



THEMBISILE HANI LOCAL MUNICIPALITY
PUBLIC NOTICE
25 August 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
01171/21-22	Procurement of Disaster Trading Tools.	- Company registration documents (CK). Proof of company registration with Company Intellectual Property Commission (CIPC) and proof of shareholding. - A copy of a valid SARS tax verification PIN. - Central Supplier Database (CSD) Summary report not older than 1(one) month must be attached. - Complete MBD forms (4, 6, 8 and 9). Must initial every page in the MBD forms where there are alterations or overwriting. - 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. - Bank stamped letter from the bank not older than three (03) months.	03 September 2025 @ 12:00

01172/21-22	Procurement of Disaster Relief Food Parcels.	• Company registration documents (CK). Proof of company registration with Company Intellectual Property Commission (CIPC) and proof of shareholding. • A copy of a valid SARS tax verification PIN. • Central Supplier Database (CSD) Summary report not older than 1(one) month must be attached. • Complete MBD forms (4, 6, 8 and 9). Must initial every page in the MBD forms where there are alterations or overwriting. • 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. • Bank stamped letter from the bank not older than three (03) months.	03 September 2025 @ 12:00
01173/21-22	Procurement of Trimmer Machine, Homelight and Lawn Mower.	• Company registration documents (CK). Proof of company registration with Company Intellectual Property Commission (CIPC) and proof of shareholding. • A copy of a valid SARS tax verification PIN. • Central Supplier Database (CSD) Summary report not older than 1(one) month must be attached. • Complete MBD forms (4, 6, 8 and 9). Must initial every page in the MBD forms where there are alterations or overwriting. • 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. • Bank stamped letter from the bank not older than three (03) months.	03 September 2025 @ 12:00

00443/21-22	Procurement of Snake Repellent Chemicals, Fumitables and Portable Chemical Sprayers.	• Company registration documents (CK). Proof of company registration with Company Intellectual Property Commission (CIPC) and proof of shareholding. • A copy of a valid SARS tax verification PIN. • Central Supplier Database (CSD) Summary report not older than 1(one) month must be attached. • Complete MBD forms (4, 6, 8 and 9). Must initial every page in the MBD forms where there are alterations or overwriting. • 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. • Bank stamped letter from the bank not older than three (03) months.	03 September 2025 @ 12:00
00444/21-22	Request for Service of Fire Extinguishers inside Municipal Buildings, Facilities, Vehicles and Issuing of Certificate of Service.	• Company registration documents (CK). Proof of company registration with Company Intellectual Property Commission (CIPC) and proof of shareholding. • A copy of a valid SARS tax verification PIN. • Central Supplier Database (CSD) Summary report not older than 1(one) month must be attached. • Complete MBD forms (4, 6, 8 and 9). Must initial every page in the MBD forms where there are alterations or overwriting. • 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. • Bank stamped letter from the bank not older than three (03) months.	03 September 2025 @ 12:00
		• 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. • Bank stamped letter from the bank not older than three (03) months.	

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 Monday, the 2nd of September 2025 at 12h00.

SCM enquiries may be directed to Ms. P. Sibiya at Tel: 013 986 9153, E-mail: SibiyaP@thembisilehanilm.gov.za, and/ or Mr. R. Madimetsa at Tel: 013 986 9223, E-mail: MadimetsaR@thembisilehanilm.gov.za The following officials may be contacted during office hours for Technical Enquiries:

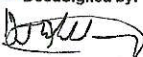
- Procurement of Disaster Trading Tool and Disaster Relief Food Parcel: Mr. T.J Mtsweni at Tel: (013) 986 9100, E-mail: MtsweniT@thembisilehanilm.gov.za.
- Procurement of Trimmer Machine, Home light and Lawn Mower: Mr. T. Mthombeni at Tel: (013) 986 9100.
- Procurement of Snake Repellent Chemicals, Fumitabs and Portable Chemical Sprayers, and/ or Servicing of Fire Extinguishers: Ms. J. Ndlovu at Tel: 013 986 9144, E-mail: NdlovuJ@thembisilehanilm.gov.za.

MBD forms and specifications may be collected from the Municipal Offices (Supply Chain Management) during office hours from the 22nd of August 2025 or alternatively downloaded from the municipal website at 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:

BE47CE96789F4F7...

Mr. D.J.D. Mahlangu
Municipal Manager

RECHARGE OF FIRE EQUIPMENT INSIDE MUNICIPAL BUILDING, FACILITIES AND VEHICLES

ITEM NO	DESCRIPTION OF SERVICE	TYPE/SIZE OF FIRE EXTINGUISHER	QUANTITY	FACILITY/BUILDING
1	Recharge of fire Extinguishers	• Reception 1x9kg • Next to Council chamber office no:42 kitchen 1x9kg • Next to Assistant Manager office no:07 ICT 1x9kg • Next to youth coordinator office no:30 1x9kg • Behind MM's office and kitchen Fire Hose Rail 30m	1 1 1 1 3	Municipal Head Office Kwaggafontein New building
2	Recharge of fire Extinguishers	• Corporate services • Printing room Co2 • SDS filling room 3x4.5kg • Change room 9kg • Change room 4.5kg	3 1 2 11 2	Municipal Head Office Kwaggafontein Old building
3	Recharge of fire Extinguishers	• Reception • Environment Office 4.5kg • PMU next to finance 1x9kg & 4.5kg • PMU next to budget 1x9kg • Fire Hose rail 30m	1 4 2 1 1	Old building
4	Recharge of fire Extinguishers	• Inside the building 2x9kg • DCP 4.5kg	3 2	Phumula Library
5	Recharge of fire Extinguishers	• Inside the building • 2x9kg • DCP 4.5kg	5 3	Verena Library
6	Recharge of fire Extinguishers	• DCP 4.5kg • DCP 9kg	9 2	Zithabiseni Library
7	Recharge of fire Extinguishers	• 4x9kg	4	Boekenhouthoek Library
8	Recharge of fire Extinguishers	• Entrance 1x9kg • Silent room 2x9kg • Study room 2x9kg • Study room 3 Co2	1 1 1 3	Kwaggafontein Library
9	Recharge of fire Extinguishers	• DCP 9kg	7	Kwamhlanga Library

10	Recharge of fire Extinguishers	• DCP 4.5kg	4	Vezubuhle Community Hall
11	Recharge of fire Extinguishers	• DCP 4.5kg	2	Phola Community Hall
12	Recharge of fire Extinguishers	• DCP 9kg • DCP 4.5kg	2 1	Kwaggafontein Community Hall
13	Recharge of fire Extinguishers	• DCP 9kg • DCP 4.5kg	2	Ronder Oog Community Hall
14	Recharge of fire Extinguishers	• DCP 9kg	3	Kwamhlanga Community Hall
15	Recharge of fire Extinguishers	• DCP 9kg	2	Verena Community Hall and Cluster
16	Recharge of fire Extinguishers	• DPC 4.5kg	4	Thembaletu Community Hall
17	Recharge of fire Extinguishers	• DCP 9kg • DCP 4.5kg	2 1	Mandela Community Hall
18	Recharge of fire Extinguishers	• DCP 4.5kg • Co2 5kg • Fire Hydrant • Fire Horse Rail 30m	8 1 4 4	Moloto Community Hall
19	Recharge of fire Extinguishers	• DCP 9kg • DCP 4.5kg • Fire Hydrant	1 3 1	Bundu Inn Purification Plant
20	Recharge of fire Extinguishers	• DCP 9kg	3	Moloto Water Purification Plant
21	Recharge of fire Extinguishers	• DCP 9kg • DCP 4.5kg	2 4	Mathyznloop Booster Pump
22	Recharge of fire Extinguishers	• DCP 4.5kg	1	Moloto Borehole 1
23	Recharge of fire Extinguishers	• DCP 4.5kg	1	Moloto Borehole 3
24	Recharge of fire Extinguishers	• DCP 4.5kg	1	Moloto Borehole 4
25	Recharge of fire Extinguishers	• DCP 4.5kg	2	Tweefontein K Waste Water Treatment Plant
26	Recharge of fire Extinguishers	• DCP 4.5kg • Co2 5kg	10 1	Solomon Mahlangu Stadium
27	Recharge of fire Extinguishers	• DCP 4.5 kg	1	KwaMhlanga Swimming Pool
28	Recharge of fire Extinguishers	• DCP 9 kg • DCP 4.5 kg	2 1	Kwamhlanga Community Park
29	Recharge of fire Extinguishers	• DCP 4.5 kg	1	Kwamhlanga Abattoir
30	Recharge of fire Extinguishers	• DCP 9kg	2	Tweefontein Oxidation Pond
31	Recharge of fire Extinguishers	• DCP 4.5kg	1	KwaMhlanga East Oxidation Pond
32	Recharge of fire Extinguishers	• DCP 4.5kg	1	KwaMhlanga West Oxidation Pond

33	Recharge of fire Extinguishers	• DCP 4.5kg	1	KwaMhlanga North Oxidation Pond
34	Recharge of fire Extinguishers	• DCP 9kg	2	Municipal Workshop Office
35	Recharge of fire Extinguishers	• DCP 9kg	1	KwaMhlanga Satellite Office
36	Recharge of fire Extinguishers	• DCP 9kg	2	Landfill Site Office Block
37	Recharge of fire Extinguishers	• DCP 4.5kg	1	Mathyznloop Rental Office(Taxi Rank)
37	Recharge of fire Extinguishers	• DCP 9kg	1	Tweefontein K Satellite Office
38	Recharge of fire Extinguishers	• DCP 9kg	5	Moloto Reservoir
39	Recharge of fire Extinguishers	• DCP 9kg	2	Municipal Workshop Office
40	Recharge of fire Extinguishers	• DCP 4.5KG	1	C14/256 Klipfontein Zusterroom
41	Recharged	• DCP 4.5kg	2	Gembokspruit Municipal Park
42	Recharge of fire Extinguishers	• DCP 9kg	10	Kwagga Thlm Filling station
43	Recharge of fire Extinguishers	• DCP 9kg	1	Landkloop booster pump
44	Recharge of fire Extinguishers	• DCP 4.5kg	1	Landkloop Borehole 1
45	Recharge of fire Extinguishers	• DCP 4.5kg	2	KwaMhlanga Tennis Court
46	Recharge of fire Extinguishers	• DCP 4.5kg + 1kg + 1.5kg	3	Corporate Service OHS office

TOTAL NUMBER TO BE SERVICES = 167

FIRE EXTINGUISHER INSIDE MUNICIPAL VEHICLE/FLEET TO BE RECHARGED

NO	DESCRIPTION OF SERVICE	TYPE/SIZE OF FIRE EXTINGUISHER	QUANTITY	REGISTRATION	VEHICLE
1	Recharge of fire Extinguisher	•	1	KGX 238 MP	Bell TLB
2	Recharge of fire Extinguisher	• DCP 4.5kg	1	KKX 168 MP	Hino 500
3	Recharge of fire Extinguisher	• DCP 4.5kg	1	FVP 717 MP	Nissan ND Compactor
4	Recharge of fire Extinguisher	•	1	FMF 292 MP	Isuzu 802
5	Recharge of fire Extinguisher	• DCP 4.5kg	1	HGW 609 MP	Nissan UD (Waste truck)
6	Recharge of fire Extinguisher	• DCP 9kg	1	HBP 383 MP	Nissan UD40
7	Recharge of fire Extinguisher	• DCP 4.5kg	1	KJL 060 MP	Nissan UD Quester
8	Recharge of fire Extinguisher	• DCP 4.5kg	1	KNX 729 MP	Isuzu Jet Patcher
9	Recharge of fire Extinguisher	• DCP 4.5kg	1	HCD 563 MP	Nissan UD (Low bed)
10	Recharge of fire Extinguisher	• DCP 4.5kg	1	KFH 806 MP	Bell (Grader)
11	Recharge of fire Extinguisher	•	1		Bell SK 220 XD (Excavator)
12	Recharge of fire Extinguisher	• DCP 4.5KG	1	JCB Excavator	JS200 Excavator (yellow)
13	Recharge of fire Extinguisher	• DCP 4.5kg	1	FDR 834 MP	CAT 533 (Roller)
14	Recharge of fire Extinguisher	• DCP 4.5kg	1	FZB 485 MP	Nissan UD85 (Honeysucker)
15	Recharge of fire Extinguisher	• DCP 2.5kg	1	HDP 492 MP	Nissan
16	Recharge of fire Extinguisher	• DCP 2.5kg	1	KFJ 257 MP	Bell Grader
17	Recharge of fire Extinguisher	• DCP 2.5kg	1	KLS 100 MP	Water tanker
18	Recharge of fire Extinguisher	• DCP 2.5kg	1	KJL 453 MP	Nissan Quest
19	Recharge of fire Extinguisher	• DCP 4.5kg	1	HDP 484 MP	Nissan UD85
20	Recharge of fire Extinguisher	• DCP 4.5kg	1	DVC 913 MP	Nissan Tipper
21	Recharge of fire Extinguisher	• DCP 2.5kg	1	KG 79 GP	For Floor Cutter

22	Recharge of fire Extinguisher	• DCP 2.5kg	1	KGS 781 MP	Minibus (Toyota)
23	Recharge of fire Extinguisher	• DCP 2.5kg	1	HBP 385 MP	Nissan UD Dyna
24	Recharge of fire Extinguisher	• DCP 2.5kg	1	KKX 169 MP	Hino
25	Recharge of fire Extinguisher	• DCP 4.5kg	1	DSH 909 MP	ISUZU
26	Recharge of fire Extinguisher	• DCP 4.5kg	1	KLN 690 MP	
27	Recharge of fire Extinguisher	• DCP 4.5kg	1	DVC 918 MP	
28	Recharge of fire Extinguisher	•	1	HBV 802 MP	
29	Recharge of fire Extinguisher	• DCP 4.5kg	1	FLZ 921 MP	
30	Recharge of fire Extinguisher	• DCP 4.5kg	1	KLJ 962 MP	Trailer
31	Recharge of fire Extinguisher	• DCP 4.5kg	1	KJL 445 MP	

TOTAL NUMBER OF FIRE EXTINGUISHERS TO BE SERVICED = 31

TOTAL: 167 + 31 = 198

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 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. Quotations not clearly marked will not be accepted.
7. 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.
8. 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.

PART A INVITATION TO BID

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

BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					

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:

STAND NO. 24 OPPOSITE POLICE STATION
KWAGGAFONTEIN C (MTHOMBOMUHLE)
EMPUMALANGA
0458

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 (NOT TO BE RE-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)? | ☐ 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.

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 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

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:

$$\begin{array}{ccc} 80/20 & \text{or} & 90/10 \\ P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \end{array}$$

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:

$$\begin{array}{ccc} 80/20 & \text{or} & 90/10 \\ P_s = 80 \left(1 + \frac{P_t - P_{\max}}{P_{\max}} \right) & \text{or} & P_s = 90 \left(1 + \frac{P_t - P_{\max}}{P_{\max}} \right) \end{array}$$

Where

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- $P_{\max}$ = 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 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two-stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SANS 1286:2011) for this bid is/are as follows:

3. Does any portion of the goods or services offered have any imported content?
(Tick applicable box)

YES		NO	
-----	--	----	--

- 3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. **Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the DTI must be informed accordingly in order for the DTI to verify and in consultation with the AO/AA provide directives in this regard.**

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)
IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):
.....

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thdti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of (name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

Local Content Declaration - Summary Schedule

Note: VAT to be excluded from all calculations

(C1)	Tender No.
(C2)	Tender description:
(C3)	Designated product(s)
(C4)	Tender Authority:
(C5)	Tendering Entity name:
(C6)	Tender Exchange Rate:
(C7)	Specified local content %

	Pula	EU	GBP
1990			
1991			
1992			
1993			
1994			
1995			
1996			
1997			
1998			
1999			
2000			
2001			
2002			
2003			
2004			
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2098			
2099			
2100			

[illegible]

[illegible]

(C20) Total tender value

(C21) Total Exempt imported

imported content (C22) Total	imported content (C22) Total
------------------------------------	------------------------------------

**Tender value
net of exempt
imported
content**

(C23) Total Imported content
100

(C24) Total local content

(C25) Average local content % of tender

Signature of tenderer from Annex B

Date:

Imported Content Declaration - Supporting Schedule to Annex C

Note: VAT to be excluded from all calculations

D1	Tender No.	
D2	Tender description:	
D3	Designated Products:	
D4	Tender Authority:	
D5	Tendering Entity name:	
D6	Tender Exchange Rate:	Pula

EU R 9.00

GBP R 12.00

A. Exempted imported content

[illegible]

Calculation of imported content

Foreign currency value as per Comm I Invoice	Tender Exchang e Rate	Local value of import s	Freigh t costs to port of entry duties	All locally incurr ed land ing costs & duties	Total lande d cost d excl VAT
(D11)	(D12)	(D13)	(D14)	(D15)	(D16)

Summary

Tender Qty	Exempted imported value
(D17)	(D18)
(D19) Total exempt imported value	R 0

This total must correspond with Annex C - C 21

[illegible][illegible]

Tender Qty	Total imported value
1	1000000
2	2000000
3	3000000
4	4000000
5	5000000
6	6000000
7	7000000
8	8000000
9	9000000
10	10000000
11	11000000
12	12000000
13	13000000
14	14000000
15	15000000
16	16000000
17	17000000
18	18000000
19	19000000
20	20000000
21	21000000
22	22000000
23	23000000
24	24000000
25	25000000
26	26000000
27	27000000
28	28000000
29	29000000
30	30000000
31	31000000
32	32000000
33	33000000
34	34000000
35	35000000
36	36000000
37	37000000
38	38000000
39	39000000
40	40000000
41	41000000
42	42000000
43	43000000
44	44000000
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46	46000000
47	47000000
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67	67000000
68	68000000
69	69000000
70	70000000
71	71000000
72	72000000
73	73000000
74	74000000
75	75000000
76	76000000
77	77000000
78	78000000
79	79000000
80	80000000
81	81000000
82	82000000
83	83000000
84	84000000
85	85000000
86	86000000
87	87000000
88	88000000
89	89000000
90	90000000
91	91000000
92	92000000
93	93000000
94	94000000
95	95000000
96	96000000
97	97000000
98	98000000
99	99000000
100	100000000

Tender Qty	Total imported value
(D30)	(D31)
(D32) Total imported value by tenderer	R 0

[illegible][illegible]

Quantity imported	Total imported value
100	100
200	200
300	300
400	400
500	500
600	600
700	700
800	800
900	900
1000	1000
1100	1100
1200	1200
1300	1300
1400	1400
1500	1500
1600	1600
1700	1700
1800	1800
1900	1900
2000	2000
2100	2100
2200	2200
2300	2300
2400	2400
2500	2500
2600	2600
2700	2700
2800	2800
2900	2900
3000	3000
3100	3100
3200	3200
3300	3300
3400	3400
3500	3500
3600	3600
3700	3700
3800	3800
3900	3900
4000	4000
4100	4100
4200	4200
4300	4300
4400	4400
4500	4500
4600	4600
4700	4700
4800	4800
4900	4900
5000	5000
5100	5100
5200	5200
5300	5300
5400	5400
5500	5500
5600	5600
5700	5700
5800	5800
5900	5900
6000	6000
6100	6100
6200	6200
6300	6300
6400	6400
6500	6500
6600	6600
6700	6700
6800	6800
6900	6900
7000	7000
7100	7100
7200	7200
7300	7300
7400	7400
7500	7500
7600	7600
7700	7700
7800	7800
7900	7900
8000	8000
8100	8100
8200	8200
8300	8300
8400	8400
8500	8500
8600	8600
8700	8700
8800	8800
8900	8900
9000	9000
9100	9100
9200	9200
9300	9300
9400	9400
9500	9500
9600	9600
9700	9700
9800	9800
9900	9900
10000	10000

Quantity imported	Total imported value
(D43)	(D44)
(D45) Total imported value by 3rd party	R 0

D. Other foreign
currency
payments

Calculation of foreign currency payments			
Type of payment	Local supplier making the payment	Overseas beneficiary	Foreign currency value paid
(D46)	(D47)	(D48)	(D49)
			(D50)

Signature of tenderer from
Annex B

Date:

Summary of payments

Local value of
payments

(D51)

(D52) Total of foreign currency
payments declared by tenderer
and/or 3rd party

(D53) Total of imported content &
foreign currency payments - (D32),
(D45) & (D52) above

R 0

This total must correspond with Annex C - C 23

Annex E

Local Content Declaration - Supporting Schedule to Annex C

(E1)	Tender No.	
(E2)	Tender description:	
(E3)	Designated products:	
(E4)	Tender Authority:	
(E5)	Tendering Entity name:	

Note: VAT to be excluded from all calculations

Local Products (Goods, Services and Works)	Description of items purchased	Local suppliers	Value
	(E6)	(E7)	(E8)
(E9) Total local products (Goods, Services and Works)			R 0

(E10) **Manpower costs** (Tenderer's manpower cost)

R 0

(E11)	Factory overheads	(Rental, depreciation & amortisation, utility costs, consumables etc.)	R 0
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(E12)	Administration overheads and mark-up	(Marketing, insurance, financing, interest etc.)	R 0
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(E13) Total local content	R 0
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This total must correspond with Annex C - C24

Signature of tenderer from Annex B

Date: _____

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? (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).	Yes ☐	No ☐
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)? To access this Register enter the National Treasury's website, www.treasury.gov.za, 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.	Yes ☐	No ☐
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 ☐	No ☐
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 ☐	No ☐

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 bids¹ 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).² 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:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² 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 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.
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-