

### 2.4 Confidentiality and copyright of documents

Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.

### 2.5 Reference documents

Obtain, as necessary for submitting a tender offer, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are not attached but which are incorporated into the tender documents by reference.

### 2.6 Acknowledge addenda

Acknowledge receipt of addenda to the tender documents, which the employer may issue, and if necessary apply for an extension to the closing time stated in the tender data, in order to take the addenda into account.

### 2.7 Clarification meeting

Attend, where required, a clarification meeting at which tenderers may familiarize themselves with aspects of the proposed work, services or supply and raise questions. Details of the meeting(s) are stated in the tender data.

## **2.8 Seek clarification**

Request clarification of the tender documents, if necessary, by notifying the employer at least five working days before the closing time stated in the tender data.

## **2.9 Insurance**

Be aware that the extent of insurance to be provided by the employer (if any) may not be for the full cover required in terms of the conditions of contract identified in the contract data. The tenderer is advised to seek qualified advice regarding insurance.

## **2.10 Pricing the tender offer**

2.10.1 Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except Value Added Tax (VAT)), and other levies payable by the successful tenderer, such duties, taxes and levies being those applicable 14 days before the closing time stated in the tender data.

2.10.2 Show VAT payable by the employer separately as an addition to the tendered total of the prices.

2.10.3 Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data.

2.10.4 State the rates and prices in Rand unless instructed otherwise in the tender data. The conditions of contract identified in the contract data may provide for part payment in other currencies.

## **2.11 Alterations to documents**

Not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations. Erasures and the use of masking fluid are prohibited.

## **2.13 Submitting a tender offer**

2.13.1 Submit one tender offer only, either as a single tendering entity or as a member in a joint venture to provide the whole of the works, services or supply identified in the contract data and described in the scope of works, unless stated otherwise in the tender data.

2.13.2 Return all returnable documents to the employer after completing them in their entirety, either electronically (if they were issued in electronic format) or by writing legibly in non-erasable ink.

2.13.3 Submit the parts of the tender offer communicated on paper as an original plus the number of copies stated in the tender data, with an English translation of any

documentation in a language other than English, and the parts communicated electronically in the same format as they were issued by the employer.

- 2.13.4 Sign the original and all copies of the tender offer where required In terms of the tender data. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint ventures shall state which of the signatories shall be the lead partner whom the employer shall hold liable for the purpose of the tender offer.
- 2.13.5 Seal the original and each copy of the tender offer as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.
- 2.13.6 Seal the original tender offer and copy packages together in an outer package that states on the outside only the employer's address and identification details as stated in the tender data.
- 2.13.7 Accept that the employer will not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and marked as stated.
- 2.13.8 Accept that tender offers submitted by facsimile or e-mail will be rejected by the employer, unless stated otherwise in the tender data.

**2.14 Information and data to be completed in all respects**

Accept that tender offers, which do not provide all the data or information requested completely and in the form required, may be regarded by the employer as non-responsive.

**2.15 Closing time**

- 2.15.1 Ensure that the employer receives the tender offer at the address specified in the tender data not later than the closing time stated in the tender data. Accept that proof of posting shall not be accepted as proof of delivery
- 2.15.2 Accept that, if the employer extends the closing time stated in the tender data for any reason, the requirements of these conditions of tender apply equally to the extended deadline.

**2.16 Tender offer validity**

- 2.16.1 Hold the tender offer(s) valid for acceptance by the employer at any time during the validity period (**not less than 90 days**) stated in the tender data after the closing time stated in the tender data.
- 2.16.2 If requested by the employer, consider extending the validity period stated in the tender data for an agreed additional period with or without any conditions attached to such extension.



2.16.3 Accept that a tender submission that has been submitted to the employer may only be withdrawn or substituted by giving the employer's agent written notice before the closing time for tenders that a tender is to be withdrawn or substituted.

2.16.4 Where a tender submission is to be substituted, submit a substitute tender in accordance with the requirements of **clause 2.13** with the packages clearly marked as "SUBSTITUTE".

## **2.17 Clarification of tender offer after submission**

2.17.1 Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of tenderers or substance of the tender offer is sought, offered, or permitted.

Note:

**Clause 2.17.1** does not preclude the negotiation of the final terms of the contract with a preferred tenderer following a competitive selection process, should the employer elect to do so.

## **2.18 Provide other material**

2.18.1 Provide, on request by the employer, any other material that has a bearing on the tender offer, the tenderer's commercial position (including notarized joint venture agreements), preferencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the tenderer not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employer's request, the employer may regard the tender offer as non-responsive.

2.18.2 Dispose of samples of materials provided for evaluation by the employer, where required.

## **2.19 Inspections, tests and analysis**

Provide access during working hours to premises for inspections, tests and analysis as provided for in the tender data.

## **2.20 Submit securities, bonds, policies etc.**

If requested, submit for the employer's acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required in terms of the conditions of contract identified in the contract data.

## **2.21 Check final draft**

Check the final draft of the contract provided by the employer within the time available for the employer to issue the contract.

**2.22 Return of other tender documents**

If so instructed by the employer, return all retained tender documents within 28 days after the expiry of the validity period stated in the tender data.

**2.23 Certificates**

Include in the tender submission or provide the employer with any certificates as stated in the tender data

**EMALAHLENI LOCAL MUNICIPALITY**

**SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA  
NETWORK SERVERS AND COMPONENTS**

**TENDER NO: ELM 01/2023**

|                               |
|-------------------------------|
| <b>PART C2 : PRICING DATA</b> |
|-------------------------------|

- C2.1      Pricing Instructions**
- C2.2      Evaluation and Adjudication Criteria**

## C 2.1 PRICING INSTRUCTIONS

### 1. General

The pricing instructions describe the criteria and assumptions which will be assumed in the contract that the Tenderer has taken into account when developing his prices. The bills of quantities record the contractor's rates for providing supplies, services, engineering and construction works in accordance with the scope of work.

The terms of payment and the provisions for price adjustment, if applicable, are established in the contract data. These items are not described in the pricing data.

### 2. Documents mutually explanatory

The documents forming the Contract are to be taken as mutually explanatory of one another. The bill of quantities forms an integral part of the contract documents and shall be read in conjunction with the tender data, contract data, and scope of work, site information general and special conditions of contract, the specifications and the drawings.

### 3. Definitions

For the purpose of this bill of quantities, the following words shall have the meanings hereby assigned to them:

|          |   |
|----------|---|
| Unit     | The unit of measurement for each item of work as defined in the scope of work and site information  |
| Quantity | The number of units of work for each item.  |
| Rate     | The payment per unit of measurement at which the contractor contracts to do the work.   |
| Amount   | The product of the quantity and the rate tendered for an item.  |
| Sum      | An amount contracted for an item, the extent of which is described in the bill of quantities, the specifications or elsewhere but the quantity of work of which is not measured in any units. |

### 4. Descriptions

Descriptions in the bill of quantities are abbreviated and comply generally with those in the standardised specifications. The standardised specification, read together with the relevant clauses of the scope of work, set out what ancillary or associated activities are included in the rates for the operations specified. Should any requirements of the measurement and payment clause of the applicable standardised specification, or the scope of work, conflict with the terms of the bill, the requirements of the standardised specification or scope of work, as applicable, shall prevail.

### 5. References

The clauses in a specification in which further information regarding the schedule item can be obtained appear under "reference clause" in the bill. The reference clauses indicated are not necessarily the only sources of information in respect of scheduled items. Further information and specifications may be found elsewhere in the contract documents.

## 6. Units of measurement

The units of measurement indicated in the bill of quantities are metric units.

The following abbreviations are used in the bill of quantities:

|                      |                       |
|----------------------|-----------------------|
| %                    | per cent              |
| h                    | hour                  |
| ha                   | hectare               |
| kg                   | kilogram              |
| kl                   | kilolitre             |
| km                   | kilometre             |
| km-pass              | kilometre-pass        |
| kW                   | kilowatt              |
| l                    | litre                 |
| m                    | metre                 |
| mm                   | millimetre            |
| MN                   | mega newton           |
| MN-m                 | mega newton-metre     |
| MPa                  | mega Pascal           |
| m <sup>2</sup>       | square metre          |
| m <sup>3</sup>       | cubic metre           |
| m <sup>3</sup> -km   | cubic metre-kilometre |
| m <sup>2</sup> -pass | square metre-pass     |
| no                   | number                |
| PC sum               | Prime Cost sum        |
| Prov Sum             | Provisional Sum       |
| sum                  | lump sum              |
| t                    | ton (1 000 kg)        |

## 7. Net measurements

Unless otherwise stated, items are measured net in accordance with the drawings, and no allowance is made for off-cuts and waste.

## 8. Quantities

The quantities set out in the bill of quantities are the estimated quantities of the contract works, but the contractor will be required to undertake whatever quantities may be directed by the employer from time to time. The contract price for the completed contract shall be computed from the actual quantities of work accepted and certified for payment.

9. **Currency**

All rates and sums of money quoted in the bill of quantities shall be in Rand and whole cents. Fractions of a cent shall be discounted.

10. **Value Added Tax**

Value Added Tax shall be excluded from the rates and sums contracted for the various items of work included in the bill of quantities. VAT will be added as a single entry to the summary.

11. **Rates and prices**

11.1 General

- a) The contractor must price each item in the bill of quantities in **BLACK INK**. Reproduced computer printouts of the bills of quantities will not be acceptable.
- b) The rates and prices to be inserted in the bill of quantities shall cover all the services and incidentals for the work described under the several items. Such prices and rates shall cover all costs and expenses that may be required in and for the execution of the work described, and shall cover the cost of all general risks, liabilities and obligations set forth or implied in the documents on which the tender is based, as well as overhead charges and profit. Reasonable prices shall be inserted as these will be used as a basis for assessment of payment for additional work that may have to be carried out.
- c) A price or rate is to be entered against each item in the bill of quantities, whether the quantities are stated or not. An item against which no price is entered will be considered to be covered by the other prices or rates in the bill. The contractor will not be paid for items against which no rate or lump sum has been entered in the bill of quantities.
- d) Should the contractor indicate against any item that compensation for such item is included in another item, the rate for the item included in another item shall be deemed nil.
- e) **ALL SUCCESSFUL BIDDERS PRICES SHALL BE ADDED AND AN AVERAGE OF ALL SHALL CONSTITUTE THE FINAL RATE ON THAT SPECIFIC ITEM**

11.2 "Rate only" items

The contractor shall fill in a rate (in the rate column) against all items where the words "rate only" appear in the amount column, which rate will constitute payment for work which may be done in terms of this item. Such "rate-only" items are used where it is estimated that little or no work will be required under the item or where the item is to be considered as an alternative to another item for which a quantity is given.

11.3 Arithmetic

Excepting where sum amounts are required or where provisional sums have been indicated, the contractor shall enter an applicable rate in the rate column of the bill of quantities for each scheduled item. He shall also enter an appropriate sum in the Amount column for each scheduled item, by determining in the applicable line item the product of the quantity and the unit rate.

If there is an error in the line item resulting from the product of the unit rate and the quantity, the rate shall be binding and the error of extension as entered in the tender offer will be corrected by the employer in determining the contract price.

Where there is an error in addition, either as a result of other corrections required by this checking process or in the tenderer's addition of prices, such error will be corrected by the employer in determining the contract price.

**12. Variation in text**

No alteration, erasure or addition is to be made in the text of the bill of quantities. Should any alteration, erasure or addition be made, it will not be recognized; the original wording of the bill of quantities will be adhered to.

## **C2.2            Evaluation and Adjudication Criteria**

All bid proposals received will be evaluated and adjudicated on the **80/20** preference point system. Price will be a determining factor, however the municipality reserves the rights not to appoint the lowest bid amount.



## EMALAHLENI LOCAL MUNICIPALITY

### SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA NETWORK SERVERS AND COMPONENTS

TENDER NO: ELM 01/2023

|  |
|--|
| <b>C3.1 : DESCRIPTION OF THE WORKS</b> |
|--|

#### 3.1.1 OBJECTIVE

The overall objective is to attract reputable authorized distributors having sufficient experience and credentials to successfully supply, install, commission and test Storage Area Network (SAN) for Emalahleni Local Municipality (ELM).

#### 3.1.2 BACKGROUND

Emalahleni Local Municipality is currently using IBM V5000 which was purchased in 2016, the unit and its expansion units came out of maintenance in 2019. The storage area network (SAN) purchased in 2016, allowed the Information Technology Department to create a virtual environment of servers on a single storage area. This server infrastructure has not been able to cope with the transaction load as it is aging.

Recently one of the servers in the storage area network has not been performing at its optimal level and this has resulted in:

1. Failure to collect revenue as customers are turned back;
2. Inability to process orders and payments, general enquiries on the system; and
3. Loss of productivity as employees were idling.

Technology requires regular refreshment and upgrading, this maximizes system performance unlike the old infrastructure which is costly to maintain and it leads to lagging performance, poor service delivery and financial losses which cannot be quantified appropriately.

The municipality intends to purchase a new storage capable of doing virtualization. The new server should be compatible with the current infrastructure, the municipality is running IBM V5000 at the disaster recovery site. It will be ideal to standardize on the equipment in order to ensure business continuity and single support from vendor.

### 3.1.3 SCOPE OF WORK

#### 3.1.3.1 TECHNICAL BID TOWARDS SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF SERVERS AND COMPONENTS

##### Storage system (SAN):.

- **Host Interface :** 10 Gbps Ethernet (iSCSI), 25/10 Gbps Ethernet (iSCSI and NVMe RDMA) 16 Gbps Fibre Channel (FC, FC-NVMe), 32 Gbps Fibre Channel (FC, FC-NVMe)
- **Drives:** 2.5-inch NVMe FlashCore Modules (FCM): • 4.8 TB, 9.6 TB, 19.2 TB and 38.4 TB self-compressing FCM 2.5-inch NVMe flash drives - industry standard: • 800 GB, 1.92 TB, 3.84 TB, 7.68 TB, 15.36 TB, and 30.72 TB Storage Class Memory (SCM) 800 per control enclosure; 3,000 per clustered system
- **Capacity:** 100TB usable Storage (RAID 10 Configuration) using 6TB @ 7.2K RPM, 12Gbps or higher NL SAS Enterprise class drives with minimum 20% of total number of hard drives failure tolerance. The drives should also have hot swap capability with two global hot-spare drives of same capacity per LUN in every enclosure. Each Controller should be configured with at least two 16Gbps or higher FC ports for servers/SAN switch connectivity.
- **Chassis:** 19" Rack mountable chassis, with Dual Redundant Hot Swap Redundant Power Supply \* Hot Swap Cooling Fans with all necessary cables & Accessories to connect storage system to fibre switch/servers
- **OS Support:** Should simultaneously support Linux, Windows, Unix and open source operating system (64-bit versions)
- **Port Configuration:** Additional switch port upgrade 8 ports per switch, All ports on the supplied FC SAN switch must be licensed and fully populated with fibre modules, Cables necessary for end to end network connectivity should be quoted and provided
- **Sever:** Virtualization host server should support up to 192 cores and up to 64TB of memory, the sever should support 90% of popular virtualization software on the market
- **Warranty:** Five year Comprehensive onsite/parts/labour warranty support.
- **Installation:** A vendor is responsible for installation and migration of data from (existing SAN), Skill transfer is required to empower the Emalahleni Local Municipality staff

**Server Rack:**

|                   |   |
|-------------------|---|
| <b>Capacity</b>   | 42 U Server Rack  |
| <b>Size</b>       | Standard 19" wide and 42U height  |
| <b>Doors</b>      | Single front Door and dual Rear Doors with perforation for ease of front to back air flow |
| <b>Side Doors</b> | Side doors should be removable  |
| <b>Security</b>   | All the doors front, back and side should be lockable. Locks and keys to be provided      |

|                    |  |
|--------------------|--|
| <b>Dimension</b>   | 600mm (W) x 1200mm (D) x 2000 mm (H)   |
| <b>PDU</b>         | 2 x No's of 32 amps PDU with Minimum 20 x C13 sockets and 2 x C19 sockets. Should be compatible with the quoted hardware PDU should occupy zero space. It should have 32 amps circuit breaker. |
| <b>Accessories</b> | Required Accessories and cables to be provided.  |

**ADDITIONAL SPECIFICATION:**

1. Provide power rating and cooling requirements of the quoted hardware.
2. All licenses should be registered in the name of Emalahleni Local Municipality and the relevant documents and credentials should be handed over.
3. The above items will be purchased as a whole or part. The decision will rest with Emalahleni Local Municipality.

**3.1.3.2 DEVICE INSTALLATION**

The successful bidder is required to deliver and install the equipment to Emalahleni Local Municipality. The installation address is 29 Mandela Street, Civic Centre Building, First Floor IT department. See the picture below for map details.

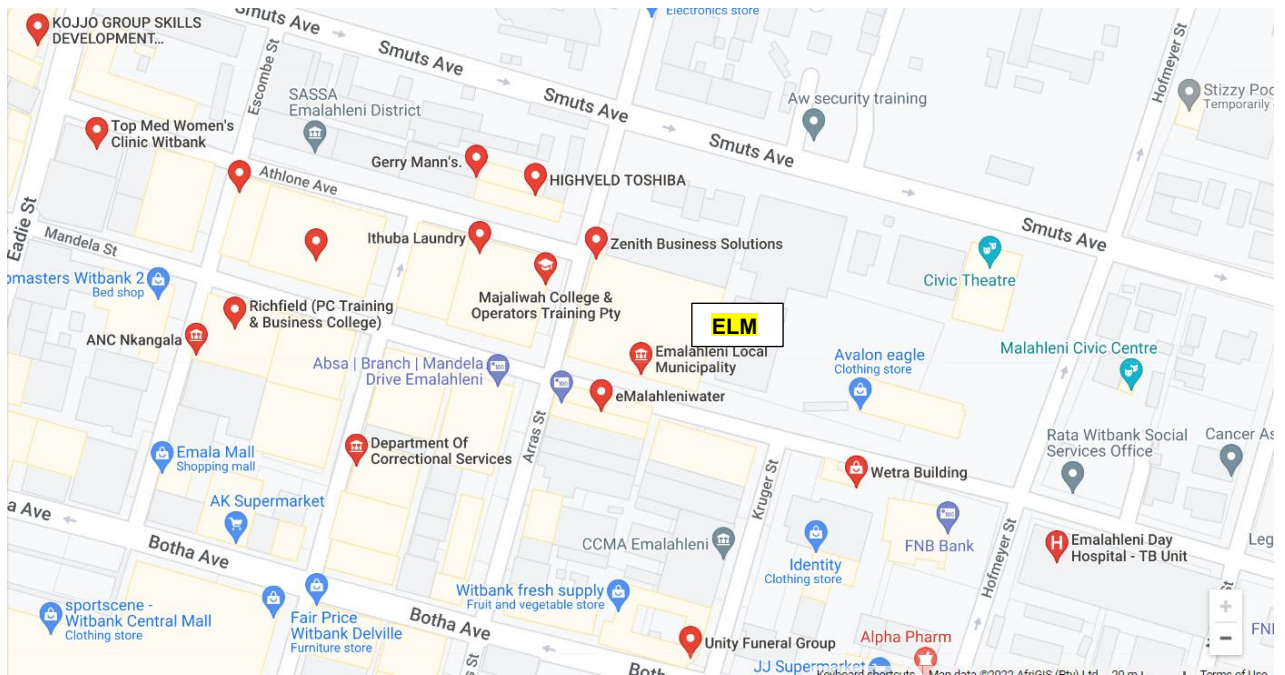


Figure 1

### **SELF COMPLIANCE CHECK SHEET**

| <b>Ref no</b> | <b>Question</b>   | <b>ELM'S Requirement</b> | <b>Bidder's Response</b> |
|---------------|---|--------------------------|--------------------------|
|               |   | YES *                    | YES / NO                 |
| 1             | Have you initialed all the pages of the bid document?   |                          |                          |
| 2             | Have you completed and signed the Returnable Schedules required?  |                          |                          |
| 3             | Have you completed and signed the MBD 4 form - Declaration of Interest?   |                          |                          |
| 4             | Have you taken note of the contents of par 5 of MBD 6.1 to substantiate your B-BBEE rating claims? Have you submitted an original, valid or certified copy of your Company's B-BBEE certificate to qualify for preference points? |                          |                          |
| 5             | Have you completed and signed the MBD 8 - Declaration of bidder's past Supply Chain Management Practices and MBD 9 - Certificate of Independent Bid Determination?  |                          |                          |
| 6             | Is the Company registered with the Central Supplier Database (CSD) of the National Treasury in terms of the category required in this Specification? Have you submit a copy of your CSD Report?                                   |                          |                          |
| 7             | Have you taken note of the contents of MBD 5?   | N/A                      |                          |
| 8             | Do you understand the Scope of Work that includes the Standard Specifications / Project Specifications and Particular Specifications?   |                          |                          |
| 9             | Have you attached the Letter/Certificate from Original Equipment Manufacturer?  |                          |                          |

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**

**EMALAHLENI LOCAL MUNICIPALITY**

**SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF STORAGE AREA  
NETWORK SERVERS AND COMPONENTS**

**TENDER NO: ELM 01/2023**

|                          |
|--------------------------|
| <p><b>APPENDICES</b></p> |
|--------------------------|

**APPENDIX A    General Conditions of Contract ( GCC )**