



**QUOTATION NO.: SC 1411/2013**

**A: SALE OF REFRESHMENTS, BEACH ACCESSORIES  
& LEASING OF BEACH UMBRELLAS AND CHAIRS**

**B: LEASING OF KIOSKS**

**PROCUREMENT DOCUMENT**

**PREPARED AND ISSUED BY:**

DIRECTORATE: FINANCE: SCM UNIT  
OVERSTRAND MUNICIPALITY  
PO BOX 20  
HERMANUS  
7200

**CONTACT:**

NAME: **MARIAN MOOLMAN**  
TELEPHONE: **028 313 8141**

<b>NAME OF TENDERER:</b>	
<b>Total Bid Price (Inclusive of VAT)</b>	<b>REFER TO PAGE 19 FOR PRICING SCHEDULE</b>

**OCTOBER 2013**

<b>KLEINMOND</b> Private Bag X3 Kleinmond; 7195 Tel: 028 271 8100 Fax: 028 271 4678	<b>HERMANUS</b> PO Box 20 Hermanus; 7200 Tel: 028 313 8000 Fax: 028 313 8048	<b>STANFORD</b> PO Box 84 Stanford; 7210 Tel: 028 341 0640 Fax: 028 341 0445	<b>GANSBAAI</b> PO Box 26 Gansbaai; 7220 Tel: 028 384 0111 Fax: 028 384 0241
<b>QUOTATION DETAILS</b>			
QUOTATION NUMBER:	<b>SC1411/2013</b>		
QUOTATION TITLE:	<b>A: SALE OF REFRESHMENTS, BEACH ACCESSORIES &amp; LEASING OF BEACH UMBRELLAS AND CHAIRS</b> <b>B: LEASING OF KIOSKS</b>		
CLOSING DATE:	<b>2013/10/25</b>	CLOSING TIME:	<b>12H00</b>
SITE MEETING:	DATE: <b>N/A</b>	TIME:	<b>N/A</b> COMPULSORY: <b>N/A</b>
SITE MEETING ADDRESS:	<b>N/A</b>		
BID BOX NO:	<b>4</b>	SITUATED AT: Overstrand Municipal Building, Magnolia Avenue, Hermanus. The bid box is generally open 24 hours a day, 7 days a week.	
OFFER TO BE VALID FOR:	<b>60</b>	DAYS FROM THE CLOSING DATE OF BID.	
<b>TENDERER DETAILS</b>			
NAME OF TENDERER:			
NAME OF CONTACT PERSON:			
PHYSICAL ADDRESS:		POSTAL ADDRESS:	
TELEPHONE #:		FAX NO.:	
E-MAIL ADDRESS:			
QUOTATION AMOUNT (INCLUDING VAT) :			
DATE:			
SIGNATURE OF TENDERER:			
CAPACITY UNDER WHICH THIS BID IS SIGNED:			
<b>PLEASE NOTE:</b>			
a) Tenders that are deposited in the incorrect box will not be considered. b) Tender box deposit slot is 28cm x 2.5cm. c) Mailed, telegraphic or faxed tenders will not be accepted. d) If the bid is late, it will not be accepted for consideration. e) Bids may only be submitted on the Bid Documentation provided by the Municipality.			
<b>ENQUIRIES MAY BE DIRECTED TO:</b>			
	ENQUIRIES REGARDING BID PROCEDURES	TECHNICAL ENQUIRIES	
CONTACT PERSON:	<b>BLAKE D'OLIVEIRA</b>	<b>MARIAN MOOLMAN</b>	
TEL. #	<b>028 313 5016</b>	<b>028 313 8141</b>	

## CONTENTS

	<b>PAGE NUMBER</b>
PART A – ADMINISTRATIVE REQUIREMENTS IN TERMS OF THE SUPPLY CHAIN MANAGEMENT POLICY .....	4
1. CHECKLIST .....	5
2. QUOTATION NOTICE & INVITATION TO SUBMIT A QUOTATION .....	6
3. AUTHORITY TO SIGN A BID.....	7
4. MBD 4 – DECLARATION OF INTEREST .....	9
5. MBD 8 – DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES.....	12
6. MBD 15 – CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES.....	14
PART B – SPECIFICATIONS AND PRICING SCHEDULE .....	15
7. SPECIFICATIONS .....	16
8. MBD 7.3 – CONTRACT FORM - SALE OF GOODS/WORKS.....	19
9. DECLARATION BY TENDERER .....	22



**PART A – ADMINISTRATIVE REQUIREMENTS IN  
TERMS OF THE SUPPLY CHAIN MANAGEMENT POLICY**

<b>1. CHECKLIST</b>
---------------------

**PLEASE ENSURE THAT THE FOLLOWING FORMS HAVE BEEN DULY COMPLETED AND SIGNED AND THAT ALL DOCUMENTS AS REQUESTED, ARE ATTACHED TO THE TENDER DOCUMENT:**

1.	<b>MBD 4</b> (Declaration of Interest) Is the form duly completed and signed?	
2.	<b>MBD 8</b> (Declaration of Past Supply Chain Practices) Is the form duly completed and signed?	
3.	<b>MBD 15</b> (Certificate of Payment of Municipal Accounts) Is the form duly completed and signed? Are the <b>Identity numbers, residential addresses</b> and <b>municipal account numbers</b> of <b>ALL</b> members, partners, directors, etc. provided on the form as requested?	
4.	<b>Specifications</b> Is the form duly completed and signed?	
5.	<b>MBD 7.3</b> (Sale of goods/works) Is the form duly completed and signed?	
6.	<b>DATA BASE REGISTRATION</b> Is the form duly completed and signed? Are <b>ALL</b> the supporting documents attached?	

SIGNATURE		NAME (PRINT)	
CAPACITY		DATE	
NAME OF FIRM			

**2. QUOTATION NOTICE & INVITATION TO SUBMIT A QUOTATION****QUOTATION NO. SC 1411/2013**

- A: SALE OF REFRESHMENTS, BEACH ACCESSORIES & LEASING OF BEACH UMBRELLAS AND CHAIRS**
- B: LEASING OF KIOSKS**

Quotations are hereby invited for **A: Sale of Refreshments, Beach Accessories and Leasing of Beach Umbrellas and Chairs. B: Lease of refreshment kiosks at Hawston Caravan Park and -Swimming Pool and Mount Pleasant Swimming pool.**

Quotation documents, in English, are obtainable from Friday, 11 October 2013, at the offices of the Supply Chain Management Unit, Overstrand Municipality, Magnolia Avenue, Hermanus, Tel. 028 313 8064 from Ms. Rita Neethling between 08h30 and 15h30, upon payment of a **tender participation fee of R130.00 per set**. Alternatively the documents may be downloaded free from the website: [www.overstrand.gov.za](http://www.overstrand.gov.za).

**Sealed Quotations, with "Quotation No. SC 1411/2013 A: Sale of Refreshments, Beach Accessories and Leasing of Beach Umbrellas and Chairs. B: Lease of refreshment kiosks at Hawston Caravan Park and -Swimming Pool and Mount Pleasant Swimming pool."** clearly endorsed on the envelope, must be deposited in **Tender Box No. 4** at the offices of the Overstrand Municipality, Magnolia Avenue, Hermanus. Bids may only be submitted on the bid documentation issued by the Municipality.

**The closing date and time of the quotation is on 25 October 2013 at 12h00** and will be opened in public immediately thereafter in the SCM Committee Room, Hermanus Administration.

**Quotations must be valid for 60 days after the closing date.** Quotations shall be evaluated in terms of the Preferential Procurement Regulations, 2011 and bidders may claim preference points in terms of their B-BBEE status level of contribution.

The Overstrand Municipality does not bind itself to accept the highest quotation and reserves the right to accept any quotation, as it may deem expedient. Quotations are subject to the General Conditions of Contract, and the Supply Chain Management Policy of the Overstrand Municipality.

**Please refer enquiries to Ms. Marian Moolman at telephone number: 028 313 8141.**

**3. AUTHORITY TO SIGN A BID**

**1. COMPANIES**

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

**AUTHORITY BY BOARD OF DIRECTORS**

By resolution passed by the Board of Directors on \_\_\_\_\_ 20\_\_\_\_, Mr/Mrs \_\_\_\_\_  
 \_\_\_\_\_ (whose signature appears below) has been duly authorised to sign all documents in connection with this bid on behalf of \_\_\_\_\_  
 (Name of Company) in his/her capacity as \_\_\_\_\_

Full name of Director	Residential address	Signature

SIGNED ON BEHALF OF COMPANY:		DATE:	
PRINT NAME:			
WITNESS 1:		WITNESS 2:	

**2. SOLE PROPRIETOR (SINGLE OWNER BUSINESS)**

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

SIGNATURE:		DATE:	
PRINT NAME:			
WITNESS 1:		WITNESS 2:	

**3. PARTNERSHIP**

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

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

Full name of partner	Residential address	Signature

SIGNED ON BEHALF OF COMPANY:		DATE:	
PRINT NAME:			
WITNESS 1:		WITNESS 2:	

**4. CLOSE CORPORATION**

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

By resolution of members at a meeting on \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_  
 \_\_\_\_\_, Mr/Ms \_\_\_\_\_, whose  
 signature appears below, has been authorized to sign all documents in connection with this bid on behalf of  
 (Name of Close Corporation) \_\_\_\_\_

Full name of member	Residential address	Signature

SIGNED ON BEHALF OF CLOSE CORPORATION:		DATE:	
PRINT NAME:			
IN HIS/HER CAPACITY AS:			
WITNESS 1:		WITNESS 2 :	



**4. MBD 4 – DECLARATION OF INTEREST**

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

<b>3.1.</b>	<b>Full Name of bidder or his or her representative</b>				
<b>3.2.</b>	<b>Identity Number</b>				
<b>3.3.</b>	<b>Position occupied in the Company (director, shareholder <sup>2</sup> etc.)</b>				
<b>3.4.</b>	<b>Company Registration Number</b>				
<b>3.5.</b>	<b>Tax Reference Number</b>				
<b>3.6.</b>	<b>VAT Registration Number</b>				
<b>3.7.</b>	<b>Are you presently in the service of the state?</b>	YES		NO	
3.7.1.	If so, furnish particulars:				
<b>3.8.</b>	<b>Have you been in the service of the state for the past twelve months?</b>	YES		NO	
3.8.1.	If so, furnish particulars:				

<sup>1</sup> MSCM Regulations: "in the service of the state" means to be –

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

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



3.9.	Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?	YES		NO	
3.9.1.	If so, furnish particulars:				
3.10.	Are you aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?	YES		NO	
3.10.1.	If so, furnish particulars:				
3.11.	Are any of the company's directors, managers, principal shareholders or stakeholders in the service of the state?	YES		NO	
3.11.1.	If so, furnish particulars:				
3.12.	Is any spouse, child or parent of the company's directors, managers, principal shareholders or stakeholders in the service of the state?	YES		NO	
3.12.1.	If so, furnish particulars:				
3.13.	Do you or any of the directors, trustees, managers, principal shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract?	YES		NO	
3.13.1.	If so, furnish particulars:				



3.14. Please provide the following information on ALL directors/shareholders/trustees/members below:			
Full Name and Surname	Identity Number	Personal Income Tax Number	Provide State <sup>3</sup> Employee Number

**NB:** Please attach Certified copy(ies) of ID document(s)

**4. DECLARATION**

I, the undersigned (name) \_\_\_\_\_, certify that the information furnished in paragraph 3 above is correct.

I accept that the state may act against me should this declaration prove to be false.

SIGNATURE		DATE	
NAME OF SIGNATORY			
POSITION			
NAME OF COMPANY			

<sup>3</sup> MSCM Regulations: "in the service of the state" means to be –

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



**5. MBD 8 – DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

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

4.1	Is the bidder or any of its directors listed on the National Treasury’s database as a company or person prohibited from doing business with the public sector?  <i>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the audi alteram partem rule was applied).</i>	<b>Yes</b>	<b>No</b>
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)?  <i>(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).</i>	<b>Yes</b>	<b>No</b>
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 of law outside the Republic of South Africa) for fraud or corruption during the past five years?	<b>Yes</b>	<b>No</b>
4.3.1	If so, furnish particulars:		



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

**5. CERTIFICATION**

I, the undersigned (full name), \_\_\_\_\_, certify that the information furnished on this declaration form true and correct.

I accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

SIGNATURE:		NAME (PRINT):	
CAPACITY:		DATE:	
NAME OF FIRM:			



**6. MBD 15 – CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES**

**DECLARATION IN TERMS OF CLAUSE 112(1) OF THE MUNICIPAL FINANCE MANAGEMENT ACT (NO.56 OF 2003) - (To be signed in the presence of a Commissioner of Oaths)**

I, \_\_\_\_\_, \_\_\_\_\_ (full name and ID no.), hereby acknowledge that according to SCM Regulation 38(1)(d)(i), the Municipality may reject the tender of the tenderer if any municipal rates and taxes or municipal service charges owed by the Tenderer or any of its directors/members/partners to the Overstrand Municipality, or to any other municipality or municipal entity, are in arrears for more than 3 (three) months.

I declare that I am duly authorised to act on behalf of \_\_\_\_\_ (name of the firm) and hereby declare, that to the best of my personal knowledge, neither the firm nor any director/member/partner of said firm is in arrears on any of its municipal accounts with any municipality in the Republic of South Africa, for a period longer than 3 (three) months.

I further hereby certify that the information set out in this schedule and/or attachment(s) hereto is true and correct. The Tenderer acknowledges that failure to properly and truthfully complete this schedule may result in the tender being disqualified, and/or in the event that the tenderer is successful, the cancellation of the contract.

PHYSICAL BUSINESS ADDRESS(ES) OF THE TENDERER	MUNICIPAL ACCOUNT NUMBER

**FURTHER DETAILS OF THE BIDDER’S Director / Shareholder / Partners, etc.:**

Director / Shareholder / partner	Physical address of the Business	Municipal Account number(s)	Physical residential address of the Director / shareholder / partner	Municipal Account number(s)

**NB:** Please attach certified copy(ies) of ID document(s)

Number of sheets appended by the tenderer to this schedule (If nil, enter NIL)	
--	--

Signature	Position	Date

<p style="text-align: center;"><b>COMMISSIONER OF OATHS</b></p> <p>Signed and sworn to before me at _____, on this _____ day of _____ 20__</p> <p>by the Deponent, who has acknowledged that he/she knows and understands the contents of this Affidavit, it is true and correct to the best of his/her knowledge and that he/she has no objection to taking the prescribed oath, and that the prescribed oath will be binding on his/her conscience.</p> <p><b>COMMISSIONER OF OATHS:-</b></p> <p>Position: _____</p> <p>Address: _____</p> <p>Tel: _____</p>	<p style="text-align: center;"><b>Apply official stamp of authority on this page:</b></p>
--	---



## **PART B – SPECIFICATIONS AND PRICING SCHEDULE**



**7. SPECIFICATIONS**

- A. SALE OF REFRESHMENTS, BEACH ASSOCIATED ACCESSORIES, (1 Dec – 31 Jan + Easter weekend, April 2014)**  
**AND**  
**LEASING BEACH UMBRELLAS & CHAIRS – YOUTH ENTERTAINMENT (1 Dec 2013– 30 April 2014)**

**1. GENERAL CONDITIONS:**

- 1.1. Compliance with relevant health & safety legislation is compulsory.
- 1.2. Trading hours will be daily between 7h00 and 21h00.
- 1.3. Approved tenderers may trade only on the site allocated to them.
- 1.4. The allocated premises must be kept clean and tidy by the tenderer at all times.
- 1.5. No open fires will be allowed.
- 1.6. No music will be allowed.
- 1.7. Tenderers must include a complete list of items to be sold / offered. Only items on the list will be allowed to be sold or offered.
- 1.8. The utilisation of the allocated stands are at own risk.
- 1.9. An indemnity form must be filled in and signed, that indemnifies the Municipality against any claims that might arise with regard to the usage of the site in question, and that the written indemnification reaches the office of the Area Manager on or before 15 November 2013.
- 1.10. Tenderers that intend trading with foodstuff of any sort must have a trading license.

**2. PAYMENT:**

- 2.1. Payment for the allocated premises shall be made by the signing of the contract which will not be later than 15 November 2013.
- 2.2. The receipt must be presented to the Area Manager.

**3. NOTES:**

- 3.1. Quotations are subject to standard tender conditions of the Supply Chain Policy of the Overstrand Municipality.
- 3.2. Preference will be given to local residents (Overstrand).
- 3.3. NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (see definition in the attached MBD4 document).
- 3.4. The Municipality reserves the right to relocate a tenderer / withdraw an approval from the allocated stand(s) if and when necessary.

SIGNATURE		NAME (PRINT)	
CAPACITY		DATE	
NAME OF FIRM			



3.5. The Municipality reserves the right to allocate the stands at its own discretion taking into consideration the type of goods to be sold/offered. Therefore the allocation will not necessarily be made to the highest bidder.

3.6. Tenderer(s) are required to use the attached form as submission of the tender.

**B - LEASING OF KIOSKS**

**1. The Overstrand Municipality has decided to lease the refreshment kiosks at:**

A: Hawston Caravan Park,/ swimming pool Hawston

B: Hermanus Swimming Pool, Mt Pleasant / Zwelihle

for the period of **1 December 2013 to the Easter weekend in 2014** for the purpose of selling snacks and beverages.

The Municipality owns the properties where these kiosks are situated.

1.1. **The Hawston Caravan Park** is situated off Marine Drive, Hawston. The Hawston swimming pool is also located on the site. The kiosk serves visitors to the caravan park as well as day visitors to the swimming pool. Only sealed pre packed snacks, sweets, chips and cold drinks may be sold. There is **no** electricity point. It would be advisable that the goods are removed at the end of each day.

1.2. **The Hermanus Swimming Pool** is located at Pot Pourrie Street, between Mount Pleasant and Zwelihle. The swimming pool is frequented by locals as well as holiday makers during the peak summer holiday season. There is an electricity point but it may only be used for warming / cooling apparatus.

1.3. **The sites may only be used for the sale of snacks and non-alcoholic beverages.**

1.4. **NO ALCOHOL MAY BE SOLD.**

1.5. Successful bidders will be required to trade over the peak season from 1 December 2013 until 31 January 2014 and also over the Easter weekend.

Proposed business hours:

Hermanus Swimming pool during the week: 08:00 – 18:00

Hawston Camp and pool during the week: 08:00 – 20:00

Bidders should indicate in the tender their proposed trading hours which may be negotiated with the Municipality.

Trading during the remaining period is optional e.g. only afternoons and weekends etc.

1.6. Successful bidders must supply their own stock and equipment, e.g. fridges and shelves.

1.7. The tenderer must submit his tender price as a **single amount** for the full period.

1.8. Payment must be made in advance as follows :

1.8.1. Full amount tendered for the period by 22 November 2013, OR

1.8.2. 40% of total amount tendered by 22 November 2013, **80 %** by 27 December 2013 and the balance by the Friday before the beginning of the Easter weekend. A copy of the receipt(s) must be submitted to the Office of the Area Manager immediately after payment has been made.

1.9. The utilization of the allocated kiosks is at own risk.

SIGNATURE		NAME (PRINT)	
CAPACITY		DATE	
NAME OF FIRM			



- 1.10. Successful bidders shall indemnify the Municipality against any claims that might arise with regard to the use of the area in question and will be required to sign an indemnity form prior to the commencement of the contract.
- 1.11. Successful bidders will be responsible for their own insurance (including the building and all contents) and security.
- 1.12. Successful bidders must comply with the health specifications and have a valid trading licence.
- 1.13. The allocated premises must be kept clean and tidy by the successful bidder at all times.
- 1.14. The municipality will have the right to cancel the agreement in event of:
  - 1.14.1. the premises not being maintained in a clean, tidy and hygienic state;
  - 1.14.2. the trading hours, as stated and agreed upon, is not being adhered to;
  - 1.14.3. the bidder neglecting to pay the rental and service charges as specified in the agreement;
  - 1.14.4. any other situation that might arise, that at the discretion of the Municipality is not conducive to the intended service delivery, safety and convenience of the public.
- 1.15. Successful bidders must display his / her trading hours at the premises.
- 1.16. Bidders must submit with the tender document a list of the products to be sold as well as a list of equipment to be used, such as freezers, warmers, etc.
- 1.17. Successful bidders may not assign or sublet the premises to any other person/party.
- 1.18. Successful bidders must inform the resort officer or Municipality immediately should he/she wish to terminate the agreement.

SIGNATURE		NAME (PRINT)	
CAPACITY		DATE	
NAME OF FIRM			

**8. MBD 7.3 – CONTRACT FORM - SALE OF GOODS/WORKS**
**PART 1 (TO BE COMPLETED BY THE BIDDER)**

1. I hereby undertake to purchase all or any of the goods and/or works described in the attached bidding documents from (name of institution) \_\_, in accordance with the requirements stipulated in (bid number) \_\_\_\_\_, at the price/s quoted. My offer(s) remain(s) binding upon me and open for acceptance by the seller during the validity period indicated and calculated from the closing time of bid.

**A SALE OF REFRESHMENTS, BEACH ASSOCIATED ACCESSORIES AND LEASING BEACH UMBRELLAS & CHAIRS – YOUTH ENTERTAINMENT**

Required area	Services offered	Total rental offered for period	Period
<b>1. SALE OF REFRESHMENTS</b>			
Grotto	Attach list		1 Dec 2013 until 31 Jan 2014 + Easter period
Voëlklip	Attach list		1 Dec 2013 until 31 Jan 2014 + Easter period
Kammabaai	Attach list		1 Dec 2013 until 31 Jan 2014 + Easter period
Onrus	Attach list		1 Dec 2013 until 31 Jan 2014 + Easter period
Onrus	Attach list		1 Dec 2013 until 31 Jan 2014 + Easter period
Sandbaai	Attach list		1 Dec 2013 until 31 Jan 2014 + Easter period
Hawston	Ice Cream only		1 Dec 2013 until 31 Jan 2014 + Easter period
<b>2. LEASING BEACH UMBRELLAS &amp; CHAIRS</b>			
Grotto	Attach list		1 Dec 2013 until 30 April 2014
<b>3. BEACH ASSOCIATED ACCESSORIES - YOUTH ENTERTAINMENT</b>			
Grotto	Attach list		1 Dec 2013 until 31 Jan 2014 + Easter period
Voëlklip	Attach list		1 Dec 2013 until 31 Jan 2014 + Easter period
Kammabaai	Attach list		1 Dec 2013 until 31 Jan 2014 + Easter period
Sandbaai	Attach list		1 Dec 2013 until 31 Jan 2014 + Easter period
<b>B LEASING OF KIOSKS</b>			
<b>LEASING OF KIOSKS FOR THE PURPOSE OF SELLING SNACKS AND BEVERAGES.</b>			
A: Hawston Caravan Park,/ swimming pool			1 Dec 2013 to Easter period
B: Hermanus Swimming Pool, Mt Pleasant / Zwelihle			1 Dec 2013 to Easter period



2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - a) Invitation to bid
    - b) Tax clearance certificate
    - c) Pricing schedule(s)
    - d) Preference claims in terms of the Preferential Procurement Regulations 2001
    - e) Declaration of interest
    - f) Special Conditions of Contract;
    - g) General Conditions of Contract
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) cover all my obligations and I accept that any mistakes regarding price(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
5. I undertake to make payment for the goods/works as specified in the bidding documents.
6. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
7. I confirm that I am duly authorised to sign this contract.

SIGNATURE		NAME (PRINT)	
CAPACITY		DATE	
NAME OF FIRM			
WITNESS 1		WITNESS 2	
DATE:			



**CONTRACT FORM - SALE OF GOODS/WORKS  
PART 2 (TO BE COMPLETED BY THE SELLER)**

1. I, \_\_\_\_\_,  
 in my capacity as \_\_\_\_\_,  
 accept your bid under reference number \_\_\_\_\_,  
 dated \_\_\_\_\_,  
 for the purchase of goods/ works indicated hereunder and/or further specified in the annexure(s).

2. I undertake to make the goods/works available in accordance with the terms and conditions of the contract.

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

SIGNED AT \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

SIGNATURE		<b>OFFICIAL STAMP:</b>
NAME (PRINT)		
WITNESS 1		
WITNESS 2		

### 9. DECLARATION BY TENDERER

I / We acknowledge that I / we am / are fully acquainted with the contents of the conditions of tender of this tender form and that I / we accept the conditions in all respects.

I / We agree that the laws of the Republic of South Africa shall be applicable to the contract resulting from the acceptance of \*my / our tender and that I / we elect *domicillium citandi et executandi* in the Republic at:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I / We furthermore confirm I / we satisfied myself / ourselves as to the corrections and validity of my / our tender: that the price quoted cover all the work items specification in the tender documents and that the price cover all my / our obligations under a resulting contract and that I / we accept that any mistake(s) regarding price and calculations will be at my / our risk.

SIGNATURE		NAME (PRINT)	
CAPACITY		DATE	
NAME OF FIRM			
WITNESS 1		WITNESS 2	