

**NALA LOCAL MUNICIPALITY**



**NLM/COM/002/2023-24**

**Appointment of service provider for compilation of a new valuation roll and supplementary valuation roll for the period of 5 years in terms of Local Government Municipal Property Rates Act, act 6 of 2004**

**Name of the Bidder.....**

**Amount (vat inclusive).....**

**Address.....**

.....

.....

**Contact Number.....**

**E-mail Address.....**

**Closing date: 15 August 2023, 12h00**



## PART A

### INVITATION TO BID

MBD1

<b>YOU ARE HEREBY INVITED TO BID FOR THE BELOW MENTIONED TENDER</b>					
BID NUMBER:	NLM/COM/002/2023-24	CLOSING DATE:	15 AUGUST 2023	CLOSING TIME:	12H00
DESCRIPTION	COMPILATION OF A NEW VALUATION ROL AND SUBSEQUENT UPDATING OF THE VALUATION ROLL (SUPPLEMENTARY) FOR PERIOD OF 5 YEARS IN TERMS OF LOCAL GOVERNMENTMUNICIPAL PROPERTY RATES ACT NO 6 OF 2004.				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
Nala Local Municipality					
08 Preller Street					
Bothaville					
9660					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>		<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>			
CONTACT PERSON	Marumo Malete	CONTACT PERSON	Phindile Snymes		
TELEPHONE NUMBER	<b>056 514 9200</b>	TELEPHONE NUMBER	<b>056 514 9200</b>		
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS	mmalete@nala.org.za	E-MAIL ADDRESS	jsnymes@nala.org.za		
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					

STREET ADDRESS

TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No: MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	Attached Not Attached	B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX]  Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>				
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No	ARE YOU A FOREIGN BASED SUPPLIER FOR <b>THE GOODS /SERVICES /WORKS OFFERED?</b>	Yes [IF YES, ANSWER THE QUESTIONNAIRE BELOW ]	No <input type="checkbox"/>
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>				
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES <input type="checkbox"/> NO <input type="checkbox"/>				
DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES <input type="checkbox"/> NO <input type="checkbox"/>				
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES <input type="checkbox"/> NO <input type="checkbox"/>				
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES <input type="checkbox"/> NO <input type="checkbox"/>				
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES <input type="checkbox"/> NO <input type="checkbox"/>				
<b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.</b>				

**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 IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**

1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

**1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).**

**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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.

2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE [WWW.SARS.GOV.ZA](http://WWW.SARS.GOV.ZA).

2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.

2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....

(Proof of authority must be submitted e.g. company resolution)

DATE: .....

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# **TENDER NOTICE AND INVITATION TO TENDER**

## **NLM/COM/002/2023-24**

Property Valuers registered with SA Council for the property valuers profession are hereby invited to submit proposals for the compilation of anew valuation roll and subsequent updating of the valuation roll (supplementary) in terms of Local Government Municipal Property Rates Act no 6 of 2004.

Tenders in sealed envelopes and clearly indicating the name of the project, as shown below:

**Tender No: NLM/COM/002/2023-24: Compilation of a new valuation roll and subsequent updating of the valuation roll (Supplementary) for period of 5 years in terms of Local Government MunicipalProperty Rates Act no 6 of 2004.**

Must be addressed to **Municipal Manager** and must be placed in the **Tender Box at Nala Local Municipality, 08 Preller Street not later than 12:00 on Tuesday 15 August 2023.**

There will be a Compulsory Briefing Session on **Tuesday, 01 August 2023**. The relevant official will be present, and any questions will then be answered. Persons taking interest will gather at the office of **Nala Local Municipality, Bothaville, Head Office, Council Chamber, at 10H00 [no late attendees will be allowed access to the meeting venue]**. **Tenderers who do not attend the compulsory briefing session will expose their Tenders to rejection.** Only tenderers who satisfy the eligibility criteria stated in the Tender Data are eligible to submit tenders. Tenders will be evaluated and adjudicated in line with the Supply Chain Management policy of the municipality using 80/20 preference point system. Tenders will be evaluated in 2 stages, first will be Functionality and second, will be 80 – Price and 20 – Specific Goals.

Nala Local Municipality reserves the right to accept a part of a Tender and does not bind itself to accept the lowest and / or any tender. Tender Prices must be valid for a period of 90 [ninety] days from the date on which Tenders are due. No Tenders or copies of Tenders received by facsimile machine, electronic mail or per telegram will be considered. Tenderers attempting to influence the Client with regard to the awarding of the Tender, after Tender closure, will automatically expose their Tenders to rejection.

SJ Lehloenya  
Municipal Manager

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## **SPECIAL CONDITIONS OF THE BID**

### **1. SUBMISSION OF TENDERS**

Tenders will be opened in public on the closing date. ALL submissions must be sealed in an envelope clearly marked as per instruction on the tender advert and failure to adhere to this will render your submission non-responsive.

### **2. TENDER DOCUMENT**

Tender document will be uploaded on E-tender, and service providers who need hard copies, will have to pay R1000.00 at the municipality. Only tender documents of service providers who attended compulsory briefing session will be accepted.

### **3. EVALUATION/ADJUDICATION OF TENDER**

The Municipality will not be bound to accept the lowest or any tender and also reserves the right to cancel the tender when deemed necessary. The tender will be adjudicated by the Nala Local Municipality in terms of the Preferential Procurement Policy Framework Act, No. 5 of 2000 and as defined in the conditions of bid in the bid document, read in conjunction with the preferential procurement regulations, 2022, where 80 (Eighty) points will be allocated in respect of price and 20 (Twenty) points in respect of specific goals.

### **4. COMPLETION OF TENDER DOCUMENTS**

Tenders will only be considered on receipt of this tender document correctly completed with all insertions in black ink and signed.

**4.1** The following **compulsory** documentation **must** be attached in order for the bid to be considered:

- Certificate of Authority to sign a bid
- Copy of Tax Compliance Status pin
- Company Registration Certificate
- Certified ID copies of directors of the company.
- Central Supplier Database (CSD) summary report
- SANAS accredited B-BBEE Certificate or sworn affidavit (to claim specific goals points only)
- Formal agreement in case of a joint venture or consortium
- In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate and SARS PIN NUMBER
- Copy of public liability insurance R 500 000.00
- Services account of where the business is situated or Lease agreement accompanied with proof that water and electricity account is not in arrears for 90 days, and services account of any of the directors of the business which is not more than 90 days in arrears.
- Professional body certificate
- All pages of the bid document and returnable must be initialed.

**4.2** The bid offers will only be acceptable if:

- 4.1.1. The bidder or any of its directors is not listed on the register of bid defaulters in terms of the prevention and combating of corrupt activities Act of 2004 as a person prohibited from doing business with the public sector.
- 4.1.2. The bidder has not:
  - Abused the employer's Supply Chain Management System; or
  - Failed to perform on any previous contract and has been given a written notice to this effect.
  - The bidder or any of its directors is not employed by the state.

**Failure to adhere with the above instructions will render the tenderer submission non-responsive**

### **Optional site inspection**

Optional site inspection will be done as and when required by the bidder.

## **5. TAXES AND DUTIES PAYABLE**

Bidders shall allow in their tender for the payment and recovery of all taxes and other duties. No claims for additional payment in this respect will be considered. Prices and rates quoted

shall be inclusive of Value Added Tax (VAT). VAT shall be recorded as a lump sum in the tender summary and the total inclusive of VAT carried to the Form of Tender.

## **6. WITHDRAWAL OF TENDER**

In the event of the successful tender failing to execute the service in terms of this tender, the Municipality shall be entitled to cancel the contract summarily, in which event the Bidder shall be liable for any additional expense incurred by reason of the Municipality having to call for fresh tenders or having to accept any less favourable tender.

## **7. PERIOD OF VALIDITY OF TENDERS**

The period of validity of tenders shall be **90 (Ninety)** days as stated in the tender form and be calculated from the closing date for submission of tenders.

## **8. NOTICE OF BIDDERS**

Should any additions or alterations to the document or drawings as issued to Bidders be deemed necessary prior to the date for submission of tenders, they will be issued in the form of Notices to Bidders and will form part of the tender document.

The Notices to Bidders shall be completed where applicable by Bidders, signed, dated and returned with the tender documents.

## **9. PRICE**

Bid prices will be regarded fixed and no additional cost will be added after closing date of the tender, unless there is an additional request of procurement of services that need to be done which was not included initially in the scope attached to tender document.

Bid prices must be stated in South African currency.

Bid prices must include VAT. (If applicable).

## **10. OTHER CONDITIONS**

Service Providers Tender with its Director/s having criminal record will be deemed non-responsive. This tender is embedded on a risks-based principles. The successful bidder must have a financial capacity of commencing the project with no hindrance.

## **11. TENDER SPECIFICATION**

# **THE COMPILATION OF THE VALUATION ROLL AND SUPPLEMENTARY VALUATION ROLLS AND MAINTENANCE THEREOF FOR THE FINANCIAL YEAR/S 1 JULY 2024 UP TO 30 JUNE 2029 IN COMPLIANCE WITH THE AMENDED LOCAL GOVERNMENT: MUNICIPAL PROPERTY RATES ACT,2024 (ACT NO 6 OF 2004).**

### **11.1 INTRODUCTION**

The Nala Local Municipality is calling for tenders from experienced and suitably qualified valuers for the compilation of a valuation roll and supplementary valuation rolls interms of the act, for all areas within its jurisdiction:

The valuation prices generate a substantial percentage of Municipality's income and therefore the Municipality could suffer significant detriment, if valuation services provided are not accurate. Therefore, is also a significant customer service focus associated with valuation process that impacts on the Municipality's image.

The successful bidder(s) must commit themselves to strict confidentiality during and after the valuation task.

Bidder(s) must ensure that no conflict of interest occurs during the valuation process and if any potential conflict arises, the bidder must advise the Municipality accordingly.

Bidder(s) will be required to prepare a project plan. The Municipality will provide a bidder with certain data.

Any further data or information required to fulfil the requirements of the Act and the specific requirements of the Municipality shall be for the sole account and responsibility of the tenderer.

### **11.2 QUALIFICATION OF MUNICIPAL VALUER AND SUBSTITUTE MUNICIPAL VALUER**

The Municipality require the appointment of a Municipal valuer and a substitute Municipal valuer in terms of section 39(1)(a) only a person registered as a professional Valuer or Professional Associated Valuer in terms of the Property Valuers Profession Act, 47 (act 47 of 2000) may be designated as the Municipal valuer or substitute Municipal Valuer.

The bidder must nominate the person to be designated as the Municipal Valuer by completing **Schedule 1**.

The bidder must nominate the person to be designated as the substitute Municipal Valuer by completing **Schedule 2**.

The Municipality reserves the right to:

Fully investigate the qualifications, experience, and performance of the bidder's nominated person/s in terms of **Schedule 1 and 2** hereof by reference to:

- Previous valuation board hearings;
- Appeal board hearings;
- Arbitration and supreme courts;
- General standing of the nominated person/s within the valuation profession;
- Municipality shall be entitled to obtain references from any professional body that the nominated person/s is associated with;
- Municipality reserves the right to interview the nominated person/s;

The bidder(s) nominated person/s if appointed by the Municipality as their Municipal Valuer and a substitute Municipal Valuer may not cede or assign his appointment to any other Valuer unless such cession and/or assignment has been approved in writing by the Municipality. Should such person/s nor any reason whatsoever no longer be associated or employed by the bidder, Municipality reserves the right to cancel this agreement and hold the bidder and/or appointed Municipal Valuer liable for any damages it may suffer results thereof.

The Municipality shall not be obliged to approve any request for cession and/or assignment.

The nominated and designated Municipal Valuer and Substitute Municipal Valuer will be responsible for the full compliance of the functions and duties of the valuer as set out in the Act as well as fulfilling all the requirements of this tender.

The Municipal Valuer and Substitute Municipal Valuer do by their signature of Schedules 1 and 2 bind themselves jointly and severally with bidder to fulfil all terms and conditions of this tender together with all the schedules.

The Municipal Valuer and Substitute Municipal Valuer will be required upon appointment, to comply in terms of section 43(1) (c) with the code of Conduct set out in Schedule 2 of the

## **12. SERVICES REQUIRED**

Bidders are invited from experienced and suitably qualified bidders to compile and maintain valuation roll/s and supplementary valuation rolls.

Bidder(s) will be required to compile a valuation roll and supplementary Valuation Rolls for the period: 1 July 2024 up to 30 June 2029.

### **Bidder's nominated person/s will be required to assist the Municipality in:-**

1. The amendment of the rates Policy in terms of the Act regarding valuation matters.
2. Community Participation and Public Awareness relating to the valuation and objection process
3. Attending to Valuation Enquiries on behalf of the Municipality.

### **Bidder's nominated person/s will be required to undertake the following functions and/or services:**

4. Valuation of different categories of properties in terms of section 8(2).
5. Valuation of multiple purpose properties in terms of section (9) and the review thereof, if so required.
6. Exemptions, reductions or rebates in-terms of section 15 and the review thereof, if required by the Municipality.
7. Compile valuations in terms of Section 7(1) and subject to the provisions of section 30(2), where applicable.
8. Compliance with the provisions of Section 30.
9. Compile the valuation rolls as at date of valuation in terms of section 31.
10. Comply fully with Section 34 – Functions of Municipal valuer.
11. Section 36 – data collectors. Assume responsibility for their performance.
12. Comply with section 37 – Delegation where applicable and if necessary.
13. Comply with section 39 – Qualifications of Municipal Valuers.
14. Comply with Section 40 – prescribed Declarations.
15. Comply with section 41 – Inspection of property within defined days and times.
16. Comply with Section 42 – Access to information.
17. Comply with Section 43 – Conduct of valuers.
18. Comply with Section 44 – Protection of Information
19. Comply with Section 45 – Valuation methodology and section 13 hereof
20. Comply with Section 46 – General basis of valuation.
21. Comply with Section 47 – Sectional title Schemes.
22. Comply with Section 48 – Content of valuation roll including any additional

Information that the Municipality may require in terms of this tender.

23. Comply with Section 51 – Processing of objections.
24. Comply with section 52(1) (3) – Compulsory review
25. Comply with section 53 - Notification
26. Comply with Section 69 – Decision of Valuation appeal Board and Section 34(f).
27. Comply with Section 78 – supplementary valuations including annual reviews of multiple properties in terms of section 9 and properties affected in terms of Section 15 of the Act, if so required by the Municipality.
28. Comply with section 81 & 82 of the Act. Tender(s)/nominated Person (s) shall provide and make available all data and valuations for purpose of internal monitoring by the Municipality as well as monitoring by the MEC of Local Government in terms of Section 81 (1) of the act and the minister in terms of Section 82(1) of the Act. Such data will be available in a format that is easy to read, understand and interpret.

### **13. Definitions**

Date of evaluation: shall mean the date of valuation as determined by the Municipality in terms the Act;

Date of draft Submission: shall mean the date upon which the Municipality if so required by them requires the nominated person to submit data relevant to the valuation roll to enable the Municipality to use such data in the preparation of their rates policy and tariffs;

Date of final submission: shall mean the date upon which the certified roll/s are handed to the Municipality by the nominated persons(s).

Specialized Properties: Specialized properties are all properties other than residential dwellings, agricultural farming units and typical income producing properties.

Data and Information includes valuations, calculations, spreadsheets, data bases, files, maps analysis and systems, whether electronic or hard copy photographs and/or satellite imagery and /or copies thereof, GIS data, including cadastral and other spatial data, deeds records, sale, and rental records and/or any other information that is obtained and used in the fulfilment of this tender.

Data Ownership: All data obtained, collected and/or utilized in the compilation And maintenance of the valuation roll and supplementary valuations rolls belongs to the Municipality.

## **14. PROMOTION OF ACCESS TO INFORMATION ACT, ACT 2 OF 2000.**

Bidder will be required to fully comply with the requirements of the access to information Act, Act 2 of 2000.

In terms of the promotion of Access to Information Act, Act 2 of 2000. Municipality is obliged and compelled to provide certain information to general public.

The bidder as part of his function in collecting data on behalf of the Municipality will be required to comply with the provisions of the Promotion of Access to Information Act, Act 2 of 2000.

Accordingly, bidder will be required to compile a manual as required in terms of Section 51 of the Promotion of Access to Information Act, Act 2 of 2000.

## **15. CONFIDENTIALITY**

In the process of collecting data and Information in terms of section 42 of the Act, bidder will have access to sensitive and confidential information. All data accessed, obtained, or collected by the bidder and/or data collectors must at all times be kept confidential and not be disclosed. Bidder will comply in full with the provisions of section 44 of the Act

In addition, data may not be used for personal gain by the bidder or the bidder's business, any employee, subcontract or any agent of the bidder or any other person, body or organization receiving the information or data through the tenderer, or any employees or agents.

Failure to observe these conditions will constitute a breach of contract, which could result in termination of this contract.

## **16. PENALTIES AND DEFAULTS**

It is a specific condition of this tender that the bidder is required to perform his task to an acceptable standard and shall be obliged to meet the deadlines determined by the Municipality.

In the event of the bidder not conforming to the standards required by the Municipality as contained in the tender document, bidder shall be given 30 days written notice to remedy such default failing which, the Municipality will be allowed to cancel this

appointment without further notice.

Serious default of this contract shall include but not be limited to

- Non-Compliance to submission dates
- Breach of confidentiality and/or conflict of interest.
- Inadequate valuation performance in terms of section 51 and 52 of the act and/or the results of any Valuation Appeal Board arising from this tender.
- Inadequate valuation results measured against monitoring.
- Non-Compliance with the act and any other conditions referred to in this tender.
- Dishonesty
- Corruption

In the case of dishonesty or corruption the Municipality may terminate this appointment on immediate proof of conviction being made available to Municipality.

In all the other events, the Municipality will give a bidder 30 days' notice to remedy such default, failing which the Municipality shall cancel this tender without further notice or advice. Municipality shall in either situation of inadequate valuation performance being suspected by the Municipality and/or inadequate valuation results arising from the internal monitoring, Provincial monitoring or national monitoring, have the right to appoint a registered professional valuer of not less than ten years registration to act as an adjudicator on behalf of the Municipality to investigate the suspicion. Such person shall consider the merits of the allegations made by the Municipality.

Nominated Person as well as the tender shall be obliged to provide all documentation required by such adjudicator as well as attend all sessions of inquiry and interviews with the said adjudicator. The adjudicator shall, in his findings and deliberations declare whether in his opinion the inadequate performance by the nominated person is a serious default or not. The findings of the adjudicator will be handed to the Municipality, nominated person and Bidder. The Municipality shall consider the findings of the adjudicator and shall thereafter take the necessary steps against the nominated person and/or the tenderer. Allegations or statements made by the adjudicator. The findings of the adjudicator shall be final and binding on both the bidder and nominated person.

Should the Municipality suffer any losses as a result of the default of the tender and/or the

nominated person/s, the Municipality shall further be entitled to recover all costs or damages, resulting from such default as well as the cost of re-appointing alternative valuers and other financial losses suffered by the Municipality, as a result of the default of the bidder and/or the nominated person/s.

The Municipality shall in addition to any of its other rights to claim damages from the bidder be entitled to enforce the following penalties

## 16.2 PENALTIES

1. Delay in complying with stage 1 of the tender, R1 000 per day until completion.
2. Delay in complying with stage 2 of the tender, R1 000 per day until completion.
3. Delay in complying with stage 3 of the tender, R1 000 per day until completion.
4. Delay in complying with stage 4 of the tender, R1 000 per day until completion.
5. Delay in complying with stage 5 of the tender, R1 000 per day until completion.
6. Delay in complying with stage 6 of the tender, R1 000 per day until completion.
7. Delay in complying with stage 7 of the tender, R1 000 per day until completion.

Should it be apparent to the Municipality that after bidder has been advised in writing by Municipality that the bidder is in default in complying with the deadlines of either stage 1 or 2 and that bidder has failed to rectify such default within the amended time limit set by Municipality then in such event Municipality shall be entitled to cancel the contract and appoint a substitute bidder. In such event, the bidder will supply Municipality with all data collected in his possession and Municipality reserves the right to offset any payment due to the bidder against the cost of appointing another person to fulfil the requirement of this tender. If the delays caused by the Municipality themselves, then in such even, the Municipality shall not be entitled to enforce this clause.

## 17. RETENTION

The Municipality shall retain an amount equal to 10% of the tender amount. Such retentions shall be paid over to bidder within 21 days of the final delivery certificate having been issued by the Municipality in terms of the definition hereof.

## 18. INSURANCE

Bidder shall submit proof in terms of Schedule 8 hereof relating to Professional Indemnity Insurance relating to the nominated person/s to a minimum value of R 500 000.00 and

Public Liability Insurance held by the bidder for a minimum value of R500 000.00.

## 19. VALUATION SUMMARY

The bidder requires a valuation roll to be compiled in terms of section 34(b) of the Act together with the compilation of annual supplementary valuation rolls.

The following is an approximate summary of the number of entries appearing in the current Valuation Roll

DESCRIPTION	ESTIMATED NO OF ENTRIES
AGRICULTURAL HOLDINGS	1533
NON-RESIDENTIAL e.g. business, Industrial etc.	502
RESIDENTIAL	19480
UNREGISTERED ERVEN comprising township owner interest accounts	8
ANY OTHER categories that Municipality may wish to state (PBO, PSI, place of Worship)	277
MINING PROPERTIES if applicable	N/A
State Owned	66
Municipal Owned	367
Vacant Sites	399
TOATL ESTIMATED NO OF ENTRIES	<b>22632</b>

Bidder will be required to submit a certified supplementary valuation roll by the 1<sup>st</sup> of January of each year or any such date as may be required by the Municipality.

Supplementary Valuations will be compiled on an ongoing basis as they occur and supplied to Municipality as soon as is reasonably possible.

Municipality will require that bidder maintains a register of all supplementary valuations in the course of being compiled by the bidder and such will contain provision for monthly reporting on all outstanding supplementary valuations and the reasons thereof.

All terms, conditions, and references applicable to the compilation of the valuation roll shall be applicable to the compilation of supplementary valuation rolls.

## **20. OBJECTIONS**

Bidder must comply with provisions of section 51, 52 & 53 of the Act.

## **21. APPEALS**

The bidder must attend all hearings of the valuation appeal board.

## **22. DATA COLLECTION AND DATA COLLECTION SYSTEMS**

Bidder will be fully responsible for the obtainment of all data necessary for bidder to compile the valuation roll and supplementary valuation rolls.

Municipality will establish or have established whether the standard of data collection is accurate and in accordance with generally accepted valuation standards suggested by either The South African Institute of Valuers, or The South African Council for the Property Valuers Profession and/or other recognized South African bodies relating to the valuation profession.

Bidder(s) shall base their tender on the estimated number of entries above. Upon submission of the certified valuation roll an adjustment based on the actual number of entries as reflected in the Property Master will be made and compared to the above estimate. The tender price will be then adjusted to pro rata on the difference on the entries and the price will be calculated on the type of category relating to the entry under 1.1 to 1.10 of **Schedule 3** hereof.

Where a property has been valued in terms of its multiple use, each multiple use will count as a separate entry in the calculation of final entries and price.

Bidder shall provide Municipality with documented proof of the total number of entries contained in the property master file and the Municipality reserves the right to check, audit and verify such entries.

Where a Municipality has no existing valuation roll, tenderer will establish the estimated entries and will thereafter base his/ her tender in terms of the categories reflected under

**Schedule 3** hereof.

If the findings of the Municipality and/or the said described bodies indicate that the standard of data collection is not in accordance with the above standards, the Municipality will give bidder 30 days written notice setting out their findings and request bidder to rectify such default, failing to do so the Municipality shall be entitled to cancel this tender without any further notice.

Bidder will be given the opportunity to explain to Municipality the differences between the findings of the Municipality relating to data randomly checked by them and data supplied to them by the bidder. All data collected by the bidder in no matter what format is the property of the Municipality.

The collection of data on behalf of the Municipality is critical and vital in the determination of true and accurate Municipal valuations. Where bidders has made use of aerial photography and or satellite imagery utilizes at his discretion and/or supplied by him either voluntary or on behalf of the Municipality, such aerial photographs and/or satellite imagery will become the data of the Municipality and the bidder shall have no lien thereon.

Notwithstanding Section 45(2)(a) of the Act, whereby inspections are optional, bidders will be required to adhere to the following minimum data collection requirements; -

In all cases the following data will be applicable; -

- Extent of ERF
- Date of purchase (where available)
- Purchase price (where available)
- Multiple use (if applicable)
- Name of owner
- Street address
- Use of the Property
- Land Parcel Indicator
- Surveyor General Codes

## **23. INFORMATION AND SERVICES TO BE PROVIDED BY THE MUNICIPALITY AND/OR BIDDER**

### **23.1 UPON APPOINTMENT, THE MUNICIPALITY WILL PROVIDE BIDDER WITH THE FOLLOWING DATA:**

1. Current Valuation Roll;
2. Copies of all Supplementary Valuation Rolls;

## 23.2 SUPPLEMENTARY VALUATION ROLL

Municipality will specify which of data will be made available for Supplementary valuation roll compilation.

## 24. VALUATION SYSTEM

Bidder shall satisfy Municipality that its valuation system will adequately be capable of producing the valuation rolls. The minimum, requirements of the Valuation System must be as follows: -

- 24.1 The valuation system must be compatible with the billing system of the Municipality.
- 24.2 It must have adequate securities and controls to ensure that critical valuation data cannot be manipulated or corrupted.

## 25. Other

The valuation system must be capable of extracting all properties that are subject to multiple entries, rebates, reductions, or exemptions.

The valuation system must be able to extract properties, state owned properties as well as categories of properties in terms of the rates policy of the Municipality.

## 26. DATA BACK UP AND DISASTER RECOVERY PLAN

All data collected by bidder is the property of the Municipality.

Bidder will be required at all times to fully protect such data theft, data corruption, data espionage and data loss.

Bidder will ensure that all data protected and backed up is capable of being restored and reinstalled into the valuation system of either Municipality or bidder in less than seven working days from the date of data disaster.

Municipality reserves the right to appoint either its own officials to assess the data protection and disaster recovery procedure or appoint independent specialists to evaluate and consider the merits and adequacy of the plan as set out under **Schedule 4** hereof.

## 27. GENERAL

Bidder will ensure that he/she fully acquaints him/herself with the amount of data to be stored and what data needs to be protected and satisfies the Municipality or its duly appointed consultant that the bidder has an adequate computer system to fully comply with the needs of paragraph 17 hereof as well as any other computer needs of the tender.

## 28. KEY TASK FUNCTIONS

Bidders(s) will be required to follow the stages set out below and adhere to the following deadlines;

STAGE	DESCRIPTION	DEADLINE DATE
1.	Initial data collection, deeds download, existing valuation download, establishment of master file, comparison between newly created property master and existing Municipal valuation records or where no existing valuation roll exists creation of property master.	To be determined on appointment
2.	Obtaining of new data necessary to compile valuations;- Including inspections, data capture, sales, measurements, rentals, expense ratios etc.	To be determined on appointment
3.	Compiling of valuations	To be determined on appointment
4.	Internal monitoring of valuations including accuracy of data, review of sales and valuations between date of commencement and date of valuation	To be determined on appointment
5.	Submission of draft roll	To be determined on appointment
6.	Corrections and submission of certified roll	To be determined on appointment
7.	Objections process as per Act	To be determined on appointment

8.	Attending to all valuation enquiries	To be determined on appointment
9.	Submission of all data or copies thereof to Municipality & issuing of final delivery certificate	To be determined on appointment

## 29. GUIDELINES OF WHAT IS REQUIRED IN EACH CASE:

Accurate data collection is critical during the duration of the entire contract. Bidder(s) will have to ensure that data collected can be monitored by Municipality and verified. Critical data that has a direct effect on valuations i.e. size, zoning, values etc. must be able to be fully audited by a way of an acceptable audit trail.

Failure to meet the deadlines will result in a cumulative knock –on effect with regard to the submission of the certified roll and subsequent rendering of Municipal rates and taxes accounts.

Failure to meet the deadlines regarding the submission of draft certified valuation rolls will result in delays in the finalisation of the annual rates policy, which will ultimately affect the determination of the rates structure of the Municipality.

Although stages may overlap each other is it critical that each stage be completed within the prescribed deadlines. Deadlines may only be changed with the written approval of the Municipality.

Payments will be effected on a pro-rata basis payable either at the end of a stage or in progressive performance related payments during a stage.

## 30. MINIMUM REQUIREMENTS PER STAGE

### Stage 1: Documentation

- Copy of current valuation roll (if compiled).
- All supplementary valuation rolls
- Cadastre information

Bulk deeds download

- Download all data onto bidder(s) valuation system.
- Compare cadastre with the deeds download and existing Municipal valuation roll.

- Download other data in terms of section 48(2).

### **STAGE 2: Data collection:**

Includes: -

Inspections, measurements, sales, field sheets, data capture forms, updating of historic sales, obtaining relevant data applicable to specific property types, i.e rentals, turnover, yields, etc.

Use of aerial photographs for identification and/or electronic measurement.

### **STAGE3: VALUATION COMPIRATION:**

Analysis of all data and compiling of draft valuations.

### **SATGE 4: INTERNAL MONITORING OF VALUATIONS:**

Internal quality control to be conducted by the bidder and measured against current sales and other relevant market data and adjusted to date of valuation.

Basis on which the initial roll has been internally monitored must be made available to the Municipality or its appointed monitors.

The initial roll after internal monitoring must be amended and/or corrected if necessary.

This includes cross boundary monitoring within the Municipality area if applicable.

### **STAGE5: SUBMISSION OF DRAFT ROLL:**

Draft roll to be submitted and internally checked and/or monitored by the Municipality at their sole discretion.

### **STAGE 6: CORRECTIONS TO DRAFT ROLL AND SUBMISSION OF CERTIFIED ROLL:**

Bidder will be required to correct any entry that has been found to be incorrect in terms of size, description, zoning, ownership, etc. as well as incorrect valuations based on sales ratio analysis and other factually indicated market trends.

All draft valuation rolls submitted may be subjected to external monitoring by the Municipality.

After correcting the draft roll, if it is a requirement of Municipality to do so, bidder shall bind and certify the roll for submission to the Municipal Manager.

## **STAGE 7: OBJECTION PROCESS:**

Bidder will be obliged to attend to the following:

Receive objections in terms of section 50(5).

Comply with section 51 and where section 52(2) is applicable comply with section 52(a).

Comply with section 5(1) and 53 (3).

## **STAGE 8: VALUATION APPEALS BOARD HEARINGS:**

In terms of section 34(f) bidder shall be obliged to attend all sitting of the valuation Appeals Board.

## **STAGE 9: ATTENDING TO ALL VALUATION ENQUIRIES:**

Bidder will, if required by Municipality attend to all valuation enquiries from time to time regarding the valuation roll and supplementary valuation rolls.

## **STAGE 10: SUBMISSION OF ALL DATA OR COPIES THEREOF TO MUNICIPALITY & ISSUING OF FINAL DELIVERY CERTIFICATE.**

Bidder(s) will have to ensure that within 30 (thirty) days of submission of the valuation roll and each supplementary roll thereafter that a copy of all data in their possession has been provided to Municipality in either an electronic or hard copy format. A final delivery certificate can only be issued once this provision has been fulfilled.

## **31. PUBLIC PARTICIPATION AND AWARENESS:**

Bidder(s) may be required to attend meetings in regard to the rating policy as well as being involved in public awareness relating to the valuation process. Bidders may be required by the Municipality to handle all valuation enquiries on their behalf particularly during the objection notice period and the months during which the first rates account based on the new valuation roll are levied. The costs are set in Schedule 3 hereof.

If the Municipality elect to require bidder to participate in public awareness and/ or public participation, they shall issue a schedule of their requirements which they will attach to this tender.

## **32. METHODS OF PAYMENT**

STAGE	DESCRIPTION	% Payable	Penalty
1.	Initial data collection, deeds download, existing valuation download, establishment of master file, comparison between newly created property master and existing Municipal valuation records or where no existing valuation roll exists creation of property master.	35%	
2.	Obtaining of new data necessary to compile valuations; - Including inspections, data capture, sales, measurements, rentals, expense ratios etc.	15%	
3.	Compiling of valuations	10%	
4.	Internal monitoring of valuations including accuracy of data, review of sales and valuations between date of commencement and date of valuation	0%	
5.	Submission of draft roll	5%	
6.	Corrections and submission of certified roll		
7.	Objections process as per Act	10%	
8.	Attending to all valuation enquiries	20%	
9.	Submission of all data or copies thereof to Municipality & issuing of final delivery certificate	5%	

**The Municipality will further retain 10% of every amount that is payable per stage/phase. This amount will be paid to the service provider within six months after successful implementation of the valuation roll.**

**SCHEDULE1****AFFIDAVIT, NOMINATION AND DECLARATION OF MUNICIPL VALUER**

**The bidder hereby nominates the following person to be designated by the Municipality in terms of section 33(1) as the Municipal valuer.**

**Full Names****ID Number****Professional Qualifications****Professional Registration no****(Attach certified copy of certificate)**

Have you ever been disqualified as a valuer? If Yes full details and reasons to be supplied

.....

.....

.....

.....

.....

Have you been summoned to appear at any disciplinary hearing of either South African Institute of Valuers and/or South African Council for the Property Valuers Profession or other recognised professional bodies relating to the valuation profession? If yes, full details including date of hearing, presiding officer outcome.

.....

.....

.....

.....

#### **Work Experience in compiling mass Municipal Valuations**

<b>Name of Municipality</b>	<b>Period of valuation roll</b>	<b>No. of properties on a roll</b>	<b>Reference</b>	<b>Contact Details</b>

--	--	--	--	--

**List of properties included in any of the valuation rolls compiled by you of a special nature/ requiring specific skills i.e. airport, mines, quarries and etc.**

Description of Property	Type of Property	Method of valuation	Municipality

--	--	--	--

### **VALUATION BOARD HEARING EXPERIENCE**

**Have you appeared in front of any valuation boards in terms of previous legislation?**

**If Yes:**

Name of Municipality	Name of Chairperson	Name of Secretary	Date of hearing

### **VALUATION APPEAL BOARD HEARING**

**Have you appeared in front of a Valuation Appeal Board in terms of previous legislation or the Act?**

**If Yes:**

Name of Municipality	Name of Chairperson	Name of Secretary	Date of hearing	No. of Appeals	No. of appeals upheld by the board	What was the % reduction by the board compared to valuations compiled by you?

The undersigned do here make oath and say that:  
The questionnaire has been completed by me in full.

I have not withheld any information in regards to the completion of this questionnaire and that all information supplied by me is true and correct.

I do further declare that I have read all the tender requirements including all schedules, forms and other information set out and confirm that I have acquainted myself with the terms and conditions thereof and fully understand the content and implication of all such conditions.

I further undertake by my signature (if I am not the bidder) to bind myself jointly and severally with bidder to fulfil all obligations and requirements of this tender.

Signed by me at \_\_\_\_\_ this \_\_\_\_\_ day \_\_\_\_\_ 2023.

---

SIGNATURE: NOMINATED PERSON AS MUNICIPAL VALUER

#### **JUSTICE OF PEACE/COMMISSIONER OF OATHS**

I hereby certify that the deponent has acknowledged that he/she knows the contents of this affidavit and that it was signed and sworn to before me  
At \_\_\_\_\_ on the day of \_\_\_\_\_ 2023.

---

\_\_\_\_\_  
**Justice of Peace/Commissioner of Oaths**

#### **SCHEDULE 2**

#### **AFFIDAVIT, NOMINATION AND DECLARATION OF SUBSTITUTE MUNICIPAL VALUER**

In the event of the nominated person as Municipal valuer, not being able to carry out his functions and/or duties in terms of his tender to accident, death, ill health, resignation or insolvency, the person nominated as the substitute Municipal valuer shall continue with the functions of the Municipal valuer and shall assume all responsibilities in terms hereof as if he were the Municipal valuer.

**Full Names**

**ID Number**

**Professional Qualifications**

**Professional Registration no**  
**(Attach certified copy of certificate)**

Have you ever been disqualified as a valuer? If Yes full details and reasons to be supplied

.....

.....

Have you been summoned to appear at any disciplinary hearing of either South African Institute of Valuers and/or South African Council for the Property Valuers Profession or other recognized professional bodies relating to the valuation profession? If yes, full details including date of hearing, presiding officer outcome.

## Work Experience in compiling mass Municipal Valuations

Name of Municipality	Period of valuation roll	No. of properties on a roll	Reference	Contact Details


**List of properties included in any of the valuation rolls compiled by you of a special nature/ requiring specific skills i.e. airport, mines, quarries and etc.**

Description of Property	Type of Property	Method of valuation	Municipality

## VALUATION BOARD HEARING EXPERIENCE

Have you appeared in front of any valuation boards in terms of previous legislation?

If Yes:

Name of Municipality	Name of Chairperson	Name of Secretary	Date of hearing

## VALUATION APPEAL BOARD HEARING

Have you appeared in front of a Valuation Appeal Board in terms of previous legislation or the Act?

If Yes:

Name of Municipality	Name of Chairperson	Name of Secretary	Date of hearing	No. of Appeals	No. of appeals upheld by the board	What was the % reduction by the board compared to valuations compiled by you?

The undersigned do here make oath and say that:

The questionnaire has been completed by me in full.

I have not withheld any information in regards to the completion of this questionnaire and that all information supplied by me is true and correct.

I do further declare that I have read all the tender requirements including all schedules, forms and other information set out and confirm that I have acquainted myself with the terms and conditions thereof and fully understand the content and implication of all such conditions.

I further undertake by my signature thereof that in the event of the nominated Municipal valuer in terms of schedule 1(A) hereof not being able to carry his duties as a result of accident, death, ill health or solvency, I hereby bind myself jointly and severally with bidder and/or the Municipal Valuer to fulfil all obligations and requirements of this tender.

Signed by me at \_\_\_\_\_ this \_\_\_\_\_ day  
\_\_\_\_\_ 2023.

### **SCHEDULE 3**

#### **1.10 DETERMINATION OF FEES**

##### **The following schedule of fees will be the basis of the tender**

Bidder(s) are not permitted to change the basis upon which they have been asked to tender. Any variation from the column "How to tender" will invalidate this tender.

Item	Description	How to tender	Amount including VAT	Comment
1	Valuation roll	Fixed tender amount		Price evaluation will be based on the fixed tender amount
2.1	Section 51 Compliance		Nil	Part of compilation fee
2.2	Section 53 (3)	Per reason incl. VAT		

3.1	<b>Appeals Board Hearings:</b> Preparation and consultations with professionals appointed by the Municipality for specific appeals	Per Hour Incl VAT		
3.2	Attendance at Appeal Board Hearing	Per day incl. VAT		
4	Data collection	Fixed fee incl. VAT		Bidder to refer to what is required under Paragraph 23 hereof
5	Public awareness	Fixed fee incl. VAT		
6	Valuations other than for rating purposes	State the basis of fees incl. VAT		
7	Consultations	Hourly rate incl. VAT		
8	Valuation enquiries	Fixed fee incl. VAT		
9	Travelling expenses for valuations other than for rating	State tariff to be applied incl. VAT		
10	Disbursements for valuations other than for rating	State tariff to be applied incl. VAT		
11	Additional copies of valuation roll	Per additional copy incl. VAT		

#### **SCHEDULE 4**

##### **1.11 DATA BACK UP AND DISASTER RECOVERY PLAN**

The minimum level of data and recovery will be as set out under paragraph 26 hereof.

In the event of bidder not wishing to conform to such standards bidder shall attach as **Schedule 4**, a complete proposal in this regard.

Municipality shall not be obliged to accept such proposal of bidder and Municipality reserves the right to refer the proposal of the bidder for evaluation by a recognised expert in the field of data backup and recovery.

## **SCHEDULE OF INFORMATION REQUIRED**

State if you have public liability insurance cover, and, if so, the amount of such cover

Amount	Insurance Company

Provide details of any other relevant information which you feel should be brought to the Municipality's attention.

## Evaluation of tenders:

Municipality will evaluation tender on three stages:

- Compliance to returnable documents
- Functionality
- Price and Specific Goals

Functionality will be evaluation as follows:

## FUNCTIONAL EVALUATION CRITERIA

A minimum point's threshold of 60% (60 out of a total of 100 points) is required. Service providers failing to score the minimum points for functionality will be considered as non-responsive and will render the bid disqualified. <b>Functional Criteria</b>	Details	Points	
Proven track record (reference letters/appointment letters to be attached)	<p>Appointment Letter</p> <ul style="list-style-type: none"> <li>• 10 Appointment letter for either a company or individual within the company</li> <li>• 5 Appointment letter for either a company or individual within the company</li> <li>• Less than 5 Appointment letter for either a company or individual within the company</li> <li>•</li> </ul>	20 10 5	Maximum points 20
Organisation and staffing Experience in key staff (assigned personnel) in relation to scope of work.	Project Leader	0-5yrs: 10 5-10yrs: 15 10+yrs: 30	Maximum 30
Gantt Chat attached with realistic Targets	Supporting team staff	0-2yrs: 5pts 2-5yrs: 10pts	Maximum 10
Qualification & certification	Project Leader: degree/honours Registered with professional valuer	Yes:10pts No:0pts	10
		Yes:15pts No:0pts	30
		Yes:15 No:0pts	

## EVALUATION CRITERIA FOR PRICE AND SPECIFIC GOALS

### Preference Points System

Only those qualifying Bids will be evaluated in terms of the 80/20 preference points systems, where the 80 will be used for price (VAT inclusive) and the 20 for points awarded for Specific goals follows:

**Table 1**

10 Points of Specific goals, will be allocated based on B-BBEE status level of contributor in the following manner,

<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	<b>NUMBER OF POINTS (80/20 SYSTEM)</b>	<b>DOCUMENTATION REQUIRED FROM THE BIDDER TO VALIDATE THEIR CLAIM FOR POINTS</b>
1	10	SANAS Accredited BBEE Certificate or Sworn Affidavit
2	8	
3	6	
4	4	
5	2	
6	2	
7	2	
8	2	
NON-COMPLIANT CONTRIBUTOR	0	

**Table 2**

10 points of Specific goals, will be allocated based on a geographical area of a bidder as follows,

<b>GEOGRAPHICAL AREA OF A BIDDER</b>	<b>NUMBER OF POINTS FOR PREFERENCE</b>	<b>DOCUMENTATION REQUIRED FROM THE BIDDER TO VALIDATE THEIR CLAIM FOR POINTS</b>
Within the boundaries of the Nala Municipality	10	<ul style="list-style-type: none"><li>• Official Municipal Rates Statement</li><li>• Lease Agreement with Lessor's official Municipal Rates statement</li></ul>

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**PRICING SCHEDULE – FIRM PRICES  
(PURCHASES)**

**NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**

**IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT**

Name of bidder.....	Bid number.....
Closing Time 12:00	Closing date.....

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
----------	----------	-------------	---

- Required by: .....
- .....
- Does the offer comply with the specification(s)? \*YES/NO
- If not to specification, indicate deviation(s) .....
- Period required for delivery .....
- \*Delivery: Firm/not firm
- Delivery basis .....

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

\*\* "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

\*Delete if not applicable

## DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
  - the bidder is employed by the state; and/or
  - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

- 2.1 Full Name of bidder or his or her representative: .....
- 2.2 Identity Number: .....
- 2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>): .....
- 2.4 Company Registration Number: .....
- 2.5 Tax Reference Number: .....
- 2.6 VAT Registration Number: .....

- 2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

<sup>1</sup>"State" means –

- (a) 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);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

<sup>2</sup>"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7	Are you or any person connected with the bidder presently employed by the state?	YES / NO
2.7.1	If so, furnish the following particulars:	
	Name of person / director / trustee / shareholder/ member:	.....
	Name of state institution at which you or the person connected to the bidder is employed :	.....
	Position occupied in the state institution:	.....
	Any other particulars:	..... ..... .....
2.7.2	If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?	YES / NO
2.7.2.1	If yes, did you attach proof of such authority to the bid document?	YES / NO
	<u>(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.)</u>	
2.7.2.2	If no, furnish reasons for non-submission of such proof:	..... ..... .....
2.8	Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?	YES / NO
2.8.1	If so, furnish particulars:	..... ..... .....
2.9	Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?	YES / NO
2.9.1	If so, furnish particulars.	..... ..... .....
2.10	Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between	YES/NO

any other bidder and any person employed by the state  
who may be involved with the evaluation and or adjudication  
of this bid?

**2.10.1** If so, furnish particulars.

.....  
.....  
.....

**2.11** Do you or any of the directors / trustees / shareholders / members  
of the company have any interest in any other related companies  
whether or not they are bidding for this contract?

**YES/NO**

2.11.1 If so, furnish particulars:

.....  
.....  
.....

**3 Full details of directors / trustees / members / shareholders.**

<b>Full Name</b>	<b>Identity Number</b>	<b>Personal Reference Number</b>	<b>Tax</b>	<b>State Employee Number / Persal Number</b>

**4 DECLARATION**

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.  
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH  
23 OF THE GENERAL CONDITIONS OF CONTRACT 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); 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 Municipality**

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

1.3 Points for this tender shall be awarded for:

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

1.4 **To be completed by the Municipality:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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 Municipality 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:

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

### 3.2.1. POINTS AWARDED FOR PRICE

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

**80/20**

**or**

**90/10**

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

### 4. POINTS AWARDED FOR SPECIFIC GOALS

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

**Table 1**

10 Points of Specific goals, will be allocated based on B-BBEE status level of contributor in the following manner,

B-BBEE STATUS LEVEL OF CONTRIBUTOR	NUMBER OF POINTS (80/20 SYSTEM)	DOCUMENTATION REQUIRED FROM THE BIDDER TO VALIDATE THEIR CLAIM FOR POINTS
1	10	
2	8	
3	6	
4	4	
5	2	
6	2	
7	2	
8	2	
NON-COMPLIANT CONTRIBUTOR	0	

**Table 2**

10 points of Specific goals, will be allocated based on a geographical area of a bidder as follows,

<b>GEOGRAPHICAL AREA OF A BIDDER</b>	<b>NUMBER OF POINTS FOR PREFERENCE</b>	<b>DOCUMENTATION REQUIRED FROM THE BIDDER TO VALIDATE THEIR CLAIM FOR POINTS</b>
Within the boundaries of the Nala Municipality	10	
Within the boundaries of Lejweleputswa District	6	
Within the boundaries of the Free State	4	
Outside of the boundaries of the Free State	2	<ul style="list-style-type: none"> <li>• Official Municipal Rates Statement</li> <li>• Lease Agreement with Lessor's official Municipal Rates statement</li> </ul>

**1. DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

**8.4 TYPE OF COMPANY/ FIRM**

Partnership/Joint Venture / Consortium

One person business/sole property

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....  
.....  
.....  
.....

**8.6 COMPANY CLASSIFICATION**

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm,

certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to

the satisfaction of the purchaser that the claims are correct;

- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

WITNESSES

- 1. .....
- 2. .....

.....  
SIGNATURE(S) OF BIDDER(S)

DATE: .....

ADDRESS .....  
.....

## MBD 7.1

### CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

#### PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)..... in accordance with the requirements and 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 time of 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);
    - Technical Specification(s);
    - Preference claims for specific goals in terms of the Preferential Procurement Regulations 2022;
    - 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 goods and/or works 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.	.....

**CONTRACT FORM - PURCHASE OF GOODS/WORKS****PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I..... in my capacity as..... accept your bid under reference number .....dated .....for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	BRAND	DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	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 .....

## MUNICIPAL BIDDING DOCUMENT (MBD) 8

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

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	<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)? <b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

## CERTIFICATION

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

CERTIFY THAT THE INFORMATION FURNISHED ON THIS  
DECLARATION FORM TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY  
BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

**MBD 9**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

1. This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> (<sup>1</sup> *Includes price quotations, advertised competitive bids, limited bids and proposals*) invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds (<sup>2</sup> *Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete*).
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:

#### **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid: **“TENDER NUMBER** \_\_\_\_\_ in response to the invitation for the bid made by Letsemeng Local Municipality 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)

- i. I have read and I understand the contents of this Certificate;
- ii. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
- iii. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
- iv. 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;
- v. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - a) has been requested to submit a bid in response to this bid invitation;
  - b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> (*<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract*) 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.

<b>NAME OF BIDDER</b>	
<b>SIGNATURE</b>	
<b>POSITION</b>	
<b>DATE</b>	