



Ref:(SCM)

Enquiries: email: scmenquiries@mogalecity.gov.za

REQUEST FOR FORMAL WRITTEN PRICE QUOTATIONS

**Procurement from R30 000.00 up to a transaction value of R 300 000.00 (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:

| | |
|--|---|
| QUOTATION NUMBER | IDS (R&T) 04/2024 |
| ADVERT DATE | 15 JANUARY 2024 |
| CLOSING DATE AND TIME | 22 JANUARY 2024 @ 11:00 |
| DESCRIPTION OF GOODS / SERVICES | QUOTATIONS ARE HEREBY INVITED FOR THE APPOINTMENT OF ONE CONTRACTOR WITH A CIDB GRADING OF 1CE OR HIGHER FOR THE REINSTATEMENT OF ROADS IN MOGALE CITY FOR A PERIOD OF TWELVE (12) MONTHS. |
| DEPARTMENT | INFRASTRUCTURE DEVELOPMENT SERVICES |
| ENQUIRIES: | Email: scmenquiries@mogalecity.gov.za |
| <p>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:</p> <p>THE SCM UNIT OF MCLM CIVIC CENTRE CORNER MARKET & COMMISSIONER STREETS, KRUGERSDORP UPPER-LEVEL WEST WING TENDER BOX</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 QUOTATION 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. Further, the municipal account of the responsible person must be attached.
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/ director/s property is new and has not been registered nor has received any Municipal account, a Conveyancer's letter must be submitted as confirmation with the date of transfer.
7. Submit Central Supplier Database (CSD) Registration Report or Summary Report.
8. Completed and Signed Schedule of Pricing as issued in the document.
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 quotation documents.
10. Completed and signed the below Municipal Bidding Documents:
 - 10.1. MBD 1: Invitation to bid (Part A & Part B)
 - 10.2. MBD 4: Declaration of Interest.
 - 10.3. MBD 6.1: Preferential Points
 - 10.4. MBD 8: Declaration of bidders past supply chain management practices
 - 10.5. MBD 9: Certificate of independent bid determination.

B. QUOTATION CONDITIONS:

(NON- COMPLIANCE WITH THE BELOW WILL LEAD TO BIDDER BEING NON-RESPONSIVE).

11. All suppliers of good & services are urged to register in the National Treasury web based Central Suppliers Database with Effect from 1 July 2016 @ www.csd.gov.za.
12. 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.
13. Quotations 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.
14. No electronic signature will be accepted in the bidding document. The bidder's signature must always be signed by hand in black ink.
15. No late quotations will be accepted.
16. Telefax or e-mail quotations will not be accepted.
17. All quotations must be submitted on the official and original forms and must not be re-typed, copied or scanned. Quotations must only be submitted on the quotation documents as provided by Mogale City Local Municipality.

18. Quotations must be completed in black ink, handwritten and must not be typed.
19. The use of tipp-ex is not allowed on the quotation documents.
20. Quotations completed in pencil will be regarded as invalid quotations.
21. No page(s) must be removed from the original quotation document.
22. Requirements for sealing, addressing, delivery, opening and assessment of quotations are stated in the quotation document.
23. In the event of a mistake having been made on the pricing schedule, it shall be crossed out in ink and be accompanied by initials at each and every alteration. The Municipality reserves the right to reject the bid if corrections are not made in accordance with the above.
24. 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.
25. The Municipality reserves the right to appoint and not to appoint.
26. The validity period for this quotation is sixty (60) days.
27. The Municipality reserve the right to negotiate a fair market related price with recommended bidders after a competitive bidding process or price quotations.
28. All quoted prices must be inclusive of VAT for all registered VAT vendors.
29. All quotation prices must be in RSA currency and inclusive of VAT.
30. In the instance of a term quotation (period longer than one year), please indicate the estimated annual price increase and the intervals of such increases, failure to indicate the escalation will lead to a disqualification.
31. Quotations will be opened immediately after the closing date and time in a venue to be indicated.
32. No quotations will be accepted from persons in the service of state as it is defined in the Municipal Finance Management Act and Regulations.
33. 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.
34. Quotation documents may be downloaded from www.mogalecity.gov.za.

C. ESSENTIAL DOCUMENTS

(THIS WILL NOT RESULT IN A DISQUALIFICATION OF A BIDDER).

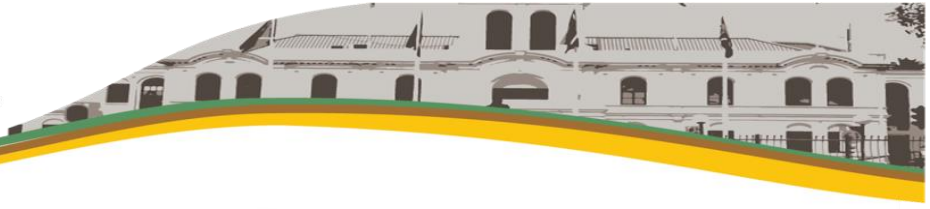
35. Tax Clearance Certificate / Tax Compliance Status documents with Pin. Each company within the Joint Venture / Consortium must submit Tax Clearance Certificate or a copy of Tax Compliance Status document with Pin.
36. Copies of director's ID not older than three (3) months, not a copy of a certified copy.
37. Quotations may be submitted electronically on PDF formatted USB.
38. Completed and signed declarations of Municipal Account.

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

| No. | Description | YES | NO |
|------------|--|------------|-----------|
| 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. Further, the municipal account of the responsible person must be attached. | | |
| 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/ director/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. | Central Supplier Database Report or summary (attached) (from page one to last page in consecutive order) | | |
| 8. | Completed and Signed Schedule of Pricing as issued in the document. In the event of a mistake having been made on the pricing schedule, it shall be crossed out in ink and be accompanied by initials at each and every alteration | | |
| 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 quotation documents. | | |
| 10. | Completed and signed below Municipal Bidding Documents | | |
| 10.1. | MBD 1: Invitation to bid (completed and signed) | | |
| 10.2. | MBD 4: Declaration of interest. (Completed and signed) | | |
| 10.3. | MBD 6.1: Preference points claim form in terms of the preferential procurement regulations 2022 (completed and signed) | | |
| 10.4. | MBD 8: Declaration of bidder's past Supply Chain management practices (Completed and signed) | | |
| 10.5. | MBD 9: Certificate of Independent Bid Determination. (Completed and signed) | | |
| 11. | Bids may be submitted electronically on PDF formatted USB. | | |

Signature of person duly authorised 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/services 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>CENTRAL SUPPLIER DATABASE MAAA:</p> | | | | | | | | | |
| <p>TAX COMPLIANCE STATUS (TSC) PIN:</p> | | | | | | | | | |
| <p>DESCRIPTION OF SERVICE</p> | <p><u>PROJECT SPECIFICATION</u></p> <p>1. SCOPE: Layer works and surfacing required for the reinstatement of roads to cover Municipal services (water pipes, sewer pipes, storm water pipes, electric cables etc) to the required standards and finishing, including the following as specified in the Bill of Quantities:</p> <ul style="list-style-type: none"> ▪ Excavations of specified material to required thickness and removal of spoiled material to the dumping site or designate stockpile area. ▪ Backfilling and compaction of layers to required thickness with specified materials. ▪ 30mm Thick Asphalt Surfacing overlay, inclusive of tack coat. <p>The typical activities required includes:</p> <table border="1" data-bbox="347 1361 1560 2128"> <tr> <td data-bbox="347 1361 395 1608">1</td> <td data-bbox="395 1361 1560 1608"> <p>Hand excavation of in-situ materials</p> <ul style="list-style-type: none"> • Ensure road safety /traffic accommodation and other safety measures are in place to enable safe working conditions. • Setting out the area as per the Engineers Drawing / Specifications / instructions. • Excavate 150mm layer in-situ material by hand and compacting the floor to specified density, typically 93% MOD AASHTO unless otherwise specified. • Removal of excavated material </td> </tr> <tr> <td data-bbox="347 1608 395 1816">2</td> <td data-bbox="395 1608 1560 1816"> <p>Backfill using G5 material.</p> <ul style="list-style-type: none"> • Ensure road safety /traffic accommodation and other safety measures are in place to enable safe working conditions. • Setting out the area as per the Engineers Drawing / Specifications / instructions. • Import 150mm G5 material and compact to 150mm thickness and specified density, typically 95% MOD AASHTO unless otherwise specified. </td> </tr> <tr> <td data-bbox="347 1816 395 2024">3</td> <td data-bbox="395 1816 1560 2024"> <p>Backfill using G2 crusher run material.</p> <ul style="list-style-type: none"> • Ensure road safety /traffic accommodation and other safety measures are in place to enable safe working conditions. • Setting out the area as per the Engineers Drawing / Specifications / instructions. • Import G2 material and slush/compact to 150mm thickness and specified density, typically 86% AD unless otherwise specified, using a drum roller, rammer, etc. </td> </tr> <tr> <td data-bbox="347 2024 395 2128">4</td> <td data-bbox="395 2024 1560 2128"> <p>Apply 30mm thick Asphalt Surfacing</p> <ul style="list-style-type: none"> • Ensure road safety /traffic accommodation and other safety measures are in place to enable safe working conditions. </td> </tr> </table> | 1 | <p>Hand excavation of in-situ materials</p> <ul style="list-style-type: none"> • Ensure road safety /traffic accommodation and other safety measures are in place to enable safe working conditions. • Setting out the area as per the Engineers Drawing / Specifications / instructions. • Excavate 150mm layer in-situ material by hand and compacting the floor to specified density, typically 93% MOD AASHTO unless otherwise specified. • Removal of excavated material | 2 | <p>Backfill using G5 material.</p> <ul style="list-style-type: none"> • Ensure road safety /traffic accommodation and other safety measures are in place to enable safe working conditions. • Setting out the area as per the Engineers Drawing / Specifications / instructions. • Import 150mm G5 material and compact to 150mm thickness and specified density, typically 95% MOD AASHTO unless otherwise specified. | 3 | <p>Backfill using G2 crusher run material.</p> <ul style="list-style-type: none"> • Ensure road safety /traffic accommodation and other safety measures are in place to enable safe working conditions. • Setting out the area as per the Engineers Drawing / Specifications / instructions. • Import G2 material and slush/compact to 150mm thickness and specified density, typically 86% AD unless otherwise specified, using a drum roller, rammer, etc. | 4 | <p>Apply 30mm thick Asphalt Surfacing</p> <ul style="list-style-type: none"> • Ensure road safety /traffic accommodation and other safety measures are in place to enable safe working conditions. |
| 1 | <p>Hand excavation of in-situ materials</p> <ul style="list-style-type: none"> • Ensure road safety /traffic accommodation and other safety measures are in place to enable safe working conditions. • Setting out the area as per the Engineers Drawing / Specifications / instructions. • Excavate 150mm layer in-situ material by hand and compacting the floor to specified density, typically 93% MOD AASHTO unless otherwise specified. • Removal of excavated material | | | | | | | | |
| 2 | <p>Backfill using G5 material.</p> <ul style="list-style-type: none"> • Ensure road safety /traffic accommodation and other safety measures are in place to enable safe working conditions. • Setting out the area as per the Engineers Drawing / Specifications / instructions. • Import 150mm G5 material and compact to 150mm thickness and specified density, typically 95% MOD AASHTO unless otherwise specified. | | | | | | | | |
| 3 | <p>Backfill using G2 crusher run material.</p> <ul style="list-style-type: none"> • Ensure road safety /traffic accommodation and other safety measures are in place to enable safe working conditions. • Setting out the area as per the Engineers Drawing / Specifications / instructions. • Import G2 material and slush/compact to 150mm thickness and specified density, typically 86% AD unless otherwise specified, using a drum roller, rammer, etc. | | | | | | | | |
| 4 | <p>Apply 30mm thick Asphalt Surfacing</p> <ul style="list-style-type: none"> • Ensure road safety /traffic accommodation and other safety measures are in place to enable safe working conditions. | | | | | | | | |

- Setting out the area as per the Engineers Drawing / Specifications / instructions.
- Clean surface area + apply tack coat @ 0,8L/m²
- Apply 30mm finished thickness TPA Medium Asphalt

2. METHOD OF WORKING

- The contractor must always exercise care while undertaking the work to ensure that trees, shrubs, hedges, flowers, etc on the pavements or private properties adjoining the work areas are not unnecessarily removed or negatively affected by the work.
- The contract must ensure that adequate safety procedures are employed at all times when working on/next to public roads. The contractor should also issue the required safety/ protective clothing, tools and traffic signs required to perform the work. Staff shall wear safety boots, reflective jackets, gloves and dust masks.
- The Employer shall advise the Contractor on the location of the dump site. The Contractor shall be responsible for the dumping costs.
- Repair work to exposed roads should be completed the same day to prevent further damage and possible accidents. Should it not be possible to fully reinstate the work area the same day, the Contractor must ensure that adequate protection measures are put in place avoid injuries to pedestrians and motorists.
- The Contractor will be held accountable for any claims arising out of injuries or damage to private property or road users due to his/her negligence or failure to provide adequate protection measures during the execution of the project.
- After receipt of an official works orders form the employer, the Contractor must commence with the required works within 3 working days, failure of which could lead to termination of their appointment.

2.1. INTERPRETATION:

2.1.1. Supporting Specifications: The following specifications shall, apply:

- a.) This project specifications.
- b) Materials specifications as per COLTO (COTO) standard classification

2.2.2. Rates

All tendered rates to be fixed.

TECHNICAL EVALUATION CRITERIA

- The below mentioned criteria regarding Functionality/Technical Evaluation criteria is required for responsiveness and therefore eligibility for the next stage of evaluation. This is done to determine the ability of each bidder to successfully execute the contract according to specifications. Failure to score the minimum of **13 points out of 20 points** will lead to non – compliance and non- responsiveness of bidders.
- For purposes of comparison and to ensure meaningful evaluation, bidders are requested to furnish detailed information in substantiation of compliance to functionality criteria mentioned and shall only determine whether a tender will further be evaluated.
- Bidders will be evaluated based on the information as contained in their submissions, and this may be further supplemented by presentations, inspection in loco and clarification information as may be requested.

| DESCRIPTION | | WEIGHT | |
|---|---|--------|-----|
| | | MIN | MAX |
| <p>1. CAPACITY TO EXECUTE WORK i.to.</p> <p>Infrastructure and Resource Available Plant (MBD 6.1) List own plant & tools on your Signed letterhead and/or Letter of intent/ agreement from hiring Company is required to score a point. Letter of intent listing the plant to be hired. <u>Plant must be listed to receive point.</u></p> | | 9 | 12 |
| <i>Plant / Tools</i> | <i>Own Plant & tools Listed on Signed company Letter Head or: letter of Intent/Agreement from Hiring Company on their letterhead.</i> | | |
| Rake x 1 | 1 | | |
| Smooth drum roller | 4 | | |
| Wheelbarrow x 1 | 1 | | |
| Rammer(min. of 2 required) | 4 | | |
| LDV (3/4-1ton) x 1 | 2 | | |

| | | | |
|---|--|-----------|-----------|
| <p><u>2. PREVIOUS EXPERIENCE</u></p> <p>Similar project experience as the work quoted for i.e. Pothole repairs. Successful Completion Certificates or verification letter of successful completion by Client to receive any points. <u>Project information must indicate specific projects with length, quantity, value and year of construction.</u></p> | | 4 | 8 |
| | Completion Certificate / verification letter | | |
| One <u>Similar</u> project completed successfully | 4 | | |
| Two <u>Similar</u> projects completed successfully | 8 | | |
| Capacity to Execute Work | | 9 | 12 |
| Previous Experience | | 4 | 8 |
| TOTAL | | 13 | 20 |

POINTS FOR SPECIFIC GOALS

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:

Preferential Procurement Policy Framework Act.

- 80 points for Price
- 20 Points for specific goals

| The specific goals allocated points in terms of this quotation | Number of points allocated (80/20 system) (To be completed by the organ of state) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|---|---|
| Categories of historically disadvantaged persons. (Black/Indian/Chinese woman/Coloured) | 10 | |
| Local Based Enterprises. (Within the jurisdiction of Mogale City Local Municipality) | 10 | |



QUOTATIONS ARE HEREBY INVITED FOR THE APPOINTMENT OF ONE CONTRACTOR WITH A CIDB GRADING OF 1CE OR HIGHER FOR THE REINSTATEMENT OF ROADS IN MOGALE CITY FOR A PERIOD OF TWELVE (12) MONTHS.

PRICE SCHEDULE

| <i>Item:</i> | <i>Description:</i> | <i>Unit:</i> | <i>Qty</i> | <i>Rates Per Unit</i> | <i>Sub-Total Vat incl</i> |
|------------------------------|---|----------------|------------|-----------------------|---------------------------|
| 1 | Hand excavation of in-situ materials (All-inclusive) <ul style="list-style-type: none"> • Setting out the area as per the Engineers Drawing / Specifications / instructions. • Excavate 150mm layer in-situ material by hand and compacting the floor to specified density. • Removal of excavated material | m ² | 300 | | |
| 2 | Backfill using G5 material (All-inclusive) <ul style="list-style-type: none"> • Setting out the area as per the Engineers Drawing / Specifications / instructions. • Import 150mm G5 material and compact to 150mm thickness and specified density | m ² | 300 | | |
| 3 | Backfill using G2 crusher run material (All-inclusive) <ul style="list-style-type: none"> • Setting out the area as per the Engineers Drawing / Specifications / instructions. • Import G2 material and slush/compact to 150mm thickness and specified density, using a drum roller, rammer. | m ² | 300 | | |
| 4 | Apply 30mm thick Asphalt Surfacing (All-inclusive) <ul style="list-style-type: none"> • Setting out the area as per the Engineers Drawing / Specifications / instructions. • Clean surface area + apply tack coat @ 0,8L/m² • Apply 30mm finished thickness TPA Medium Asphalt | m ² | 300 | | |
| Total (Vat inclusive) | | | | | |

Note : The estimated quantities are for comparison purposes only, to be used for evaluation

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**

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

| | | | | | |
|-------------|-------------------|---------------|-----------------|---------------|-------|
| RFQ NUMBER: | IDS (R&T) 04/2024 | CLOSING DATE: | 22 JANUARY 2024 | CLOSING TIME: | 11:00 |
|-------------|-------------------|---------------|-----------------|---------------|-------|

| | |
|-------------|--|
| DESCRIPTION | <p>QUOTATIONS ARE HEREBY INVITED FOR THE APPOINTMENT OF ONE CONTRACTOR WITH A CIDB GRADING OF 1CE OR HIGHER FOR THE REINSTATEMENT OF ROADS IN MOGALE CITY FOR A PERIOD OF TWELVE (12) MONTHS.</p> |
|-------------|--|

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 |
| [A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE] | | | |
| ARE YOU THE ACCREDITED 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

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE**
- 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.

2. TAX COMPLIANCE REQUIREMENTS

- 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.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO
- 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO
- 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
- 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO
- 3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO

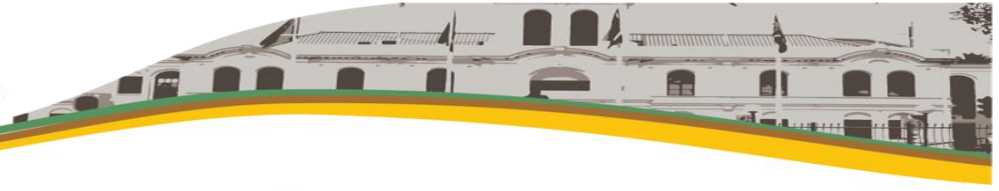
IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

**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:



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:

| Municipality | Account number |
|---------------------|-----------------------|
| | |
| | |
| | |
| | |

(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; • The bidder must submit confirmation on Municipality/Metro letterhead signed and stamped from the ward councilor/delegate. | | |
| 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 day20.....

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"> the bidder must submit confirmation on Municipality/Metro letterhead signed and stamped from the ward councilor/delegate. | | |
| 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

MBD 4

1. No bid will be accepted from persons in the service of the state¹.
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, hareholder²):.....

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.

.....
.....

¹MSCM 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.

² 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

MBD 6.1

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

1.2 To be completed by the organ of state

The applicable preference point system for this tender is the 80/20 preference point system.

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 |
|--|---------------|
| PRICE | 80 |
| SPECIFIC GOALS | 20 |
| Total points for Price and SPECIFIC GOALS | 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**

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

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**

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

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 ²) |
|-------------|---------|------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

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 | Disabl ed | Youth (person not older than 35 years of age) | % of business/ enterprise owned |
|------|--------------------------------------|--|-------------------------------|-----|-------|-----------|---|---------------------------------|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | Total | 100% |

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

| | |
|------------------------------------|-------|
| | |
| SIGNATURE(S) OF TENDERER(S) | |
| SURNAME AND NAME: | |
| DATE: | |
| ADDRESS: | |
| | |
| | |
| | |



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>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page. | 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: | | |
| Item | Question | Yes | No |
| 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



MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

QUOTATIONS ARE HEREBY INVITED FOR THE APPOINTMENT OF ONE CONTRACTOR WITH A CIDB GRADING OF 1CE OR HIGHER FOR THE REINSTATEMENT OF ROADS IN MOGALE CITY FOR A PERIOD OF TWELVE (12) MONTHS.

(Bid Number and Description)

in response to the invitation for the bid made by:

MOGALE CITY LOCAL MUNICIPALITY

(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 consortium³ 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.

³ **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