

Ref: Ofentse Matsose (SCM)

Tel: (011) 951-2177/2541/2014

**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>IEM (P) 01/2023</b>
<b>ADVERT DATE</b>	<b>13 February 2023</b>
<b>CLOSING DATE AND TIME</b>	<b>20 February 2023 @ 11:00</b>
<b>DESCRIPTION OF GOODS / SERVICES</b>	<b>QUOTATIONS ARE HEREBY INVITED FROM SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF HORTICULTURE AND MACHINERY EQUIPMENT.</b>
<b>DEPARTMENT</b>	<b>DIEM – Section: Parks</b>
<b>CONTACT PERSON AND NUMBER</b>	<b>Mahlohonolo Chacha – Contact: 083 763 4130</b>
<b>EMAIL ADDRESS</b>	<a href="mailto:Mahlohonolo.chacha@mogalecity.gov.za">Mahlohonolo.chacha@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 align="center"> <b>THE SCM UNIT OF MCLM          CIVIC CENTRE          CORNER MARKET &amp; COMMISSIONER STREETS, KRUGERSDORP          UPPER-LEVEL WEST WING          TENDER BOX</b> </p>	

NAME OF TENDERING ENTITY: \_\_\_\_\_

NAME OF TENDERING ENTITY REPRESENTATIVE: \_\_\_\_\_

PHYSICAL ADDRESS OF TENDERING ENTITY: \_\_\_\_\_

\_\_\_\_\_

POSTAL ADDRESS OF TENDERING ENTITY: \_\_\_\_\_

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

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

## **THE FOLLOWING CONDITIONS WILL APPLY:**

1. No quotation(s) delivered after the official closing date and time will be accepted.
2. No quotations will be considered from persons in service of state (MBD 4)
3. No electronic signature will be accepted, the bidder's signature must always be signed in hand and in black ink.
4. The use of tipp-ex or correction fluid will lead to instant disqualification.
5. Telefax or e-mail quotations will not be accepted
6. All Price(s) quoted must be firm and VAT inclusive (for bidders registered for VAT only).
7. All prices submitted must be fixed prices for the period of the quotation.
8. 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.
9. In the event of a mistake having been made on the Pricing Schedule, it shall be crossed out in ink and be accompanied by a signature at each and every price alteration.
10. If the price schedule is not signed the quotation will be rejected
11. Quotations completed in pencil will be regarded as invalid.
12. A firm delivery period must be indicated (if applicable).
13. All prices must be quoted in South African currency (SA Rand)
14. The lowest or any quotations will not necessarily be accepted and MCLM reserves the right to accept the quotation in total or only in part.
15. Bidders must ensure compliance with their tax obligations. Bidders (Taxpayers) will need to register with SARS as E-Fileers through the SARS's website @[www.sars.gov.za](http://www.sars.gov.za).
16. Tax Compliance Status documents with Pin.
17. Copies of ID's for company/entity directors
18. Foreigner suppliers must complete the pre-award questionnaire in PART B:3
19. Where the recommended bidder(s) is / are not Tax compliant:
  - 19.1 the bidder should be notified of their non-compliant status and the bidder must be requested to submit to the Municipality / Municipal entity within seven (7) working days.
  - 19.2 written proof from SARS of their Tax compliance status or proof from SARS that they have made an arrangement to meet their outstanding Tax obligations.
  - 19.3 The proof that Tax compliance status submitted by the bidder to the Municipality or Municipal entity must be verified via CSD or e-filing.
  - 19.4 The Accounting Officer should reject the quotation submitted by the bidder if such a bidder fails to provide proof of Tax compliance within the time – frame stated above.
20. All suppliers of goods & services are urged to register in the National Treasury web based Central Suppliers Database with effect from 1 July 2016 @ [www.csd.gov.za](http://www.csd.gov.za)
  - 20.1 Bidders must submit a Central Supplier Database (CSD) registration Report that is Tax Compliant. (From page one to last page in consecutive order)

- 20.2 Where the bidder(s) is /are in the process of registration and has not been completed, proof of the registration process must be provided together with the quotation submission.
- 20.1 No quotation will be awarded without the CSD registration report that is Tax Compliant.
21. Municipal services / Municipal Rates and Taxes:
- 21.1 The bidding entity as well as all its directors must submit Municipal account not more than three (03) months / ninety (90) days plus in arrears at the time of the closing date.
- 21.2 A valid lease agreement which is in the name of the business and or directors /shareholders, which must stipulate who is responsible for payment of Municipal services; or
- 21.3 **If the Bidding Entity operates from informal settlement and is not responsible for Municipal account/services;**  
**21.3.1. the bidder must submit confirmation on Municipality/Metro letterhead signed and stamped from the ward councillor/delegate.**
- 21.4 If the Bidding Entity operates from parents' place and is not responsible for Municipal account  
**21.4.1. the bidder must submit the owner's Municipal account and a Sworn Affidavit with and original stamp from the Commissioner of Oaths;**
- 21.5 No quotation will be awarded to a company and its directors that owe Rates and Taxes for more than three (3) months to any Municipality or Metro.
- 21.6 The bidder must sign the Declaration of Municipal Account(s)
22. If Municipal Bidding Documents (MBD) forms are not completed, signed and submitted, a quotation will be rejected:
- 22.1 MBD 1 - Invitation to Bid
- 22.2 MBD 4 - Declaration of Interest
- 22.3 MBD 6.1 - Preference points claim form in terms of the preferential procurement regulations 2022
- 22.4 MBD 8 - Declaration of bidder's past Supply Chain management practices
- 22.5 MBD 9 – Certificate of Independent Bid Determination
23. All quotations received will be evaluated on the 80/20 point scoring basis. The 80 points will be for Price, 10 points for Broad Based Black Economic Empowerment (BBBEE) for attaining the BBBEE status level of contribution and 10 points for specific goals to promote transformation and economic development.
- 23.1. BBBEE Non-compliant bidders will not be rejected, but will forfeit ten (10) points designated for Broad Based Black Economic Empowerment.
24. Authority of Signatory;-
- 24.1 Authority of Signatory must be completed and signed in case of a business not sole proprietor or one-person business; or A copy of board of director's resolution authorizing the signatory to sign the tender and the subsequent contracts, has been attached and signed.

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

No.	Description	YES	NO
1.	Central Supplier Database Report (attached) (from page one to last page in consecutive order)		
2.	Tax Compliance Status documents with Pin. (attached)		
3.	Copies of ID's for company/entity directors		
4.	The bidding entity as well as all its directors must submit Municipal account not more than three (03) months / ninety (90) days plus in arrears at the time of the closing date.		
5.	A valid lease agreement which is in the name of the business and or directors /shareholders, which must stipulate who is responsible for payment of Municipal services; or		
6.	<b>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 councillor/delegate.</b>		
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 and signed		

\_\_\_\_\_  
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.

<b>Central Supplier database MAAA:</b>						
<b>Tax Compliance Status (TSC) Pin:</b>						
<b>DESCRIPTION OF SERVICE</b>	<b><u>PROJECT SPECIFICATION</u></b>					
	<b><u>Details of machinery</u></b>					
	<b>MACHINE DESCRIPTION</b>					
	<b>NO</b>	<b>MACHINE TYPE</b>	<b>DETAILED SPECIFICATION</b>	<b>INDICATE OEM (Original Equipment Manufacturer)</b>	<b>DOES IT MATCH SPECIFICATIONS (YES/NO)</b>	<b>WARRANTY (Period)</b>
	<b>BRUSHCUTTERS AND PRUNTERS</b>					
1.	<b>Industrial Type Brush cutters (Nylon cord Head)</b>	<ul style="list-style-type: none"> <li>▪ <b>Brush cutters which meet the following specifications are preferred: -</b></li> <li>▪ Each brush cutter to come with Double Shoulder Harness and pair of sheen guards</li> <li>▪ Nylon cord head</li> <li>▪ Dry weight of at least 17.9lb/8.1kg</li> <li>▪ Industrial type 2-cycle, vertical cylinder air cooled</li> <li>▪ Maximum power 2.3H.P @ 7500RPM</li> <li>▪ Fuel tank capacity of at</li> </ul>				

			<p>least 34 0z./1000ml</p> <ul style="list-style-type: none"> <li>▪ Two stroke petrol powered engine.</li> <li>▪ Service providers to provide details indicating if machine to be delivered is industrial type or not.</li> <li>▪ Tenderer to provide documentation to indicate machine specifications and if they meet specifications</li> </ul>			
	2.	<b>Industrial Type Brush cutters (Steel Head)</b>	<ul style="list-style-type: none"> <li>▪ <b>Brush cutters which meets the following specifications are preferred:-</b></li> <li>▪ Each Brush cutter to come with Double Shoulder Harness and pair of sheen guards.</li> <li>▪ Steel head</li> <li>▪ Dry weight of at least 17.9lb/8.1kg</li> <li>▪ Industrial type engine</li> <li>▪ Engine type 2-cycle,vertical cylinder air cooled</li> <li>▪ Maximum power 2.3HP @ 7500RPM</li> </ul>			

			<ul style="list-style-type: none"> <li>▪ Fuel tank capacity of at least 34 <i>oz./1000ml</i></li> <li>▪ Two stroke petrol powered engine</li> <li>▪ Service provider to provide details indicating if machine to be delivered is industrial type or not.</li> <li>▪ Tenderer to provide documentation to indicate if machine specifications and if they meet specifications.</li> </ul>				
	3.	<b>Pole Pruners</b>	<ul style="list-style-type: none"> <li>▪ 25.4 cc Engine CER 260 max</li> <li>▪ Reach 2.9 – 4m Not Extended 2.5m Full Extended 3.75m</li> <li>▪ Cutting Bar 10<sup>n</sup></li> <li>▪ Primary shaft Diameter 34.8 (Aluminum)</li> <li>▪ Weight 8.6kg</li> <li>▪ Fuel tank capacity (L)</li> <li>▪ 0.6 Litre Telescopic shaft dia (mm) 24.1mm Handle/ Grip type Textured.</li> </ul>				
	4.	<b>Hedge Trimmer</b>	<ul style="list-style-type: none"> <li>▪ 2-Stroke engine, air cooled, displacement</li> </ul>				

			<p>25.4 cc, Max power <i>Kw/rpm</i>  0.75kW/ 1hp/  7500 rpm Fuel tank capacity (L)  0.8 Bar Length  600 mm Net weight 6.3 Kg  Scissors Type  Dual Sided Blade</p>			
	5.	<b>Portable Back Pack blower (Industrial Type)</b>	<ul style="list-style-type: none"> <li>▪ Electronic ignition</li> <li>▪ Adjustable tube</li> <li>▪ Protected throttle trigger</li> <li>▪ Anti vibration system</li> <li>▪ Multi-function control handle</li> <li>▪ Adjustable Support Harness</li> <li>▪ Foot Pad for stability when starting.</li> <li>▪ Intelli-Carb Compensating Carburetor measures air on clean side of air filter and adjusts metering diaphragm in carburetor.</li> <li>▪ Maintains RPM levels even when filter begins to clog.</li> <li>▪ Heavy Duty Pleated Air Filter.</li> <li>▪ Heavy Duty Crankshaft for durability.</li> </ul>			



			<ul style="list-style-type: none"> <li>▪ Back Pad for enhanced comfort Swivel Air Tube Elbow for directional control of air.</li> </ul>				
<b>LAWN MOWERS</b>							
6.	<b>Self-propelled (push) lawn mower</b>	<ul style="list-style-type: none"> <li>▪ Self-propelled 12hp to 13.5hp with at least 750cm cutting deck.</li> <li>▪ With forward gears</li> <li>▪ Rotary type mowers</li> <li>▪ Height setting of between 0mm to 75mm</li> <li>▪ At 0mm ideal for pre sear scarify cut.</li> <li>▪ Industrial type machinery</li> <li>▪ Chassis made of 2.5mm rectangular steel (Double, thus 5mm) 20x50mm</li> <li>▪ 5 speed Gearbox, with differential all in one housing and oil filled.</li> <li>▪ Minimum of 1 year warranty.</li> </ul>					
7.	<b>Zero Turn Ride on mower (Industrial Type)</b>	<ul style="list-style-type: none"> <li>▪ Minimum 23hp engine type machine</li> <li>▪ 54" cutting deck with side discharge</li> </ul>					

			<ul style="list-style-type: none"> <li>▪ Cutting height adjuster</li> <li>▪ Steering with patented automatic park brake system</li> <li>▪ Heavy duty air cleaner</li> <li>▪ Rotary type mower</li> <li>▪ Remote air cleaner</li> <li>▪ Heavy duty type machine</li> <li>▪ Hour meter</li> <li>▪ Petrol powered engine</li> <li>▪ Minimum of 1 year warranty</li> </ul>				
	8.	<b>Zero Turn Ride on lawn mower (Industrial type)</b>	<ul style="list-style-type: none"> <li>▪ Minimum 19hp engine type machine</li> <li>▪ 42" cutting deck</li> <li>▪ True zero-degree turning</li> <li>▪ Easy maneuverability</li> <li>▪ Mulching cutting deck with side discharge.</li> <li>▪ Cutting height adjuster</li> <li>▪ Steering with patented automatic park brake system</li> <li>▪ Heavy duty air cleaner</li> <li>▪ Rotary type mower</li> <li>▪ Remote air cleaner</li> </ul>				

			<ul style="list-style-type: none"> <li>▪ Heavy duty type machine</li> <li>▪ Hour meter</li> <li>▪ Petrol powered engine</li> <li>▪ Minimum of 1 year warranty</li> </ul>				
<b>CHAINSAWS</b>							
9.	<b>Chainsaw with 60cm guide bar chain (Industrial Type)</b>	<ul style="list-style-type: none"> <li>▪ Engine power of up to 2.2kW</li> <li>▪ With a height of at least 4.3kg to 5.3kg</li> <li>▪ Bar length of at least 60cm</li> <li>▪ With a quick chain adjuster</li> <li>▪ And elastostart or easy to start technology</li> <li>▪ Two stroke petrol powered engine.</li> </ul>					
10.	<b>Chainsaw with 50cm guide bar chain (Industrial Type)</b>	<ul style="list-style-type: none"> <li>▪ Engine power of up to 1.3 to 2.2kW</li> <li>▪ With a weight of at least 3.9kg to 4.6kg</li> <li>▪ Bar length of at least 50cm</li> <li>▪ With a quick chain adjuster</li> <li>▪ And elastostart or easy to start technology</li> <li>▪ Two stroke petrol powered engine.</li> </ul>					
11.	<b>Chainsaw with 30cm guide bar chain (Industrial Type)</b>	<ul style="list-style-type: none"> <li>▪ Engine power of up to 1.3 to 2.2kW</li> <li>▪ With a weight of at least 3.9kg to 4.6kg</li> </ul>					

			<ul style="list-style-type: none"> <li>▪ Bar length of at least 60cm</li> <li>▪ With a quick chain adjuster</li> <li>▪ And elastostart or easy to start technology</li> <li>▪ Two stroke petrol powered engine.</li> </ul>			
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**POINTS FOR SPECIFIC GOALS**

All quotations received will be evaluated on the 80/20 point scoring basis. The 80 points will be for Price, 10 points are for Broad Based Black Economic Empowerment (BBBEE) for attaining the BBBEE status level of contribution, 10 points for specific goals to promote transformation and economic development in accordance with the table below: Preferential Procurement Policy Framework Act.

- 80 points for Price
- 10 points for BBBEE level of contribution
- 10 Points for specific goals

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

**Delivery Address**

- Municipal Stores, No. 1 Tudor Road, Chamdor, Krugersdorp

**Delivery Period**

- Delivery Period after receipt of official order .....days/weeks.

**PRICING SCHEDULE**  
**FOR THE SUPPLY AND DELIVERY OF HORTICULTURE MACHINERY AND EQUIPMENT.**

ITEM	DESCRIPTION	UOM	AMOUNT (EXCL. VAT)		AMOUNT (INCL. VAT)	
			R	C	R	C
1.	<b>BRUSH CUTTERS</b>		R	C	R	C
1.1.	<b>Industrial Type Brushcutters (Nylon head)</b> Dry weight of at least 17.9lb/8.1kg <ul style="list-style-type: none"> <li>▪ Industrial type Engine</li> <li>▪ Engine type 2-cycle,vertical cylinder, air cooled</li> <li>▪ Maximum power 2.3HP @ 7500RPM</li> </ul>	Each				
1.2	<b>Industrial Type Brushcutters (Steel head)</b> Dry weight of at least 17.9lb/8.1kg <ul style="list-style-type: none"> <li>▪ Industrial type Engine</li> <li>▪ Engine type 2-cycle,vertical cylinder, air cooled</li> <li>▪ Maximum power 2.3HP @ 7500RPM</li> </ul>	Each				
2	<b>PRUNERS</b>	UNIT	R	C	R	C
2.1	<b>Pole Pruner</b> <ul style="list-style-type: none"> <li>▪ 25.4 cc Engine CER 260 Max.</li> <li>▪ (Reach 2.9 m – 4 m Not Extended 2,5 m Full Extended 3,75 m, Cutting Bar 10” and Primary Shaft Diameter 34,8 (Aluminium)</li> </ul>	Each				
2.2	<b>Hedge Trimmer</b> - 2-Stroke engine, Air Cooled, Displacement 25.4 cc , Max Power kW/rpm 0.75 kW / 1 hp / 7500 rpm Fuel Tank Capacity (L) 0.8 Bar Length 600 mm Net Weight 6.3 Kg Scissors Type Dual Sided Blade	Each				
2.3	<b>Potable Back pack blower (Industrial Type)</b> Electronic ignition, Adjustable tube <ul style="list-style-type: none"> <li>▪ Protected throttle trigger</li> </ul>	Each				

	<ul style="list-style-type: none"> <li>▪ Anti-Vibration System</li> <li>▪ Multi-Function Control Handle</li> <li>▪ Adjustable Support Harness</li> </ul>					
<b>3</b>	<b>LAWN MOWERS</b>	<b>UNIT</b>	<b>R</b>	<b>C</b>	<b>R</b>	<b>C</b>
3.1	<b>Self-propelled (push) lawn mower – 750cm width – (12hp to 13.5hp) , vertical shaft</b>	Each				
3.2	<b>Zero Turn Ride on lawn mower (Industrial Type) – 18hp – 20hp)</b>	Each				
3.3	<b>Zero Turn Ride on lawn mower (Industrial Type) - (23hp – 25hp)</b>	Each				
<b>4</b>	<b>CHAINSAWS</b>	<b>UNIT</b>	<b>R</b>	<b>C</b>	<b>R</b>	<b>C</b>
4.1	<b>Chainsaw with 60cm guide bar chain (Industrial Type) with safety equipment</b>	Each				
4.2	<b>Chainsaw with 50cm guide bar chain (Industrial Type) with safety equipment</b>	Each				
4.3	<b>Chainsaw with 30cm guide bar chain (Industrial Type) with safety equipment</b>	Each				
4.4	<b>Chainsaw pants and jackets</b>	Each				
4.5	<b>Tree felling helmet fitted with face shield and ear muffs</b>	Each				
<b>Sub Total</b>						
<b>VAT</b>			<b>N/A</b>	<b>N/A</b>		
<b>Total Incl. VAT</b>						

**NB:**

***If the bidder/supplier is a VAT Vendor, they must complete the pricing schedule indicating price including VAT***

***Or***

***if the bidder/supplier is not registered as a VAT Vendor they must complete the pricing schedule indicating price excluding VAT.***

Name of Bidder: ..... Date: .....

Signature: ..... Position: .....

**PART A  
INVITATION TO BID  
MBD 1**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF MOGALE CITY LOCAL MUNICIPALITY</b>					
RFQ NUMBER:	<b>IEM (P) 01/ 2023</b>	CLOSING DATE:	<b>20 FEBRUARY 2023</b>	CLOSING TIME:	<b>11:00</b>
DESCRIPTION	<b>QUOTATIONS ARE HEREBY INVITED FROM SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF HORTICULTURE MACHINERY AND EQUIPMENT.</b>				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).</b>					

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

<b>CNR. COMMISSIONER &amp; MARKET STREET</b>					
<b>CIVIC CENTRE</b>					
<b>MOGALE CITY</b>					
<b>KRUGERSDORP</b>					
<b>1740</b>					
<b>SUPPLIER INFORMATION</b>					
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					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>			<b>TECHNICAL CLARIFICATION QUERIES MAY BE DIRECTED TO:</b>		
DEPARTMENT/ DIVISION	Supply Chain Management Unit	CONTACT PERSON	Mahlohonolo Chacha		
CONTACT PERSON	Ofentse Matsose	TELEPHONE NUMBER	083 763 4130		
TELEPHONE NUMBER	(011) 951 2177 / 2014 / 2432	FACSIMILE NUMBER			
FACSIMILE NUMBER		E-MAIL ADDRESS	mahlohonolo.chacha@mogalecity.gov.za		
E-MAIL ADDRESS	<u>ofentse.matsose@mogalecity.gov.za</u>				

**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	

- 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 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 and is not responsible for Municipal account, the bidder must sign **Declaration of Municipal Account**.

	Yes	No
Bidding entity who operates from informal settlement		
<b>NB: if yes, the Bidding Entity operates from informal settlement and is not responsible for Municipal account/services;</b> <ul style="list-style-type: none"> <li><b>the bidder must submit confirmation on Municipality/Metro letterhead signed and stamped from the ward councillor/delegate.</b></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 lease agreement which stipulate who is responsible for payment of Municipal services.		
Other (Please specify)		

- (i) If the Bidding Entity operates from home/ family place and is not responsible for municipal account, the bidder must sign the declaration. **(Applicable to Joint Venture / Consortium only)**

	Yes	No
Bidding entity who operates from informal settlement		
<b>NB: if yes, the Bidding Entity operates from informal settlement and is not responsible for Municipal account/services;</b> <ul style="list-style-type: none"> <li><b>the bidder must submit confirmation on Municipality/Metro letterhead signed and stamped from the ward councillor/delegate.</b></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 tender 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).
- (f) **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- (g) **“consortium or joint venture”** means an association of person for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- (h) **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- (i) **“EME”** means an Exempted Micro Enterprise as defined by Codes of Good Practice issued in terms of section 9 (1) of the Broad Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (j) **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, the execution of the contract;
- (k) **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- (l) **“non-firm prices”** means all prices other than “firm” prices;
- (m) **“person”** includes a juristic person;
- (n) **“QSE”** means a Qualifying Small Enterprise as defined by Codes of Good Practice issued in terms of section 9 (1) of the Broad- Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003)
- (o) **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of the bid invitations, and includes all applicable taxes and excise duties;
- (p) **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part



## 5 POINTS AWARDED FOR SPECIFIC GOALS

5.1 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:

5.2 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	
BBBEE	N/A	10	N/A	
Local Area of supplier	N/A	10	N/A	
	N/A		N/A	
	N/A		N/A	
	N/A		N/A	
	N/A		N/A	

## DECLARATION WITH REGARD TO COMPANY/FIRM

5.3 Name of company/firm.....

5.4 Company registration number: .....

5.5 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]

5.6 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.**

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

**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.**

<b>Item</b>	<b>Question</b>	<b>Yes</b>	<b>No</b>
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.

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Signature

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Date

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Position

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Name of Bidder