



NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY

BID DESCRIPTION: APPOINTMENT OF A SERVICE PROVIDER FOR COMPILATION OF GRAP COMPLIANT ANNUAL FINANCIAL STATEMENTS FOR NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY FOR A PERIOD OF THREE (3) YEARS

BID NUMBER: NMMDM 22/23/01 BTO

TENDER SUBMITTED BY (DIRECTOR):

NAME OF BIDDING COMPANY:.....

BUSINESS ADDRESS:

.....

.....

TEL. / CELL NUMBER:

E-MAIL ADDRESS:

ISSUED BY:

Municipal Manager
Ngaka Modiri Molema District Municipality
Private Bag X 2167
Mafikeng
2745
Tel: (018) 381 9400

CLOSING DATE: 31 MARCH 2023 @ 11H00AM

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NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY



APPOINTMENT OF A SERVICE PROVIDER FOR COMPILATION OF GRAP COMPLIANT ANNUAL FINANCIAL STATEMENTS FOR NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY FOR A PERIOD OF THREE (3) YEARS

TENDER NO: NMMDM 22/23/01 BTO

INVITATION TO BID

Prospective service providers are hereby invited to bid for the **APPOINTMENT OF A SERVICE PROVIDER FOR COMPILATION OF GRAP COMPLIANT FINANCIAL STATEMENTS FOR NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY FOR A PERIOD OF THREE (3) YEARS**

Detailed bids documents are obtainable from www.nmmdm.gov.za/tenders and www.etenders.gov.za

Tenders completed as prescribed shall be sealed in an envelope marked "**APPOINTMENT OF A SERVICE PROVIDER FOR COMPILATION OF GRAP COMPLIANT FINANCIAL STATEMENTS FOR NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY FOR A PERIOD OF THREE (3) YEARS**

" and deposited in the bid box at Ngaka Modiri Molema District Municipality, Cnr Carrington and 1st Avenue, Industrial Sites, Mahikeng, to reach its destination not later than **31 MARCH 2023 AT 11H00AM** when tenders shall be opened in public.

Bids will be adjudicated based on the Preferential Procurement Regulations 2022 using compliance, functionality, presentation and 80/20 points system.

The validity period for this tender is 90 days.

Any enquiries regarding the bidding procedure may be directed to Ms B. Mokate / Mr P. Tauetsile / Mr P. Masumbuka (018) 381 9400, e-mail mokateb@nmmdm.gov.za / tauetsilep@nmmdm.gov.za / masumbukap@nmmdm.gov.za

Any enquiries regarding technical information may be directed to Mr S.S Mphato / Mr P. Masumbuka 018 381 9400, e-mail mphatos@nmmdm.gov.za / masumbukap@nmmdm.gov.za

SIGNED.
O.A LOSABA
MUNICIPAL MANAGER

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE NGAKA MODIRI MOLEMA DISTRICT 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 <i>(STREET ADDRESS</i>					
TENDER/QUOTATION BOX SITUATED NEXT TO THE MAIN ENTRANCE					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE (AS PER THE PPPFA 2022 SPECIFIC GOALS CRITERIA) [TICK APPLICABLE BOX] N/A	<input type="checkbox"/> Yes N/A <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		<input type="checkbox"/> Yes N/A <input type="checkbox"/> No
<i>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</i>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE		R
SIGNATURE OF BIDDER		DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT			CONTACT PERSON		
CONTACT PERSON			TELEPHONE NUMBER		
TELEPHONE NUMBER			FACSIMILE NUMBER		
FACSIMILE NUMBER			E-MAIL ADDRESS		
E-MAIL ADDRESS					

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED—(NOT TO BE RE-TYPED) OR ONLINE
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
- 2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
 - 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
 - 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
 - 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO
 - 3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO
- IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

LIST OF RETURNABLE DOCUMENTS

1. Proof of Central Suppliers Database (CSD) registration
2. C.K Document
3. Certified ID copies (of not more than three months) of company directors
4. Certified copies must have a date of certification and should be not older than 3 months as at the close of the tender. (Should the copy not have the date of certification the tender will be regarded as non-responsive)
5. Only original stamp and signature will be accepted.
6. Copy of a certified document will be considered non responsive.
7. A signed Joint Venture Agreement (In case of a Joint Venture)
8. Recent Statement of Municipal rates and taxes or municipal service charges of every Director Listed on the C.K Document not older than three months from the date issued and not owing more than three months (90 Days)
9. Recent Statement of Municipal rates and taxes or municipal service charges of the Company (Bidder) not older than three months from the date issued and not owing more than three months (90 Days)
10. Should a Company (Bidder) Lease a property, the lease agreement will replace the requirement on (11).
11. Should Directors be residing in rural areas, Letter from Tribal Authority confirming your stay in that Area
12. Should the Director not be responsible for rates and taxes but residing in an area where there is Municipal Services offered, the director should submit the Original Affidavit from South African Police Service Confirming as such.
13. Should the Company (Bidder) be operating from the Same Address as the Director, An affidavit confirming such should be submitted.
14. Requirements from (10-15) should be submitted for J.V based on their applicability
15. Three Years Audited Annual Financial Statements
16. Proof of bidder (not team member) registration with an accounting professional body (i.e. SAICA, SAIPA, etc)
17. Soft copy of the entire document including returnable saved in a Compact Disk. **(Failure to submit the compact disk will result in a disqualification)**
18. Should any of the returnable documents stated not be attached to this bid document, your bid will be declared invalid.

BID REQUIREMENTS

- 1.** Late bids will not be considered. Please note that bids are late if they are received after the closing date and time.
- 2.** Bids will be valid for 90 days.
- 3.** All prices must be quoted in South African currency and must be VAT Inclusive.
- 4.** All items must be priced, failure to price all items will render your bid non-responsive.
- 5.** All relevant forms attached to this bid document must be completed and signed in black ink where applicable by a duly authorised official. Use of tipex and pencil will not be acceptable.

NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY

SIGNATORY AUTHORISATION

(To be completed by the Bidder)

SIGNATORY AUTHORISATION

I/We the undersigned, am/are authorized to enter into this contract on behalf of

(Name of Firm)

By virtue of resolution dated -----day of -----20-----
(Month)

The certified copy of resolution that is herewith attached to this Bid.

AS WITNESSES:

1.
(Initials and Surname in full) Signature

Firm/Company's Name:

Physical Address:

2.
(Initials and Surname in full) Signature

Firm/Company's Name:

Physical Address:

NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state*.
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 and/or take an oath declaring his/her interest.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.
 - 3.1 Full Name:
 - 3.2 Identity Number:
 - 3.3 Position occupied in the Company (director, trustee, shareholder).....
 - 3.3 Company Registration Number:.....
 - 3.5 Tax Reference Number:
 - 3.6 VAT Registration Number:
 - 3.7 The names of all directors / trustees / shareholder 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 so, furnish particulars:
 - 3.9 Have you been in the service of the state for the past twelve months? **YES/NO**

* 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.

3.9.1 If so, 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 so, furnish particulars:

.....

.....

3.11 Are you, aware of any relationship (family, friend, other) between any 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 so, furnish particulars:

.....

.....

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

3.12.1 If so, furnish particulars:

.....

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

3.13.1 If so, furnish particulars:

.....

3.14 Do you or any other of the directors, 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 so, furnish particulars:

.....

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

Full Name	Identity Number	State Employee Number

I, THE UNDERSIGNED (NAME)

.....
 CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.
 I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of Bidder

DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED)

For all procurement expected to exceed R10 million (all applicable taxes included), bidders must complete the following questionnaire:

1. Are you by law required to prepare annual financial statements for auditing?

***YES / NO**

1.1 If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.

.....

2 Do you have any outstanding undisputed commitments for municipal services towards any municipality for more than three months or any other service provider in respect of which payment is overdue for more than 30 days?

***YES / NO**

2.1 If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards any municipality for more than three months or other service provider in respect of which payment is overdue for more than 30 days.

2.2 If yes, provide particulars.

.....

*** Delete if not applicable**

3. Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract?

***YES / NO**

3.1 If yes, furnish particulars

.....

4. Will any portion of goods or services be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic?

***YES / NO**

4.1 If yes, furnish particulars

.....
.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)

.....
.....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

Signature

Date

Position

Name of Bidder

**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)

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 80/20 preference point system.
- b. 80/20 preference point system will be applicable in this tender. The lowest acceptable tender will be used to determine the accurate system once tenders are received.

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS RACE (BLACK) = 5 GENDER (WOMEN) = 5 YOUTH = 5 DISABILITY = 5	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 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1 POINTS AWARDED FOR PRICE

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

80/20

or

90/10

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

- a. an invitation for tender for income-generating contracts, that the 80/20 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 the 80/20 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 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)
RACE (BLACK)	5	
GENDER (WOMEN)	5	
YOUTH	5	
DISABILITY	5	

DECLARATION WITH REGARD TO COMPANY/FIRM

3.1. Name of company/firm.....

3.2. Company registration number:

3.3. 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]

3.4. 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

forward the matter for criminal prosecution, if deemed necessary.

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

CONTRACT FORM - RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.

2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of Bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)

3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT):

CAPACITY

SIGNATURE :

NAME OF FIRM:

DATE:

WITNESSES	
1
2
DATE:	

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity as.....
accept your bid under reference numberdated.....for the rendering of
services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and
conditions of the contract, within 30 (thirty) days after receipt of an invoice.

<u>DESCRIPTION OF SERVICE</u>	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	SPECIFIC GOALS AS PER TABLE 1 OF MBD 6.1	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT ON

NAME (PRINT).....

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1.	Is the bidder or any of its directors listed on the National Treasury's database as a company or person 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)	<input type="checkbox"/>	<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)? (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) 326 5445).	<input type="checkbox"/>	<input type="checkbox"/>
4.2.1	If so, furnish particulars		
4.3.	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	<input type="checkbox"/>	<input type="checkbox"/>
4.3.1	If so, furnish particulars		
4.4.	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	<input type="checkbox"/>	<input type="checkbox"/>

4.4.1	If so, furnish particulars		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	<input type="checkbox"/>	<input type="checkbox"/>
4.5.1	If so, furnish particulars		

CERTIFICATION

I, THE UNDERSIGNED (NAME)
.....
.....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.
I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

Signature

Date

Position

Name of Bidder

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:

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

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.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

TERMS OF REFERENCE

1. Background

- 1.1 The Municipal Finance Management Act No 56 of 2003, Section 122(1) requires every municipality and every municipal entity must for each financial year prepare annual financial statements which—
- a) fairly presents the state of affairs of the municipality or entity, its performance against its budget, its management of revenue, expenditure, assets and liabilities, its business activities, its financial results, and its financial position as at the end of the financial year; and
 - b) disclose the information required in terms of sections 123, 124 and 125.
- 1.2 Section 126(1) of the MFMA requires the accounting officer to prepare the annual financial statements within two from the end of the financial year and submit such to the Auditor General for auditing. The AGSA has three months to complete the audit of the annual financial statements

2. Objective of bid

- 2.1 The appointment of a service provider to provide the resources with the required technical capabilities for the preparation of annual financial statements that comply with GRAP, MFMA statutory reporting requirements and to also assist to improve the audit outcome.

3. Period of contract

- 3.1 The contract period will be for a three-year period for the 2022/2023 FY, 2023/2024 FY and 2024/2025 FY annual financial statements.
- 3.2 The contract period is anticipated to commence in April 2023 and to be completed in March 2026.
- 3.3 The contract will cover the following key periods:
- Preparation of annual financial statements
 - Provision of support during the audit
 - Activities relating to post audit action plan

4. SCOPE OF WORK AND KEY DELIVERABLES

4.1 Resource requirements

- 4.1.1 The team should be comprised of experienced individuals with technical understanding of public sector financial reporting.
- 4.1.2 The team must be led by a Senior Manager who will be the project team leader and must be a registered Chartered Accountant with a minimum of five years' experience in preparing, reviewing annual financial statements to ensure compliance to GRAP, liaising with external auditors and management of the team.
- 4.1.3 Due to the nature of the work and constant engagements with the NMMDM staff and the AGSA for the preparation of the annual financial statements, the team will be required to be on site at NMMDM's head office in Mahikeng.

4.2 Preparation of the annual financial statements

- 4.2.1 The appointed service provider will be responsible for the preparation of the annual financial statements that comply to GRAP and provide quality assurance to confirm that the that the

annual financial statements are free from material errors for the financial years ended 30 June 2023 to 30 June 2026

- 4.2.2 The annual financials must be reviewed quarterly, mid-term and annually and quality assurance provided that the financial are free from any material errors prior to submission to the Chief Financial Officer.
- 4.2.3 The unaudited annual financial statements are required to be finalised 15 workings before the submission timeline to AGSA to allow sufficient time to obtain the required reviews and approvals from the Municipal Manager, Internal Audit and Audit Committee.
- 4.2.4 NMMDM uses Sage Pastel as its financial system and the annual financial statements are prepared on CaseWare software.

5. Audit support and engagements with AGSA

- 5.1 The appointed service provider will be responsible for the following:
 - 5.1.1 Audit support in the engagements with the External Auditors (Auditor General of South Africa),
 - 5.1.2 Manage the RFIs request from the AGSA to ensure that the NMMDM teams responds to all RFIs within three days' timelines of the AGSA.
 - 5.1.3 Maintain a register for RFIs that must be updated daily.
 - 5.1.4 Maintain a suitable electronic filing system for all RFIs.
 - 5.1.5 Manage the Communication of Audit Findings (COAFs) request from the AGSA to ensure that the NMMDM teams responds within three days' timelines of the AGSA.
 - 5.1.6 Review the management responses of all COAFs prior to submission to AGSA.
 - 5.1.7 Attend to all COAFs to prevent significant audit findings
 - 5.1.8 Maintain a register for COAFs that must be updated daily.
 - 5.1.9 Assist to manage the weekly Steering Committee meetings between the NMMDM team and the AGSA.
 - 5.1.10 Co-ordinate and facilitate the year end audit meetings with the NMMDM team and AGSA; also to make inputs on the weekly agenda for the meetings.
 - 5.1.11 Record the meetings by taking the minutes and follow ups to be made on all matters arising,
 - 5.1.12 Maintain a suitable electronic filing system for all audit findings.
 - 5.1.13 Liaise with Auditor General regarding all possible significant audit findings and resolving these findings proactively. Develop an early warning system.
 - 5.1.14 Prepare a weekly report for submission and discussion with the Chief Financial Officer.
 - 5.1.15 Improve and make the audit process efficient with the goal of reducing the AGSA audit hours.

6 Year end audit project plan and reporting

- 6.1 The appointed service provider will be responsible for the following:
 - 6.1.1 Prepare a year end project plan of all critical activities with clearly identified responsible persons, timelines and milestones to ensure that the approved unaudited annual financial statements are submitted to the AGSA as per the required timelines.
 - 6.1.2 The project plan must be completed within one (1) week of appointment.
 - 6.1.3 Project plan to be updated daily and to be discussed weekly with the Chief Financial Officer,
 - 6.1.4 Prepare a weekly report on the milestones achieved and to be achieved in the forthcoming weeks.
 - 6.1.5 Identify any risk areas and how these risk areas will be mitigated.
 - 6.1.6 Prepare weekly reports for submission to NMMDM's management and Audit and Risk Committee.

7 Schedule supporting the annual financial statements

- 7.1 The appointed service provider will be responsible for the following:
 - 7.1.1 Prepare a schedule of all the supporting documentation that will be required and used by

the AGSA to conduct their regularity audit on the Annual Financial Statements.

- 7.1.2 Agree / confirm with AGSA the schedule of all the supporting documentation that will be required to conduct their regularity audit on the Annual Financial Statements.
- 7.1.3 Assignment of responsibilities to the NMMDM Finance team and the appointed service provider for these schedules and supporting documentation and timelines for submission.
- 7.1.4 Assist in preparing these schedules and supporting documentation if there are no NMMDM finance staff to prepare these schedules and supporting documents.
- 7.1.5 Review the supporting schedules and supporting documentation for accuracy and completeness prior to submission to the AGSA.
- 7.1.6 Prepare an audit file with all necessary supporting schedules and supporting documentation in an electronic format for:
 - 7.1.6.1 Budget and Treasury Office (BTO),
 - 7.1.6.2 Internal Audit section,
 - 7.1.6.3 Chief Financial Officer and,
 - 7.1.6.4 AGSA
- 7.1.7 The above should facilitate and make the audit process efficient.
- 7.1.8 The above schedules are required to be submitted together with the unaudited annual financial statements by 31 August each year.
- 7.1.9 Update Audit Action Plans on Treasury website with the CFO and delegated Budget and Treasury Officials (BTO).
- 7.1.10 Provide audit support during audit process

8 Transfer of skills and transfer of all documents

- 8.1 The bidder is required to transfer skills during the appointed period to NMMDM staff.
- 8.2 The bidder must report on the progress of the skills transfer during the course of the contract.
- 8.3 All required documentation (electronic and printed) to be transferred to NMMDM at the end of the project.

9 Bid requirements

- 9.1 The bidder should meet the following requirements:
 - 9.1.1 Service provider to be registered for period longer than five years
 - 9.1.2 The team composition should always meet the requirements outlined in the functionality criteria. Changes to the team should be communicated and approved by the CFO.
 - 9.1.3 The bidder should not outsource any of the functions.
 - 9.1.4 NMMDM considers this Request for Proposal (RFP) and all related information, whether in written or verbal that is provided to the bidders to be proprietary to the NMMDM and should be kept confidential.
 - 9.1.5 Due to the nature of the work and constant engagements with NMMDM staff for the preparation of the annual financial statements, the team will be required to be on site at NMMDM head office in Mafikeng.
 - 9.1.6 If any of the project team member is not available due to any other reason during the contract period, the bidder should be able to provide NMMDM with a suitable resource within 48 hours.

10 Special conditions

- 10.1 Please note that the Municipality will not be reimbursing any form of disbursements.
- 10.2 The service provider must appoint a quality assurer at its own costs

- 10.3 The prospective bidder will be expected to treat municipal information with strict confidentiality and such information shall remain the property of the municipality
- 10.4 The appointed bidder will be required to invoice the Municipality for the work completed, quoting the bid number and order number with full description of services rendered
- 10.5 The successful bidder will enter into a contractual agreement with the Municipality.
- 10.6 The prospective service provider will be expected to complete timesheets, which will be recommended by respective unit manager and approved by the Chief Financial Officer and attached in every invoice.

11 Evaluation of bids

- 11.1 The evaluation of technical proposals will be on the basis of their responsiveness to the Terms of Reference, applying the evaluation criteria and point system indicated below. Each responsive proposal will be given a technical score. A proposal considered to be unsuitable shall be rejected at this stage if it does not respond to important aspects of the Terms of Reference. The municipality shall notify bidders of the rejection of their technical proposal after completing the selection process.
- 11.2 Tenders will be awarded on the absolute discretion of municipality's decision, in accordance with internal policies and statutory regulations. The decision will be final and binding, no correspondence will be entered into.

FUNCTIONALITY

Technical proposal evaluation criteria and point system:

Bidders will have to score minimum of 75 points to proceed to the next evaluation stage.

Item	Description	Weight	Score
1	<p>Bidder experience Bidder's experience in compilation of GRAP annual financial statements for a municipality in the last five years.</p> <p>Please include written reference letters that are signed, stamped and in the letterhead of the institution as part of your submission.</p> <ul style="list-style-type: none"> ▪ Non-submission (0 points) ▪ 1-5 Projects (10 points) ▪ 6-10 Projects (15 points) ▪ 10 and above Projects (20 points) 	20	
2	<p>Bidder track record Proof of bidder experience in preparing GRAP annual financial statements for a municipality which achieved an unqualified audit opinion in the last five years.</p> <p>Please include signed and stamped confirmation letter signed by the Accounting Officer as part of your submission accompanied by the AGSA's audit opinion.</p> <ul style="list-style-type: none"> ▪ None submitted (0 Points) ▪ One Reference Letter (10 points) ▪ Two Reference Letters (15 points) ▪ Three or more Reference Letters (20 points) 	20	
3	<p>Team experience and qualifications</p> <p>PROJECT DIRECTOR Qualifications Project Director must be a registered Chartered Accountant, CA(SA) – [5 points]</p> <p>Project director's experience 1 – 5 years [0 points] 6 – 10 years [3 points] 11 – 15 years [5 points]</p> <p>PROJECT MANAGER Qualifications Project Manager must be a registered Chartered Accountant, CA(SA) – [5 points]</p> <p>Project manager's experience 1 – 5 years [0 points] 6 – 10 years [3 points] 11 – 15 years [5 points]</p>	20	

4	Bidder experience in CaseWare Bidders are required to provide evidence (certificates) of attendance of CaseWare Training. <ul style="list-style-type: none"> ▪ Non-submission (0 points) ▪ CaseWare Fundamentals (10 points) ▪ CaseWare Champion (20 points) 	20	
5	Workplan and skills transfer plan 5.1 Detailed Work Plan comprising of the following: <ul style="list-style-type: none"> ▪ Methodology ▪ Stages of Completion (i.e. Timeframes and Due Dates) ▪ Planned Hours Submitted (5 Points) None submitted (0 Points) 5.2 Detailed Skill Transfer Plan <ul style="list-style-type: none"> ▪ Methodology ▪ Stages of Completion (i.e. Timeframes and Due Dates) ▪ Planned Hours Submitted (5 Points) None submitted (0 Points)	10	
6	Locality Bidders are required to submit the municipal account for their physical premises. In instances where the bidder cannot provide the municipal account, a lease agreement should be provided. The municipal may require to visit the offices of the bidder for physical inspection as part of the evaluation. <ul style="list-style-type: none"> ▪ Bidders outside the North West Province (0 point) ▪ Bidders within the North West Province (5 points) ▪ Within the Ngaka Modiri Molema District Municipality (10 points) 	10	
	TOTAL	100	

The Tenderer must score a minimum of 75 points (75%) to be evaluated further.

PRICING SCHEDULE

Financial proposal

It is understood that management consulting services are based on hourly rates and that budgets are compiled once the appointed team has assessed the likely extent of the work. Bidders are required to submit an estimate of the cost for the scope of works above. The costing shall reflect the hourly rates for each team members and the estimated hours for each financial year.

Should there be a need, bidders are allowed to include the costing schedule as a separate attachment to bid document. The costing schedule be clearly referenced in the bid document.

Year 1

Item (where applicable)	Number of personnel	Hourly Rate	No of hours	Sub-total
Engagement Director		R		
Project Manager		R		
Consultant		R		
Specialists (E.g. Actuaries.)		R		
Total – Year 1				

Year 2

Item (where applicable)	Number of personnel	Hourly Rate	No of hours	Sub-total
Engagement Director		R		
Project Manager		R		
Consultant		R		
Specialists (E.g. Actuaries.)		R		
Total – Year 2				

Year 3

Item (where applicable)	Number of personnel	Hourly Rate	No of hours	Sub-total
Engagement Director		R		
Project Manager		R		
Consultant		R		
Specialists (E.g. Actuaries.)		R		
Total				

Summary of costs

Period	Amount
Year 1	
Year 2	
Year 3	
Total excluding VAT	
VAT	
Total including VAT	

Bidders are required to quote the fee for the provision of the service for the three year period. The fee quoted should be inclusive of VAT. Any escalations, if applicable should be priced in the quotation.

ANNEXURE A

GENERAL CONDITIONS OF CONTRACT