



**KING SABATA DALINDYEBO LOCAL MUNICIPALITY**

**TENDER DOCUMENT**

**FOR**

**SUPPLY AND DELIVERY OF 12 HEAVY DUTY GRASS CUTTING MACHINES AND  
2 HEAVY DUTY CHAIN SAWS**

**TENDER NUMBER – SCM: 7-85/2019/20**

ISSUED BY:

THE ACTING MUNICIPAL MANAGER

KING SABATA DALINDYEBO MUNICIPALITY

PRIVATE BAG X 5083

MUNITATA BUILDING

CNR SUTHERLAND & OWEN STREET

UMTATA, 5099

Tel: +27(047) 501 4000

Fax; +27(047) 531 2085

**NAME OF BIDDER:** \_\_\_\_\_

**TENDER AMOUNT:** \_\_\_\_\_

**SARS PIN NUMBER** \_\_\_\_\_ **SARS TAX NUMBER** \_\_\_\_\_



BID NOTICE: 7-85/2019/20

King Sabata Dalindyebo Municipality hereby invites all interested companies/ Service Providers to tender Supply and Delivery of 12 Heavy duty Grass cutting machines and 2 Heavy duty Chain saws.

Project Name	Bid Number	Scope of work	Closing Date	Briefing Session/ Site Inspection	Enquiries	Availability of tender documents
Supply and Delivery of 12 Heavy duty Grass cutting machines and 2 Heavy duty Chain saws.	<b>SCM: 7-85/2019/20</b>	Supply and Delivery of 12 Heavy duty Grass cutting machines and 2 Heavy duty Chain saws.	Date: 24 June 2020 Time: 12h00 Place of Tender box: <b>1<sup>st</sup> Floor, next to CFO's office</b>  All bids must be <b>sealed and clearly marked</b> , Service Providers for Supply and Delivery of 12 Heavy duty Grass cutting machines and 2 Heavy duty Chain saws.	N/A	Technical may be directed to  Ms Buyapi Tel: 047 501 4078  SCM : May be directed to  Ms N Pilani Tel: 047-501 4118	Tender documents advertised will be emailed upon provision of your email address.

**Bidders must take note of the following bid conditions:**

1. Failure to submit comprehensive JV agreement (where applicable) will result in a tender deemed non-responsive
2. Failure to completely fill in the tender forms e.g. Form of Offer, declaration of interest will result in a tender deemed non-responsive.
3. **Failure to submit certified BBBEE CERTIFICATE from SANNAS or Sworn Affidavit from DTI will result in a bidder losing points allocated for BBBEE.**

**Bidders must further note that:**

1. **Failure to register on CSD will lead to a bid deemed non responsive**
2. The Council reserves the right to disqualify any service provider whose members and or shareholders owe the municipal rates & taxes
3. Misrepresentation of address of the business with the aim of earning points may lead to disqualification
4. Non-disclosure by service providers who are in the employ of the state may lead to disqualification
5. Bids submitted will hold good for a period of **90** days and if your company has not heard within this period take that your company was unsuccessful
6. Failure to reflect date of certification not older than three months on required documents will result in a tender deemed non responsive
7. King Sabata Dalindyebo does not bind itself to accept the lowest bidder or any other bid and reserves the right to accept the whole or part of the bid
8. Bids which are late, incomplete, unsigned or submitted by facsimile or electronically, will not be accepted.

The tender will be adjudicated on the basis of the Preferential Procurement Policy Framework Act (Act No.5, 2000), and the regulations pertaining thereto (2011), as well as the KING SABATA DALINDYEBO MUNICIPALITY's Supply Chain Management policy. **80/20** preference point system will be used as per the KSDLM SCM policy.

**PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT (PPPFA) POINTS WILL BE AWARDED AS FOLLOWS**

Functionality	-	80 points
<u>B</u> -BBEE Status Level	-	20 points
<b>TOTAL</b>	-	<b>100 points</b>

**ALLOCATION OF POINTS FOR BBEE**

<b>B-BBEE Status Level Contributor</b>	<b>Number of Points</b>
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

Failure to comply with these conditions may invalidate your offer.

***RECOMMENDED***

.....  
**MS N. QAYISO**  
**ACTING GENERAL MANAGER: SCM**

.....  
**DATE**

**APPROVED**

.....  
**MR EF JIHOLO**  
**CHIEF FINANCIAL OFFICER**

.....  
**DATE**

**SPECIFICATION:**

<b>Item</b>	<b>Description</b>	<b>Quantity</b>	<b>Price P/U</b>	<b>Amount</b>
1	SF450 Heavy duty grass cutting machines	12		
2	MS250 Heavy duty chain saws	2		
<b>TOTAL AMOUNT</b>			<b>R:</b>	

**INVITATION TO BID**

**YOU ARE HEREBY INVITED TO BID FOR SUPPLY AND DELIVERY OF 12 HEAVY DUTY GRASS CUTTING MACHINES AND 2 HEAVY DUTY CHAIN SAWS**

<b>BID NUMBER:</b>	<b>SCM 7-85/2019/20</b>	<b>CLOSING DATE:</b>	<b>24 JUNE 2020</b>	<b>CLOSING TIME:</b>	<b>12:00</b>
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**DESCRIPTION:**

- The successful bidder will be required to fill in and sign a written Contract Form (MBD 7).
- Bid documents must be deposited in the bid box situated at office No. 144,1<sup>st</sup> Floor Munitata Building, CNR Owen and Sutherland Street Mthatha .
- Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.
- The bid box is generally open 8 hours a day, 5 days a week.
- All bids must be submitted on the official forms – (not to be re-typed)
- This bid is subject to the General Conditions of Contract (GCC) and, if applicable, any other Special Conditions Of Contract (SCC)

THE FOLLOWING PARTICULARS MUST BE FURNISHED  
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

Name Of Bidder	
Postal Address	
Street Address	
Telephone Number	Code:            Number:
Cellphone Number	
Facsimile Number	Code:            Number:
Vat Registration Number	

Has an original tax clearance certificate been submitted (MBD 2)?	YES / NO
Are you the accredited representative in south Africa for the good/Services offered by you	YES / NO (IF YES ENCLOSE PROOF)

SIGNATURE OF BIDDER	
DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED	
TOTAL BID PRICE	

## **TAX CLEARANCE REQUIREMENTS**

IT IS A CONDITION OF BIDDING THAT -

1. The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.
  
2. The attached form "Application for Tax Clearance Certificate (in respect of bidders)", must be completed in all respects and submitted to the Receiver of Revenue where the bidder is registered for tax purposes. The Receiver of Revenue will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of twelve (12) months from date of issue. This Tax Clearance Certificate must be submitted in the original together with the bid. Failure to submit the original and valid Tax Clearance Certificate may invalidate the bid.
  
3. In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificates are available at any Receiver's Office.





Address:

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

DATE: 20\_\_\_\_ / \_\_\_\_ / \_\_\_\_

PLEASE NOTE THAT THE COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE (SARS) WILL NOT EXERCISE HIS DISCRETIONARY POWERS IN FAVOUR OF ANY PERSON WITH REGARD TO ANY INTEREST, PENALTIES AND / OR ADDITIONAL TAX LEVIABLE DUE TO THE LATE- OR UNDERPAYMENT OF TAXES, DUTIES OR LEVIES OR THE RENDITION RETURNS BY ANY PERSON AS A RESULT OF ANY SYSTEM NOT BEING YEAR 2000 COMPLIANT.

## DECLARATION OF INTEREST

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1. Any legal person, including person employed by the state, or persons having a kinship with persons employed by the state, including a blood relationship cannot, may make an offers in terms of this invitation to bid. In view of possible allegations of favoritism, 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 authorized representative declare his/her position in relation to the evaluating / adjudicating authority and / or take an oath declaring his / her interest, 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 per 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 Are you or any person connected with the bidder, **YES / NO** employed by the state?

2.1.2 If so, state particulars.

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2.2 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 state and who may be involved with the evaluation and or adjudication of this bid?

2.2.1 If so, state particulars.

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

2.3.1 If so, state particulars.

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**DECLARATION**

I, the undersigned (name).....

certify that the information furnished in paragraphs 2.1 to 2.3.1 above is correct. I accept that the state may act against me in terms of paragraph 23 of the general conditions of contract should this declaration prove to be false.

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**SIGNATURE**

**DATE**

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**POSITION**

**NAME OF BIDDER**



## 1. GENERAL CONDITIONS

The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R1 000 000; and
- the 90/10 system for requirements with a Rand value above R1 000 000.

The value of this bid is estimated not to exceed R1 000 000 and therefore the 80/20 system shall be applicable.

Preference points for this bid shall be awarded for:

(a)	Price	80 points
(b)	BBBEE	20 points

- Failure on the part of a bidder to fill in and/or to sign this form may be interpreted to mean that preference points are not claimed.
- 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. GENERAL DEFINITIONS

- 2.1.1 **“Acceptable bid”** means any bid which, in all respects, complies with the specifications and conditions of bid as set out in the bid document.
- 2.1.2 **“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, works or services.
- 2.1.3 **“Comparative price”** means the price after the factors of non-firm price and all unconditional discounts that can be utilised have been taken into consideration.
- 2.4.1 **“Consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skills and knowledge in an activity for the execution of a contract.
- 2.4.2 **“Contract”** means the agreement that results from the acceptance of a bid by an organ of state.

- 2.4.3 **“Specific contract participation goals”** means the goals as stipulated in the Preferential Procurement Regulations 2001.
- 2.6.1 In addition to above-mentioned goals, the Regulations [12.(1)] also make provision for organs of state to give particular consideration to procuring locally manufactured products.
- 2.6.2 **“Control”** means the possession and exercise of legal authority and power to manage the assets, goodwill and daily operations of a business and the active and continuous exercise of appropriate managerial authority and power in determining the policies and directing the operations of the business.
- 2.6.3 **“Management”** means an activity inclusive of control and performed on a daily basis, by any person who is a principal executive officer of the company, by whatever name that person may be designated, and whether or not that person is a director.
- 2.6.4 **“Owned”** means having all the customary elements of ownership, including the right of decision-making and sharing all the risks and profits commensurate with the degree of ownership interests as demonstrated by an examination of the substance, rather than the form of ownership arrangements.
- 2.13 **“Person”** includes reference to a juristic person.
- 2.14 **“Rand value”** means the total estimated value of a contract in Rand denomination that is calculated at the time of bid invitations and includes all applicable taxes and excise duties.
- 2.15 **“Small, Medium and Micro Enterprises (SMMEs)”** bears the same meaning assigned to this expression in the National Small Business Act, 1996 (No 102 of 1996).
- 2.16 **“Sub-contracting”** means the primary contractor’s assigning or leasing or making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.
- 2.17 **“Trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to ML Minister such property for the benefit of another person.
- 2.18 **“Trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be ML Ministered for the benefit of another person.

### 3. ESTABLISHMENT OF HDI EQUITY OWNERSHIP IN AN ENTERPRISE

- 3.1 Equity ownership shall be equated to the percentage of an enterprise which is owned by individuals classified as HDI's, or in the case of a company, the percentage shares that are owned by individuals classified as HD's, who are actively involved in the management and daily business operations of the enterprise and exercise control over the enterprise, commensurate with their degree of ownership.
- 3.2 Where individuals are not actively involved in the management and daily business operations and do not exercise control over the enterprise commensurate with their degree of ownership, equity ownership may not be claimed.

### 4. ADJUDICATION USING A POINT SYSTEM

- 4.1 The bidder obtaining the highest number of points will be awarded the contract.
- 4.2 Preference points shall be calculated after prices have been brought to a comparative basis.
- 4.3 Points scored will be rounded off to 2 decimal places.
- 4.4 In the event of equal points scored, the bid will be awarded to the bidder scoring the highest number of points for specified goals.

### 5. POINTS AWARDED FOR PRICE

#### 5.1 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**

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

or

**90/10**

$$P_s = 90(1 - \frac{P_t - P_{min}}{P_{min}})$$

Pmin

Where

Ps = Points scored for price of bid under construction

Pt = Rand value of bid under consideration

Pmin = Rand value of lowest acceptable bid

## 6. DECLARATION WITH REGARD TO EQUITY

6.1 Name of firm .....

6.2 Vat registration number .....

6.3 Company registration number .....

### 6.4 TYPE OF FIRM

<input type="checkbox"/>	Partnership
<input type="checkbox"/>	One person business/sole trader
<input type="checkbox"/>	Close corporation
<input type="checkbox"/>	Company
<input type="checkbox"/>	(Pty) Limited

[TICK APPLICABLE BOX]

### 6.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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



**6.6 COMPANY CLASSIFICATION**

<input type="checkbox"/>	Manufacturer
<input type="checkbox"/>	Supplier
<input type="checkbox"/>	Professional service provider
<input type="checkbox"/>	Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

**6.7 TOTAL NUMBER OF YEARS THE FIRM HAS BEEN IN BUSINESS?.....**

**6.8 List all Shareholders by Name, Position, Identity Number, Citizenship, HDI status and ownership, as relevant. Information to be used to calculate the points claimed in paragraph 8.**

Name	Date/Position Occupied in Enterprise	ID Number	Date RSA Citizenship obtained	*HDI STATUS-			% of business/ enterprise owned
				No franchise prior to elections	Women	Disabled	

\*Indicate YES or NO

**6.9 Consortium / Joint Venture**

6.9.1 In the event that preference points are claimed for HDI members by consortia / joint ventures, the following information must be furnished in order to be entitled to the points claimed in respect of the HDI member.

Name of HDI member (to be consistent with paragraph 9.8)	Percentage (%) of the contract value managed or executed by the HDI member

9.10 I/we, the undersigned, who warrants that he/she is duly authorized to do so on behalf of the firm certify that points claimed, based on the equity ownership, indicated in paragraph 6.9 of the foregoing certificate, qualifies the firm for the preference(s) shown and I/ we acknowledge that .

- (i) The information furnished is true and correct.
  
- (ii) The Equity ownership claimed is 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 paragraph 6.9, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.
  
- (iv) If the claims are found to be incorrect, the purchaser may, in addition to any other remedy it may have –

- (a) Recover costs, losses or damages it has incurred or suffered as a result of that person's conduct, and
- (b) 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,

**WITNESSES:**

1. ....

.....  
**SIGNATURE(S) OF BIDDER(S)**

2. ....

**DATE:**.....

**ADDRESS:**.....

.....

.....

.....

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT  
REGULATIONS 2001  
(LOCALLY MANUFACTURED PRODUCTS)**

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**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES SPECIFIED IN CLAIM FORM SBD 6.1 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2001**

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1. Regulation 12(1) of the Preferential Procurement Regulations makes provision for the promotion of locally manufactured products within the preference point systems.

SPECIFIC GOAL	POINTS ALLOCATED
The stimulation of the SA economy by procuring locally manufactured products	0

2. Preference points may only be claimed for products, which will be manufactured (fabricated, processed or assembled), in the Republic of South Africa. In cases where production has not yet commenced at time of bid closure, evidence shall be produced that at the time of bid closure, the bidder was irrevocably committed to local production of the product
3. **“Local content”** means that portion of the bid price, excluding Value Added Tax (VAT), which is not included in imported content, **provided that local manufacture does take place.**
4. **“Imported content”** means that portion of the bid price represented by the costs of components, parts or materials which have been or are still to be imported (whether by the bidder or his suppliers or sub-contractors) and which costs are inclusive of the costs abroad, plus freight and other direct importation costs such as landing costs, dock dues, import duties, or other similar taxes or duties at the South African place of entry as well as transportation and handling charges to the factory in the Republic where the supplies for which a bid has been submitted are manufactured.

5. **BID INFORMATION**

Bidders who wish to claim points in respect of this goal must furnish the information in paragraph 7 below.

6. **POINTS CLAIMED**

Indicate whether point(s) allocated for this goal is (are) claimed. Yes / No

7. **INFORMATION WITH REGARD TO LOCAL MANUFACTURE**

Indicate in the table below which product (s) [item number(s)] is/are manufactured locally against the % local content of each product / item in relation to the bid price (exclusive of VAT). Points claimed must be indicated in the “points claimed” column.

<b>Percentage local content in relation to bid Price</b>	<b>Indicate item numbers</b>	<b>Points Allocated</b>	<b>Points Claimed</b>
10%-30%			
31%-60%			
61% or more			

8. **BID DECLARATION**

I/we, the undersigned, who warrants that he/she is duly authorized to do so on behalf of the firm declare that points claimed, based on the local content of the product(s) above, qualifies the firm for the point(s) shown and I /we acknowledge that:

- (i) The information furnished is true and correct.
  
- (ii) In the event of a contract being awarded as a result of points claimed, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.
  
- (iii) If the claims are found to be incorrect, the purchaser, in addition to any other remedy it may have-
  - (a) recover all costs, losses or damages it has incurred or suffered as a result of that person’s conduct, and
  
  - (b) 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;

**WITNESSES:**

1. ....

7. ....

.....  
**SIGNATURE(S) OF BIDDER(S)**

**DATE:** .....

## DECLARATION WITH REGARD TO LOCALITY

State full particulars of locality of enterprise as well as that of Head Office:

<b>Address of Local Enterprise:</b>	
Physical Address:	Postal Address:
Telephone:	Fax:
<b>Address of Head Office:</b>	
Physical:	Postal:
Telephone	Fax:

I/we, the undersigned, who warrants that he/she is duly authorized to do so on behalf of the enterprise certify that the enterprise is entitled to the points allocated in paragraph 2 of this form and I/we acknowledge that:

- (i) The information furnished is true and correct.
- (ii) In the event of a contract being awarded as a result of points claimed, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claim is correct.
- (iii) If the claim is found to be incorrect, the purchaser may, in addition to any other remedy it may have-
  - (a) recover all costs, losses or damages it has incurred or suffered as a result of wrong information furnished; and
  - (b) 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;



**WITNESSES:**

1. ....

2. ....

**DATE:** .....

.....  
**SIGNATURE(S) OF BIDDER(S)**

**PRICE QUOTATION FORM**

**(Purchases up to estimated value of R 200 000, 00)**

**NB:** Use ink, preferably black; to fill in the information applicable to the specific required quotation

**VALIDITY: 7 WORKING DAYS**

Trade mark and model:

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Country of origin:

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**POINTS CLAIMED:**

BBBEE status level contributor points

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**% EQUITY OWNED BY HISTORICALLY DISADVANTAGED INDIVIDUALS:**

Name	Date / Position Occupied in Enterprise	ID Number	Date RSA Citizenship obtained	*HDI STATUS-			% of business / enterprise owned
				No franchise prior to elections	Women	Disabled	

**DELIVERY BASIS:**

(i) Is the delivery period firm? **\* YES / NO**

(ii) Period required for delivery after receipt of order: \_\_\_\_\_

Is the price (inclusive of VAT) firm? **\* YES / NO**

Discount offered (conditional/unconditional): \_\_\_\_\_

Is offer strictly to specification/terms of reference, if attached? **\* YES / NO**

If not specification/terms of reference, state deviation (s): \_\_\_\_\_

(1) Name of taxpayer/quoter: \_\_\_\_\_

(2) Identification Document number:

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(3) Trade name: \_\_\_\_\_

(4) Company/Close Corporation registration number:

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(5) Income tax reference number:

(Original of Income Tax Clearance Certificate to be attached)

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(6) VAT registration number (if applicable):

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

(7) PAYE employer's registration number (if applicable)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

**Bank Details** (if applicable): \_\_\_\_\_

Bank Name: \_\_\_\_\_

Bank Branch Code:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Account Holder: \_\_\_\_\_

Bank Account number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Bank Account type: \_\_\_\_\_

**CONTACT PERSON:**

Signature: \_\_\_\_\_

Name in print: \_\_\_\_\_

Telephone No: Code: \_\_\_\_\_

No: \_\_\_\_\_

Cellphone No: Code: \_\_\_\_\_

No: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Postal Code:

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**C1.1 Form of offer and acceptance**

**Offer**

The Employer, identified in the acceptance signature block, has solicited offers to enter into **a Contract for Supply and Delivery of 12 Heavy duty Grass cutting machines and 2 Heavy duty Chain saws for KSDLM**

The Bidder, 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 Bidder, deemed to be duly authorized, signing this part of this form of offer and acceptance, the Bidder offers to perform all of the obligations and liabilities of the Service Provider 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 Bidder before the end of the period of validity stated in the tender data, whereupon the Bidder becomes the party named as the Service Provider in the conditions of Contract identified in the Contract Data.

**Signature:**.....**Name:** .....

**Capacity:** .....

**For the Bidder:** .....

.....

(Name and domiciliumcitandi of organization)

**Name and Signature of Witness:**.....**Date:**.....

**Acceptance**

By signing this part of this form of offer and acceptance, the Employer identified below accepts the Bidder’s offer. In consideration thereof, the Employer shall pay the Service Provider the amount due in accordance with the conditions of Contract identified in the Contract Data. Acceptance of the Bidder’s offer shall form an agreement between the Employer and the Bidder 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 Contract Data, (which includes this agreement)
- Part C2 Pricing Data
- Part C3 Scope of work.

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 Bidder 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, which must be signed by the authorised representative(s) of both parties.

The Bidder 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) to arrange the 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 Bidder receives one fully completed, signed copy of this document, including the schedule of deviations (if any). Unless the Bidder (now Service Provider) 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(s):**.....**Name(s)**.....

**Capacity:** ACTING MUNICIPAL MANAGER

**FOR KING SABATA DALINDYEBO LOCAL MUNICIPALITY, MUNITATA BUILDING , UMTATA, 5099**

(Name and domiciliumcitandi of organization)

Name and Signature of Witness: ..... Date: .....

**OFFICIAL STAMP:**

