




**THEMBISILE HANI LOCAL MUNICIPALITY**  
**PUBLIC NOTICE**  
**24 April 2025**  
**Request for Quotations**

Pursuant to Thembisile Hani Local Municipality's Supply Chain Management Policy, prospective Service Providers are hereby invited to submit quotations for the services and/ or supplies detailed in the table below:

No.	Description	Requirements	Closing Date
00302/21-22	Request for Quotations for the Calculation of Actuarial Services for Inclusion in the Annual Financial Statements (GRAP 25).	<ul style="list-style-type: none"> <li>Company registration documents (CK).</li> <li>A copy of a valid SARS tax verification PIN.</li> <li>Central Supplier Database (CSD) Summary report not older than one month.</li> <li>Complete MBD forms (4, 6, 8 and 9).</li> <li>Attach an original or a copy of a municipal utility account of the registered Director(s) or Company. Alternatively, attach a copy of the lease agreement along with the utility account of the landlord, where hereby the company is leasing the property it is operating from. The utility account submitted must not be in arrears for more than 90 days.</li> <li><b>Additional Compliance Requirement Qualifications for the Team</b> BCom in Actuarial Sciences or BSc Mathematics or equivalent . Registration with Relevant Professional affiliation</li> <li><b>Experience of the Team</b> Experience of the team in terms of similar projects completed</li> </ul>	15 May 2025 @ 12:00

 00302/21-22	Request for Quotations for the Calculation of Closure Costs for Kwaggafontein and Kwamhlanga Landfill Sites for Inclusion in the Annual Financial Statements (GRAP 25).	<ul style="list-style-type: none"> <li>• Company registration documents (CK).</li> <li>• A copy of a valid SARS tax verification PIN.</li> <li>• Central Supplier Database (CSD) Summary report not older than one month.</li> <li>• Complete MBD forms (4, 6, 8 and 9).</li> <li>• Attach an original or a copy of a municipal utility account of the registered Director(s) or Company. Alternatively, attach a copy of the lease agreement along with the utility account of the landlord, whereby the company is leasing the property it is operating from. The utility account submitted must not be in arrears for more than 90 days.</li> </ul> <p><b>Additional Compliance Requirement Qualifications for the Team</b></p> <ul style="list-style-type: none"> <li>• BSc Waste Management or equivalent and Registration with relevant Professional Bodies.</li> <li>• <b>Experience of the team</b></li> <li>• Experience of the team in terms of similar projects completed</li> </ul> <p><b>Site visits are mandatory for both landfill sites. The cost must be included in the quotation.</b></p>	
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**Written quotation(s)** in a sealed envelope (s) **marked with the description** mentioned above, together with such additional documentation as indicated may be submitted/ deposited in the Municipal Tender Box (Municipal Offices in Mthombomuhle) which will be emptied on Thursday, the 15<sup>th</sup> of May 2025 at 12h00.

SCM inquiries may be directed to Mr. Simon Nkadameng at Tel: (013) 986 9165/9153/9187, E-mail: [NkadamengS@thembisilehanilm.gov.za](mailto:NkadamengS@thembisilehanilm.gov.za). The following officials may be contacted during office hours for technical enquiries.

- Actuarial Services: Ms. P. Masango @ Tel: (013) 986 9154, E-mail: [MasangoP@thembisilehanilm.gov.za](mailto:MasangoP@thembisilehanilm.gov.za).
- Landfill Cost Services: Ms. A. Aphane @ Tel: (013) 986 9168, E-mail: [AphaneA@thembisilehanilm.gov.za](mailto:AphaneA@thembisilehanilm.gov.za).

MBD forms and specifications may be collected from the Municipal Office No. 16, 17, 18 & 21 during office hours from the 28<sup>th</sup> of April 2024 or alternatively downloaded from the municipal website at [www.thembisilehanilm.gov.za](http://www.thembisilehanilm.gov.za).

The Municipality reserves the right to withdraw any invitation to quote and/ or to re-advertise or to reject any quotation or to accept a part of it. No awards will be made to a person who:

- Is in the service of the state,

- If that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state, or
- Who is an advisor or consultant contracted with the municipality or municipal entity.

Quotations will be evaluated in terms of compliance and the 80/20 Preference Point System, wherein 80 is for Price and 20 for Specific Goals. The Municipality does not bind itself to accepting the lowest quotation. Facsimiles or e-mailed documents will not be accepted.

DocuSigned by:  
  
8E47CE96789F4F7...  

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**Mr. D.J.D. Mahlangu**  
**Municipal Manager**

# THEMBISILE HANI LOCAL MUNICIPALITY

## MUNICIPAL BIDDING DOCUMENTS (MBD FORMS)



**COMPANY NAME :** \_\_\_\_\_

**CSD NUMBER :** \_\_\_\_\_

**CLOSING DATE :** \_\_\_\_\_

**REQUISITION NO. :** \_\_\_\_\_

**DESCRIPTION :** \_\_\_\_\_

\_\_\_\_\_

**CONTACT PERSON :** \_\_\_\_\_

**CONTACT NUMBER:** \_\_\_\_\_

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

### PLEASE NOTE:

1. Prospective suppliers must be registered on the CSD and their SARS tax PIN information must be valid prior to submitting quotations.
2. Quotations that are deposited in the incorrect box will not be considered.
3. This quotation is subject to the Preferential Procurement Policy Framework Act and the Preferential Procurement Regulations, 2022, the General Conditions of contract (GCC) and, if applicable, any other special conditions of contract.
4. Mailed, telegraphic, telex, or faxed quotations will not be accepted.
5. No late quotations after the applicable closing date and time will be accepted.
6. All bids must be submitted on the official forms (not to be re-typed).
7. Quotations must be submitted in sealed envelopes clearly marked with the quotation number and description.
8. All MBD forms must be completed in full with all relevant information, failure to do so shall result in automatic disqualification of the submission.
9. Scratching out without initialling next to the amended rates or information, writing over / painting out rates / the use of correction fluid (without initializing) or use of any erasable ink, e.g. pencil, will lead to automatic disqualification of the quotation.
10. Quotations may only be submitted on the quotation documentation provided by the municipality. No awards will be made to a person:
  - i. Who is in the service of the state,
  - ii. If that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state.
  - iii. Who is an advisor or consultant contracted with the municipality or municipal entity.



# **SPECIFICATION FOR CALCULATION OF CLOSURE COSTS FOR KWAGGAFONTEIN AND KWAMHLANGA LANDFILL SITES FOR INCLUSION IN THE ANNUAL FINANCIAL STATEMENTS (GRAP 19)**

## **1. Project Description**

To determine the financial provision required for the rehabilitation and closure of the landfill site in accordance with the principles outlined in GRAP 19, for inclusion in the municipality's Annual Financial Statements.

## **2. Background**

GRAP 19 requires that provisions be recognized for present obligations arising from past events where it is probable that an outflow of resources will be required. Landfill closure and post-closure rehabilitation obligations fall under this standard.

## **3. Scope of Services**

The consultant will perform the following tasks:

### **3.1 Site Assessment**

Conduct a site inspection and collect data on:

- Size, volume, and type of waste.
- Remaining lifespan of the landfill.
- Existing rehabilitation efforts and infrastructure.
- Environmental risks and regulatory requirements.

### **3.2 Engineering & Environmental Review**

Assess current and future engineering requirements for:

- Capping and covering the landfill.
- Leachate and gas management systems.
- Environmental monitoring and aftercare activities.

### **3.3 Cost Estimation**

Develop a detailed cost estimate for:

- Closure activities (covering, sealing, etc.).
- Post-closure monitoring and maintenance.
- Professional and statutory fees.
- Escalation and discounting in line with accounting standards.

### **3.4 Financial Provision Calculation**

Apply GRAP 19 to determine the present value of the rehabilitation obligation.

Use appropriate discount rates, escalation factors, and expected closure timelines.

### **3.5 Reporting**

**Prepare a GRAP 19 compliant report including:**

- Description of assumptions and methodologies.
- Breakdown of estimated costs and timeline.
- Financial provision and disclosure requirements.

### **4. Deliverables**

Draft and final GRAP 19 Landfill Rehabilitation Liability Report.

Excel-based cost model with assumptions.

Supporting site data and calculations.

Summary for inclusion in Annual Financial Statements.

## FORM A: EVALUATION SCHEDULE: TENDER COMPLIANCE

### Tender compliance by the contracting Firm

It must be noted that a total of **45 points** must be obtained by the contracting firm in relation to the requirements as mentioned on the table below failure which a tender shall be automatically eliminated from any further evaluation.

#### 1. COMPULSORY REQUIREMENTS:

Evaluation Criteria	Evaluation Criteria	Elimination Factor	Points obtainable	Points Claimed
Delegation of authority (Note 01)	Delegation of authority for signatory signed by senior directors and/or shareholders nominating representative on the project	Yes	5	
Completing tender documents (Note 02)	Must initial every page in the tender document, signing and fill the tender document in full.  Complete MBD forms (4, 6, 8 and 9)	Yes	5	
Company registration (Note 03)	Proof of company registration with Company Intellectual Property Commission (CIPC) and proof of shareholding	Yes	5	
Tax PIN Verification (Note 04)	Proof of Tax registration and compliance with South African Revenue Services (SARS)	Yes	5	
Municipal account (Note 05)	A statement of the municipal account, which does not owe municipal services for more than 90 days, must be attached.	Yes	5	
Qualification of Environmentalist (6)	BSC in Waste Management or Environmental Management or equivalent (NQF 7 or higher)	Yes	5	
Registration with	Professional Registration of	Yes	5	



Relevant Professional affiliation (Note 7)	Environmental Assessment Practitioner Association of South Africa (EAPASA) Engineering Council of South Africa (ECSA) or any other recognized affiliation			
CSD Report (Note 8)	A copy of the CSD report of the company which is not older than 1 (one) month must be attached.	Yes	5	
Experience of the firm (Note 9)	Copy of purchase orders, appointment letters or completion certificate must be attached.	Yes	5	
<b>Points</b>			<b>Total 45</b>	

#### **Note 01: Delegation of Authority**

In case of a Company, a delegation of Authority signed by the Consulting Firm's Board of Directors nominating a Team Leader as a delegated and authorized Signatory must be attached. In the case of a Closed Corporation, a delegation of Authority signed by the Contracting Firm's majority Shareholders nominating a Team Leader as a delegated and authorized Signatory must be attached. Failure to attach the delegation of authority certificate shall warrant an automatic elimination on the RFQ.

#### **Note 02: Completing tender document**

As stipulated in the tender rules or in addition thereto, a tender document shall be completed in full with all the provided spaces fully completed, every page initially and all required documentation attached thereto. Failure which shall warrant an automatic elimination of tender from any further evaluation. The prospective bidder may not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations. Erasures and the use of correction fluid are prohibited. Failure to adherence shall warrant automatic elimination on the RFQ

#### **Note 03: Company registration**

A proof of company registration in the form of a copy from Companies and Intellectual Property Commission (CIPC) shall be attached including a copy of a certificate for proof of shareholding. Failure to attach the company registration certificate shall warrant an automatic elimination on the RFQ.

#### **Note 04: Tax Verification PIN**



A copy of tax registration and compliance **(Tax PIN)** with relevant legislation in the form of a valid verification PIN certificate shall be attached. Failure to attach the tax verification pin certificate shall warrant an automatic elimination of the RFQ.

**Note 05: Municipal Account**

Attach an original or a copy of a municipal utility account (not older than three (3) months) and the account must not be in arrears for more than 90 days of any of the registered director(s) or company. Attach a copy of the lease agreement along with the utility account of the Landlord, whereby the company is leasing the property it is operating from. Failure to attach the municipal statement of account shall warrant an automatic elimination of the RFQ

**Note 06: Qualification of Environmentalist (6)**

A copy of qualifications for BSC in Waste Management or Environmental Management or equivalent (NQF 7 or higher) must be attached and must be valid at the time of closing of tenders. Failure to attach the qualifications document shall warrant an automatic elimination of the RFQ

**Note 07: Registration with Relevant Professional affiliation**

A copy of Professional Registration of Environmental Assessment Practitioner Association of South Africa (EAPASA) or any recognized affiliation must be attached and must be valid at the time of closing of RFQ. Failure to attach the qualifications document shall warrant an automatic elimination on the RFQ

**Note 08: CSD Report**

Attach a copy of the CSD report of the company which is not older than one (01) month must be attached. Failure to attach the CSD summary report shall warrant an automatic elimination on the RFQ

**Note 09: Experience of the firm**

Attach a copy of the appointment letter or purchase order for a similar project. Failure to attach proof of the company's experience shall warrant elimination on the RFQ.



## PRICING INSTRUCTIONS

1. All activities must be invoiced on a monthly basis, based on the completion of the activity but not exceeding the allocated budget that has been priced for that activity.
2. Payment will be based on the completion of activities provided that reasonable progress towards the completion of the activity within the estimated budget is demonstrated.
3. The total price for the activities shall not be exceeded without the prior written approval and agreement of the Client.
4. The Schedule of Activities and the Bills of Quantities comprises items covering the service provider's profit and costs of general liabilities and includes costs of all services.
5. **All rates and amounts must be completed by hand in black ink.**
6. The schedule items covering the service provider's profit or general liabilities and the construction of temporary and permanent risk.
7. Although the tenderer is at liberty to insert a rate at his own choice for each item in the schedule, his attention is drawn to the fact that the employer has the right, under various circumstances, to payment for additional work carried out and that the engineer is obliged to base his assessment and the payment to be paid for such additional work on the rates inserted in the schedule by the tenderer.
8. The prices and rates to be inserted in the schedule of quantities are to be the full inclusive prices to be the employer for the work described under several items. The prices shall be exclusive of Value Added Tax (VAT). Such prices shall cover all costs and expenses that may be required in and for the work described, and shall cover the cost of all general risks, liabilities and obligations set forth or implied in the document on which the tender is based.
9. In the event of the tenderer failing to price any item it will be construed that the tenderer has made adequate allowance under other items for all labour, material and costs required, for the exclusion, not only for the quantum of work covered by the unpriced item, but also for any increase in the said quantum which may have to be undertaken during the course of the contract.
10. For the purposes of this Schedule of Activities and Bills of Quantities, the following words shall have the meanings hereby assigned to them:

Unit: The unit of measurement for each item of Service provided as defined in the Standardized, Project or Particular Specifications.

Quantity (Qty): The number of units of work/service provision for each item.

Rate: The payment per unit of work/provision of services at which the Tenderer Tenders to do the work.

Amount: The quantity of an item multiplied by the Tendered rate of the (same) item.

Sum: An amount Tendered for an item, the extent of which is described in the schedule of activities, the scope of works or elsewhere, but of which the quantity of work is not measured in units.



**Bill of quantities (BOQ)- SPECIFICATION FOR CALCULATION OF CLOSURE COSTS  
FOR KWAGGAFONTEIN AND KWAMHLANGA LANDFILL SITES FOR INCLUSION IN THE  
ANNUAL FINANCIAL STATEMENTS (GRAP 19)**

<b>N o</b>	<b>DISCRIPTION</b>	<b>Quantit y</b>	<b>Price P/U</b>	<b>Amount</b>
1	Calculations of the landfill site provision for Kwaggafontein Landfill Site and Kwa Mhlanga landfill site under GRAP 19 for 2024-2025 financial year.	2		
			<b>Sub-Total</b>	
			<b>Vat</b>	
			<b>Total</b>	



## PART A INVITATION TO BID

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THEMBISILE HANI LOCAL MUNICIPALITY**

BID NUMBER:	00302/21-22	CLOSING DATE:	15 May 2025	CLOSING TIME:	12h00
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DESCRIPTION	REQUEST FOR QUOTES FOR THE CALCULATION OF CLOSURE COSTS FOR KWAGGAFONTEIN AND KWAMHLANGA LANDFILL SITES FOR INCLUSION IN THE ANNUAL FINANCIAL STATEMENTS (GRAP 19)
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**THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).**

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:

<b>STAND NO. 24 OPPOSITE POLICE STATION</b>
<b>KWAGGAFONTEIN C (MTHOMBOMUHLE)</b>
<b>EMPUMALANGA</b>
<b>0458</b>

**Bidders must ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.**

**The bid box is generally open 24 hours a day, 7 days a week.**

**ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS (COMPLETED WITH BLACK PEN OR TYPED)**

- 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 THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

**1. 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.

**2. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

- |  |  |
|--|--|
| 3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?                       | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?      | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?           | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?       | <input type="checkbox"/> YES <input type="checkbox"/> 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.**

**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: .....

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

NAME OF BIDDER .....  
POSTAL ADDRESS .....  
.....  
STREET ADDRESS .....  
.....  
TELEPHONE NUMBER .....  
CELLPHONE NUMBER .....  
E-MAIL ADDRESS .....  
VAT REG. NO. ....

TOTAL BID PRICE: .....  
TOTAL NUMBER OF ITEMS OFFERED .....

SIGNATURE OF BIDDER .....  
CAPACITY UNDER WHICH THIS BID IS SIGNED .....  
DATE .....



## MBD 4

### DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 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, shareholder<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**

## 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
- 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 tender).*

- 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:

CRITERIA	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**

or

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{min}$  = 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**

**or**

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 tender 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 tender	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)
Women	5	
Youth	5	
Disability	3	
Service Providers within Mpumalanga Province	5	
Service Providers from outside the Province	2	

#### **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.

.....  
**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

## MBD 8

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

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions 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 disregarded if that bidder, or any of its directors have-
  - a. abused the institution's supply chain management system;
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. failed to perform on any previous contract.
- 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	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? <b>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? <b>To access this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.</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 outside of 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:		
4.4	Was any contract between the bidder and any 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"/>
4.4.1	If so, furnish particulars:		

**CERTIFICATION**

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

1. This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
3. Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - a. take all reasonable steps to prevent such abuse;
  - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
4. This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
5. In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

## 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.
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

-END-



