



Ref:(SCM)

Enquiries: email: [scmenquiries@mogalecity.gov.za](mailto:scmenquiries@mogalecity.gov.za)

**REQUEST FOR FORMAL WRITTEN PRICE QUOTATIONS**

**Procurement from R30 000.00 up to a transaction value of R 200 000.00 (including Vat)  
(For publication on Mogale City Website and Notice Boards)**

Kindly furnish Mogale City Local Municipality with a written quotation on the goods listed hereunder:

<b>QUOTATION NUMBER</b>	<b>RE-ADVERT: F (E) 03/2023</b>
<b>ADVERT DATE</b>	<b>23 June 2023</b>
<b>CLOSING DATE AND TIME</b>	<b>30 June 2023 @ 11:00</b>
<b>DESCRIPTION OF GOODS / SERVICES</b>	<b>QUOTATION FOR THE APPOINTMENT OF AN ACTUARIAL CONSULTING FIRM TO PERFORM THE ACTUARIAL VALUATIONS FOR EMPLOYEE BENEFITS IN TERMS OF STANDARD OF GENERALLY RECOGNISED ACCOUNTING PRACTICE (GRAP) 25: EMPLOYEE BENEFITS</b>
<b>DEPARTMENT</b>	<b>Financial Management Services – Expenditure</b>
<b>ENQUIRIES:</b>	Email: <a href="mailto:scmenquiries@mogalecity.gov.za">scmenquiries@mogalecity.gov.za</a>
<p><b>THE QUOTATION MUST BE SUBMITTED ON THE OFFICIAL QUOTATION DOCUMENT (INCLUDING ALL THE REQUIRED ANNEXURES) AND MUST BE DELIVERED BY HAND BEFORE THE OFFICIAL CLOSING DATE AND TIME TO:</b></p> <p><b>THE SCM UNIT OF MCLM CIVIC CENTRE CORNER MARKET &amp; COMMISSIONER STREETS, KRUGERSDORP UPPER-LEVEL WEST WING TENDER BOX</b></p>	

NAME OF BIDDING ENTITY: \_\_\_\_\_

NAME OF BIDDING ENTITY REPRESENTATIVE: \_\_\_\_\_

PHYSICAL ADDRESS OF BIDDING ENTITY: \_\_\_\_\_

\_\_\_\_\_

POSTAL ADDRESS OF BIDDING ENTITY: \_\_\_\_\_

CONTACT DETAILS OF BIDDING ENTITY: Tel: \_\_\_\_\_ Cell: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

## THE FOLLOWING CONDITIONS WILL APPLY:

### **A. MANDATORY DOCUMENTS:**

#### **(IF NOT PROVIDED THE BID WILL BE INSTANTLY DISQUALIFIED.)**

1. The bidding entity must submit Municipal account which is not more than three (3) months / ninety (90) days plus in arrears at the time of the closing date.
2. The director(s) of the bidding entity / Joint Venture / consortium must submit Municipal account which is not more than three (3) months / ninety (90) days plus in arrears at the time of the closing date.
3. The bidding entity must submit a valid signed lease agreement or rental statement which is in the name of the business and or the directors, which must stipulate who is responsible for payment of municipal services.
4. If the Bidding Entity operates from Informal settlement and is not responsible for municipal account / services:
  - 4.1. the bidder must submit Confirmation on Municipality / Metro letterhead signed and stamped from the ward Councilor / delegate with contact details.
5. If the bidding entity operates from parents' place / director's place or any other place and is not responsible for Municipal account / Services.
  - 5.1. The bidder must submit the property owner's Municipal account and Sworn Affidavit of the property owner with the original stamp from the Commissioner of Oaths.
6. If the bidding entity's property is new and has not been registered nor received any Municipal account, a Conveyancer's letter must be submitted as confirmation with the date of transfer.
7. Completed and signed the Declaration of Municipal Account.
8. Submit Central Supplier Database (CSD) Registration Report or Summary Report.
9. Authority of Signatory must be completed and signed in case of a business not sole proprietor or one-person business or board of director's resolution authorizing signature to sign off the bid documents.
10. Completed and signed the below Municipal Bidding Documents:
  - 11.1 MBD 1: Invitation to tender
  - 11.2 MBD 4. Declaration of Interest.
  - 11.3 MBD 6.1 Preferential Points
  - 11.4 MBD 8: Declaration of bidders past supply chain management practices
  - 11.5 MBD 9: Certificate of independent bid determination.

### **B. ESSENTIAL DOCUMENTS**

11. Tax Clearance Certificate / Tax Compliance Status documents with Pin.  
Each company within the Joint Venture / Consortium must submit Tax Clearance Certificate or a copy of Tax Compliance Status document with Pin.
12. Certified copies of director's ID not older than three (3) months, not a copy of a certified copy.
- 13. Bids must be submitted in original, a copy of original and electronically on a USB which is PDF formatted.**
14. Copies of their BBEE certificates from an accredited BEE verification agency with their tender submission or sworn Affidavit.

### **C. BIDDING QUOTATION CONDITIONS:**

1. All suppliers of good & services are urged to register in the National Treasury web based Central Suppliers Database with Effect from 1 July 2016.
2. As per National Treasury Instruction No.4 A of 2016/2017 National Treasury Supplier Database, organs of state must ensure that suppliers awarded business with the State are registered on the CSD prior to award letter/purchase order/signed contract being issued.
3. According to the amended Codes of Good Practice, an *Exempted Micro Enterprise (EME)* is only required to obtain a sworn affidavit, or a certificate issued by Companies

- Intellectual Property Commission (CIPC) confirming their annual turnover of R10 million or less and level of Black ownership to claim BEE points.
4. According to the amended Codes of Good Practice, Qualifying Small Enterprise (QSE) is only required to obtain a sworn affidavit or a certificate issued by Companies Intellectual Property Commission (CIPC) confirming their annual turnover of R50 million or less and level of Black ownership to claim BEE points.
  5. A trust, consortium or joint venture will qualify for points for the BBBEE status level as a legal entity, provided that the entity submits their consolidated BBBEE status level certificate. If a bidder does not submit a certificate substantiating the BBBEE status level of contribution and/or Affidavit or is a non-compliant contributor, the bidder will not be disqualified in the bidding process but score zero (0) points for BBBEE.
  6. Bidders by joint ventures are to be accompanied by the Document Formation of the joint venture, duly registered and authenticated by a Notary Public or other official deputized to witness sworn statements. This document must define precisely the conditions under which the joint venture will function, the period for which it will function, the persons authorized to represent and obligate it, the address for correspondence, the participation of several firms forming the joint venture and any information necessary to permit a full appraisal of its functioning, including a clause to the effect that the members of the joint venture are jointly and severally bound.
  7. BBBEE Non-compliant bidders will not be rejected but will forfeit ten (10) points designated for Broad Based Black Economic Empowerment.
  8. No electronic signature will be accepted in the bidding document. The bidder's signature must always be signed by hand in black ink.
  9. No quotation(s) delivered after the official closing date and time will be accepted.
  10. Telefax or e-mail tenders will **NOT** be accepted.
  11. All bids must be submitted on the official and original forms and must not be re-typed or scanned. Quotations must only be submitted on the bid documents as provided by Mogale City Local Municipality.
  12. Quotations must be completed in black ink, handwritten and must not be typed.
  13. Pricing schedule to be completed in full and signed failure to do so will lead to disqualification.
  14. The use of tipp-ex is not allowed on the bid documents.
  15. Bids completed in pencil will be regarded as invalid bids.
  16. A firm delivery period must be indicated (if applicable).
  17. No page(s) must be removed from the original quotation document.
  18. In the event of a mistake having been made on the pricing schedule, it shall be crossed out in ink and be accompanied by full signature at each and every alteration. The Municipality reserves the right to reject the bid if corrections are not made in accordance with the above.
  19. The lowest or any quotation will not necessarily be accepted, and Mogale City reserves the right to accept a quotation in whole or in part.
  20. The Municipality reserves the right to appoint and not to appoint.
  21. The validity period for this quotation is sixty (60) days. All Price(s) quoted must be valid for at least sixty (60) days from date of offer.
  22. The Municipality reserve the right to negotiate a fair market related price with recommended bidders after a competitive bidding process or price quotations.
  23. All quotation prices must be inclusive of VAT for all registered VAT vendors.
  24. All bid prices must be in RSA currency and inclusive of VAT.
  25. No bids will be accepted from persons in the service of state as it is defined in the Municipal Finance Management Act and Regulations.
  26. All quotations received will be evaluated on the 80/20-point scoring basis. The 80 points will be for Price, 20 points for specific goals to promote transformation and economic development.
  27. The supply Chain Management Policy of Mogale City Local Municipality allow persons aggrieved by decisions or actions taken by the municipality in the implementation of its supply chain management system, to lodge within fourteen (14) days of the decision or action a written objection or complaint to the municipality against the decision or action.
  28. Quotation documents may be downloaded from [www.mogalecity.gov.za](http://www.mogalecity.gov.za).

**PLEASE TICK CHECKLIST TO VERIFY WHETHER ALL COMPULSORY DOCUMENTS HAVE BEEN ATTACHED TO YOUR QUOTATION.**

No.	Description	YES	NO
1.	Central Supplier Database Report or summary (attached) (from page one to last page in consecutive order)		
2.	Tax Compliance Status documents with Pin. (attached)		
3.	Certified Copies of ID's for company/entity directors		
4.	The bidding entity must submit Municipal account which is not more than three (3) months / ninety (90) days plus in arrears at the time of the closing date.		
5.	The bidding entity must submit a valid signed lease agreement or rental statement which is in the name of the business and or the directors, which must stipulate who is responsible for payment of municipal services; or		
6.	If the Bidding Entity operates from Informal settlement and is not responsible for municipal account / services: the bidder must submit Confirmation on Municipality / Metro letterhead signed and stamped from the ward Councilor / delegate with contact details.		
7.	If the Bidding Entity operates from parents' place and is not responsible for Municipal account: 7.1. the bidder must submit the property owner's Municipal account and a Sworn Affidavit of the property owner with and original stamp from the Commissioner of Oaths;		
8.	MBD 1- Invitation to bid (completed and signed)		
9.	MBD4- Declaration of interest. (Completed and signed)		
10.	MBD 6.1. - Preference points claim form in terms of the preferential procurement regulations 2022 (completed and signed)		
11.	MBD 8 - Declaration of bidder's past Supply Chain management practices (Completed and signed)		
12.	MBD 9 - Certificate of Independent Bid Determination. (Completed and signed)		
13.	Authority of Signatory completed and signed in case of a business not sole proprietor or one-person business; or A copy of the resolution of your Board of Directors, authorizing the signatory to sign the quotation and the subsequent contracts, has been attached and signed. (Completed, signed and attached)		
14.	Pricing schedule completed in full and signed failure to do so will lead to disqualification.		
15.	<b>Bid submitted in original, a copy of original and electronically on a USB which is PDF formatted.</b>		

\_\_\_\_\_  
Signature of person authorized to sign a quotation

\_\_\_\_\_  
Date

**MOGALE CITY LOCAL MUNICIPALITY**

**REQUEST FOR FORMAL WRITTEN PRICE QUOTATION**

Mogale City Local Municipality requests a quotation on the goods listed hereunder on the Request for Quotation Forms. Please furnish all the information as requested and return the quotation on the date stipulated. Late and incomplete submissions will invalidate the quotation submitted.

<p><b>Central Supplier database MAAA:</b></p>	
<p><b>Tax Compliance Status (TSC) Pin:</b></p>	
<p><b>DESCRIPTION OF SERVICE</b></p>	<p align="center"><b>TERMS OF REFERENCE</b></p> <p><b>1. <u>SCOPE OF WORK</u></b></p> <p>4.1 Mogale City Local Municipality seeks to appoint an experienced and qualified actuarial service provider that would determine the actuarial valuations of all Employee Benefits as outlined in <b>GRAP 25 Employee Benefits</b> accounting standard.</p> <p>The Municipality's terms of Reference are Generally Recognized Accounting Practice (GRAP), <b>GRAP 25: Employee Benefits</b>. Fully compliance in terms of the valuations, assumptions, reporting and disclosure requirements must be determined in alignment with <b>GRAP 25: EMPLOYEE BENEFITS</b>.</p> <p>a) The Municipality contributes to a <b>Defined contribution plan</b> which definition in terms of GRAP 25 is <i>a post-employment benefit plan under which an entity pays fixed contributions into a separate entity (a fund) and will have no legal or constructive obligation to pay further contributions if the fund does not hold sufficient assets to pay all employee benefits relating to employee benefit services in the current and prior periods.</i></p> <p>b) The Municipality pay long service leave of ten (10) days to its employees who has completed ten (10) years of unbroken service, fifteen (15) days long service leave for fifteen years of unbroken service and twenty (20) days long service leave for twenty years and twenty-five (25) days long service leave for twenty-five (25) years and thirty (30) days long service leave for thirty (30) years and thirty (30) days long service leave for thirty-five (35) years and thereafter thirty-five (35) days long service leave for forty (40) years and more, continuous service.</p> <p>c) The Municipality also pay an Ex-Gratia allowance of fifty (50) percentage of the current Basic Salary in the year of retirement, multiplied by the number of years the Employee was not allowed to contribute to the Municipality's Pension Funds as previously disadvantaged Employees were disenfranchised during the Apartheid era.</p> <p>d) Continuous Medical Aid Contributions for Pensioners. The Municipality also continues to contribute 60% of the Medical Aid contributions of the Pensioner/Former Employee Medical Aid costs until death on condition that the employee has worked for the Municipality for ten (10) years of unbroken service. Hence the Municipality would require the following valuations:</p>

- Post-employment benefits,
- Long Service Awards; and
- Ex-Gratia Payments

The Valuations must be determined in alignment with Generally Recognized Accounting Practice GRAP 25: Employee Benefits and taking into account all management's general assumptions as outlined below.

Furthermore, it may be required of the successful Actuarial Service Provider to, in addition to the submission of the actuarial valuation reports as outlined above, to further explain to the Auditor General or to the Auditor General's Specialist the accounting principles, actuarial valuations, assumptions, reporting, and disclosure requirements applied in your Actuarial Reports.

## **2. MANAGEMENT GENERAL ASSUMPTIONS:**

### **a) Post-Employment Benefits**

Some of the general assumptions are that the employee must be employed for a minimum of ten (10) consecutive years of service to the Municipality before vested benefits would be applicable.

- b) The retired employee must pay his/her 40% medical aid contribution to qualify for the Municipality's 60% continuous medical aid contribution.
- c) Actual Medical Aid Contributions made by Employee and Employer.
  - i. Key financial actuarial assumptions:
  - ii. Discount Rate.
  - iii. Health care cost inflation rate.
  - iv. Net-of-health-care-inflation discount rate.
  - v. Maximum subsidy inflation rate.
  - vi. Net-of-maximum-subsidy-inflation discount rate
  - vii. Key Demographic Assumptions:
    - 1. Average retirement age.
    - 2. Continuation of membership at retirement.
    - 3. Proportion with a spouse dependent at retirement.
    - 4. Proportion of eligible in-service non-members joining a scheme by retirement.
    - 5. Mortality during employment.
    - 6. Mortality post-retirement.
    - 7. Withdrawal from Service

### **b) Long Service Awards.**

- i) Municipal Employees are entitled to Long Service Leave in terms of the Basic Conditions of Employment Act No 75 of 1997 as follows:
  - a. Ten (10) days long service leave after ten (10) years of consecutive years of employment.
  - b. Fifteen (15) days long service leave after fifteen (15) years of continuous employment.
  - c. Twenty (20) days long service leave after twenty (20) years of continuous employment.
  - d. Twenty-Five (25) days long service leave after twenty-five (25) years of continuous employment.
  - e. Thirty (30) days long service leave after thirty (30) years to thirty-five (35) years of continuous employment.

f. Thirty-Five (35) days long service leave after 40 years of continuous employment.

i) The long service leave rate per day is determined by calculating the total annual cost of employment on the day the employee becomes eligible to the long service leave divided into two-hundred-and-fifty days (250) worked per annum.

ii) Employees are discouraged from accumulating long service leave.

iii) Other key financial assumptions:

a. Discount Rate.

b. General Salary inflation (long-term).

c. Net Effective discount rate.

iv) Key Demographic Assumptions

a. Average retirement Age.

b. Mortality during employment.

c. Withdrawal from service.

**c) EX-GRATIA PAYMENTS**

i) The general assumptions which must be taken into consideration in determining the actuarial valuation of the Ex-Gratia Payment are as follows:

viii. The General Salary inflation rate assumption.

ix. The actuarial valuation discount rate assumption.

x. The average retirement age of Employees.

ii) The ex-gratia amount payable to the Employee at retirement age is 50% of current basic salary multiplied by the number of years deprived from contributing to the Municipal Pension Fund in the Apartheid era when non-white employees were not allowed to partake in the employee benefits of the Municipality.

**3. Deliverables**

**1. Signed Actuarial Report on the Actuarial Valuation of the Post-Employment Medical Aid Subsidy liability of Mogale City Local Municipality with reference to GRAP 25.**

**2. Signed Actuarial Report on the Actuarial Valuation of the Long Service Award liability of Mogale City Local Municipality with reference to GRAP 25.**

**3. Signed Actuarial Report on the Actuarial Valuation of Ex-Gratia Benefits of Mogale City Local Municipality with reference to GRAP 25.**

**4. Respond to any audit query the Auditor General or any of the Auditor General's Specialists or Employees may have in relation to the above signed actuarial reports.**

**PROJECT COSTING**

In terms of the Municipality's procurement procedures quotations are evaluated on the basis of a total cost or value for money (in addition to other criteria). As such potential registered financial service providers are required to prepare a plan of work with clear cost estimates based on the information provided in this specification, as this will facilitate a comparison across proposals. The plan of work is to include detailed tasks to be carried out, how long it will take to complete the task, person(s) allocated to each task, hourly rate to be charged and number of hours allocated for each task and disbursements.

All assumptions made in preparing the cost estimate must be clearly indicated in the quotation.

**TECHNICAL EVALUATION CRITERIA**

The below mentioned criteria regarding functionality are required for responsiveness and therefore eligibility for the next stage of evaluation.

If the minimum of 30 points is not scored for functionality the quotation will be rejected and not considered for further evaluation. These criteria shall only determine whether a quotation will be eligible for further evaluation and will not influence the points scored on Price.

If any criterion is rated zero points, the quotations will be rejected, even if the required 30 out of 60 points are achieved. A bidder that scores less than 30 points in respect of functionality will be disqualified.

All information and particulars necessary to properly evaluate the quotation must be furnished on the submission. Incomplete particulars and documents required to substantiate the Company’s claim or insufficient documentary proof thereof will be construed to mean that the Company is forfeiting the evaluation points in that regard.

Description	Weight	Minimum score
<p><b>Actuarial Valuation of Employee Benefits</b></p> <p>Company experience in having performed Actuarial Valuations for Post-Employment Benefits, Long Service Leave and Ex-Gratia payments as per GRAP 25: Employment Benefits:</p> <ul style="list-style-type: none"> <li>• Three (3) Contactable Reference Letters = 10 points</li> <li>• Four – Five (4 – 5) 11 – 15 Contactable Reference Letters = 15 points</li> <li>• Six or More (6+) Contactable Reference Letters = 20 points.</li> </ul> <p>Bidder to provide reference letters from current and previous clients including contact person, designation, and telephone numbers where the Bidder have performed Actuarial Valuations in terms of GRAP 25: Employee Benefits for their Clients.</p>	20	10
<p><b><u>Actuarial Disclosure and Reporting Requirements</u></b></p> <p>Proven track record in providing Employee Benefits Actuarial Valuation Calculations and Reporting in terms of GRAP 25: Employee Benefits as follows (3 or more contactable references)</p> <ul style="list-style-type: none"> <li>▪ Three (3) Contactable references <b>(10)</b></li> <li>▪ Four - Five (4 - 5) Contactable references <b>(15)</b></li> <li>▪ Six or More (6+) Contactable references <b>(20)</b></li> </ul> <p>Bidder to provide reference letters from current and previous clients including contact person, designation, and telephone numbers. Where the bidder have performed Employee Benefits Actuarial Valuation Calculations and Reporting in terms of GRAP 25: Employee Benefits.</p>	20	10



	<p><b><u>Experience of Team Members</u></b></p> <p>Experience and qualifications of Actuarial Team Members</p> <ul style="list-style-type: none"> <li>▪ Two (2) - Three (3) Actuaries (<b>10</b>)</li> <li>▪ Four - Five (4 - 5) Actuaries (<b>15</b>)</li> <li>▪ Six or More (6+) Actuaries (<b>20</b>)</li> </ul> <p>Bidder to provide comprehensive CV's clearly outlining the experience of the Team Members and provide certified (certification not to be older than three (3) months) copies of relevant Qualifications.</p>	20	10	
	Total	60	30	

<p><b>POINTS FOR SPECIFIC GOALS</b></p>	<p>All quotations received will be evaluated on the 80/20 point scoring basis. The 80 points will be for Price, 20 points for specific goals to promote transformation and economic development in accordance with the table below:</p> <p>Preferential Procurement Policy Framework Act.</p> <ul style="list-style-type: none"> <li>• 80 points for Price</li> <li>• 10 points for BBEE level of contribution</li> <li>• 10 Points for specific goals</li> </ul> <table border="1" data-bbox="416 965 1163 1576"> <thead> <tr> <th>B-BEE Status Level of Contributor</th> <th>Number of Points for Preference (80/10)</th> </tr> </thead> <tbody> <tr><td>1</td><td>10</td></tr> <tr><td>2</td><td>8</td></tr> <tr><td>3</td><td>6</td></tr> <tr><td>4</td><td>4</td></tr> <tr><td>5</td><td>2</td></tr> <tr><td>6</td><td>2</td></tr> <tr><td>7</td><td>2</td></tr> <tr><td>8</td><td>2</td></tr> <tr><td><b>Non-compliant contributor</b></td><td><b>0</b></td></tr> </tbody> </table> <table border="1" data-bbox="391 1576 1442 2083"> <thead> <tr> <th>Local area of supplier</th> <th>Number of Points for Preference.</th> </tr> </thead> <tbody> <tr> <td>Within the boundaries of the Municipality</td> <td>10</td> </tr> <tr> <td>Outside of the boundaries of the Municipality, but within the West Rand District Municipality.</td> <td>6</td> </tr> <tr> <td>Within the boundaries of Gauteng Province</td> <td>4</td> </tr> <tr> <td>Outside of the boundaries of Gauteng Province</td> <td>0</td> </tr> </tbody> </table>	B-BEE Status Level of Contributor	Number of Points for Preference (80/10)	1	10	2	8	3	6	4	4	5	2	6	2	7	2	8	2	<b>Non-compliant contributor</b>	<b>0</b>	Local area of supplier	Number of Points for Preference.	Within the boundaries of the Municipality	10	Outside of the boundaries of the Municipality, but within the West Rand District Municipality.	6	Within the boundaries of Gauteng Province	4	Outside of the boundaries of Gauteng Province	0
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**PART A  
INVITATION TO BID  
MBD 1**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF MOGALE CITY LOCAL MUNICIPALITY**

RFQ NUMBER:	F (E) 03/2023	CLOSING DATE:	30 JUNE 2023	CLOSING TIME:	11:00
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DESCRIPTION	<b>RE-ADVERT: QUOTATION FOR THE APPOINTMENT OF AN ACTUARIAL CONSULTING FIRM TO PERFORM THE ACTUARIAL VALUATIONS FOR EMPLOYEE BENEFITS IN TERMS OF STANDARD OF GENERALLY RECOGNISED ACCOUNTING PRACTICE (GRAP) 25: EMPLOYEE BENEFITS</b>
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**THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).**

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

**CNR. COMMISSIONER & MARKET STREET**

**CIVIC CENTRE**

**MOGALE CITY**

**KRUGERSDORP**

**1740**

**SUPPLIER INFORMATION**

NAME OF BIDDER

POSTAL ADDRESS

STREET ADDRESS

TELEPHONE NUMBER

CODE

NUMBER

CELLPHONE NUMBER

FACSIMILE NUMBER

CODE

NUMBER

E-MAIL ADDRESS

VAT REGISTRATION NUMBER

TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes  <input type="checkbox"/> No			B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes  <input type="checkbox"/> No
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES, ANSWER PART B:3]	
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE	R	
SIGNATURE OF BIDDER	.....		DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

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

**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: .....

**SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE**

I, the undersigned,

Full name and surname	
Identity number	

Hereby declare under oath as follows:

- The contents of this statement are to the best of my knowledge a true reflection of the facts.
- I am a member / director / owner of the following enterprise and I am duly authorised to act on its behalf:

Enterprise Name	
Trading Name	
Registration number	
Enterprise Address	

3. I hereby declare under oath that:

- The enterprise is \_\_\_\_\_% black owned;
- The enterprise is \_\_\_\_\_% black women owned;
- Based on the management accounts and other information available for the \_\_\_\_\_ Financial year, the income did not exceed R 10 000 000.00 (ten million rands);
- Please confirm in the table below the B-BBEE level of contributor, **by ticking the applicable box:**

100% Black owned	Level One (135% B-BBEE procurement recognition)	
More than 51% black owned	Level Two (125% B-BBEE procurement recognition)	
Less than 51% black owned	Level Four (100% B-BBEE procurement recognition)	

- The entity is an empowering supplier in terms of the dti Codes of Good Practice.
- I know and understand the contents of the affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
- The sworn affidavit will be valid for a period of 12 months from the date signed by the commissioner.

Deponent Signature \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
 Commissioner of Oaths  
 Signature and Stamp



**DECLARATION OF BIDDER/S MUNICIPAL ACCOUNT(S)**

**NAME OF BIDDING ENTITY**.....

Declaration in terms of paragraph 38(1)(d)(i) of the Supply Chain Management Policy of the MCLM irrespective of the contract value of the bid:

**NB: Please not that this declaration must be completed and signed by all bidders**

- (i) I, the undersigned hereby declare that the signatory to this tender document; is duly authorised and further declare:
- (ii) That the bidding entity as well as all its directors /shareholders must submit Municipal account which is not more than three (3) months in arrears or valid lease agreement which is in the name of the business and or the directors, which must stipulate who is responsible for payment of municipal services.
- (iii) That the copy of the lease agreement/municipal account in the name of the bidding entity and Lessee will only be accepted if water and lights are part of lease payment.
- (iv) I acknowledge that should it be found that any Municipal Rates and Taxes or Municipal charges as set out in (ii) above are in arrears for more than three (3) months, the bid will be rejected and MCLM may take such remedial action as is required, including the rejection of the bid and/or termination of the contract. (Unless if the bidder has attached proof of the payment arrangement of the arrears to the bid document as at the closing date of the submission of bids)
- (v) The following account/s of the bidding entity has reference:

<b>Municipality</b>	<b>Account number</b>
.....	.....
.....	.....
.....	.....
.....	.....

**(NB: if insufficient space above, please submit on a separate page)**

- (vi) If the Bidding Entity operates from home/ family place / director's place or any other place and is not responsible for Municipal account, the bidder must sign **Declaration of Municipal Account**.

	Yes	No
Bidding entity who operates from informal settlement		
NB: if yes, the Bidding Entity operates from informal settlement and is not responsible for Municipal account/services; <ul style="list-style-type: none"> <li>The bidder must submit confirmation on Municipality/Metro letterhead signed and stamped from the ward councilor/delegate.</li> </ul>		
Bidding entity who operates from a property owned by a director / member / partner		
Bidding entity who operates from somebody else's property (non-Rental paying)  N.B: If yes, attach confirmation affidavit of the property owner confirming who is responsible for payment of water and lights.		
Bidding entity who rent premises from a landlord  N.B: Attach valid lease agreement which stipulate who is responsible for payment of Municipal services or Rental statement		
Other (Please specify)		

Signed at ..... this ..... day .....20.....

Name of Duly Authorised Signatory (Please print)

.....

Authorised Signature: .....

As witness: 1 .....

2 .....

**(vii)** If the Bidding Entity operates from home/ family place and is not responsible for municipal account, the bidder must submit Sworn Affidavit. **(Applicable to Joint Venture / Consortium only)**

	Yes	No
Bidding entity who operates from informal settlement		
NB: if yes, the Bidding Entity operates from informal settlement and is not responsible for Municipal account/services.  <ul style="list-style-type: none"> <li>the bidder must submit confirmation on Municipality/Metro letterhead signed and stamped from the ward councilor/delegate.</li> </ul>		
Bidding entity who operates from a property owned by a director / member / partner		
1.		
2.		
Bidding entity who operates from somebody else's property (non-Rental paying) N.B: If yes, attach confirmation affidavit of the property owner confirming who is responsible for payment of water and lights.		
Bidding entity who rent premises from a landlord N.B: Attach lease agreement which stipulate who is responsible for payment of Municipal services.		
Other (Please specify)		

Signed at ..... this ..... day ..... 20.....

Name of Duly Authorised Signatory (Please print) .....

Authorised Signature: .....

As witness: 1 .....

2 .....





**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.

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

- 3.1 Full Name of bidder or his or her representative:.....
- 3.2 Identity Number: .....
- 3.3 Position occupied in the Company (director, trustee, hareholder<sup>2</sup>):.....
- 3.4 Company Registration Number: .....
- 3.5 Tax Reference Number:.....
- 3.6 VAT Registration Number: .....
- 3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.
- 3.8 Are you presently in the service of the state? **YES / NO**
  - 3.8.1 If yes, furnish particulars. ....
  - .....
  - .....

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

3.9.1 If yes, furnish particulars.....

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

3.10.1 If yes, furnish particulars.

.....  
 .....

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

3.11.1 If yes, furnish particulars

.....  
 .....

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

3.12.1 If yes, furnish particulars.

.....  
 .....

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

3.13.1 If yes, furnish particulars.

.....  
 .....

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

3.14.1 If yes, furnish particulars:

.....  
 .....

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

Full Name	Identity Number	State Employee Number

.....  
**Signature**

.....  
**Date**

.....  
**Capacity**

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



**MOGALE CITY LOCAL MUNICIPALITY**

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022**

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

**1. GENERAL CONDITIONS**

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state**

*(delete whichever is not applicable for this quotation).*

- a) The applicable preference point system for this tender is the 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

**1.4 To be completed by the organ of state:**

The maximum points for this quotation are allocated as follows:

	POINTS
<b>PRICE</b>	80
<b>SPECIFIC GOALS</b>	20
<b>Total points for Price and SPECIFIC GOALS</b>	100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

**80/20**

or

**90/10**

$$Ps = 80 \left( 1 - \frac{Pt - Pmin}{Pmin} \right) \text{ or } Ps = 90 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

#### 3.2.1. POINTS AWARDED FOR PRICE

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

**80/20**

or

**90/10**

$$Ps = 80 \left( 1 + \frac{Pt - Pmax}{Pmax} \right) \text{ or } Ps = 90 \left( 1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

**4. POINTS AWARDED FOR SPECIFIC GOALS**

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the quotation and points claimed are indicated per the table below.**

*(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.*

*Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)*

The specific goals allocated points in terms of this quotations	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Price	N/A	80	N/A	
Specific goals	N/A	20	N/A	

## DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

10. **Previous experience**

Provide the following information on relevant previous experience (indicate specifically projects of similar or larger size and/or which is similar with regard to type of work).

Description	Value (R, VAT excluded)	Year(s) executed	Reference		
			Name	Organization	Tel no

10.1 **Staffing Profile**

Provide information on key staff you intend utilizing on this contract, should it be awarded to you.

Name	Position in your organization	Qualifications	Experience



**10.2 Infrastructure and resources available to execute this contract**

**10.2.1 Physical facilities**

Description	Address	Area (m <sup>2</sup> )

**10.3 Plant and equipment**

Description : Plant and equipment owned (or to be rented)	Number of units

**10.4 List of shareholders by Name, Position, Identity number, Citizenship, HDI status and ownership as relevant.**

Name	Date/Position Occupied in Enterprise	ID Number (please attach certified copies of ID's)	Date RSA Citizenship obtained	HDI	Women	Disabled	Youth (person not older than 35 years of age)	% of business/enterprise owned
							<b>Total</b>	<b>100%</b>

8.14 List of shareholders by Name, percentage (%) of business/enterprise owned, residential address.

Full Name	Identity (ID) Number (please attached certified copies of ID's)	% of business/ enterprise owned	Residential address

**9. AUTHORITY FOR SIGNATORY**

Please note that the sole proprietors or “one-person business” are not required to submit an official and duly signed authority of signatory.

Signatories for close corporations and companies shall confirm their authority by signing on behalf of the company/firm **by attaching to this page** a duly signed and dated copy of the relevant resolution of their members or their board of directors, as the case may be.

An example for a company is shown below:

Printed on company letterhead:

“By resolution of the board of directors passed on \_\_\_\_\_ 20 \_\_\_\_\_  
Mr \_\_\_\_\_  
has been duly authorized to sign all documents in connection with the bid for  
Tender \_\_\_\_\_ No \_\_\_\_\_  
and any Contract, which may arise there from on behalf of  
\_\_\_\_\_

SIGNED ON BEHALF OF THE COMPANY \_\_\_\_\_

IN HIS CAPACITY AS \_\_\_\_\_ CAPACITY AS \_\_\_\_\_

DATE: \_\_\_\_\_

SIGNATURE OF SIGNATORY: \_\_\_\_\_

AS WITNESSES: 1 \_\_\_\_\_  
2 \_\_\_\_\_

10. I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 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 paragraph 7, 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 contribution 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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

.....	
<b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....
	.....
	.....



**MOGALE CITY LOCAL MUNICIPALITY**

**DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

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

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

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)? <b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b>	Yes <input type="checkbox"/>	No <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 of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
<b>Item</b>	<b>Question</b>	<b>Yes</b>	<b>No</b>
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

### CERTIFICATION

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

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

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

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_  
(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_  
(Name of Municipality / Municipal Entity)

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

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

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or 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