

# NDLAMBE MUNICIPALITY



## TENDER DOCUMENT

### TENDER 16/2526 SUPPLY AND DELIVERY OF DIESEL AND PETROL FUEL

NAME OF BIDDER	
TRADING NAME (IF APPLICABLE)	
CENTRAL SUPPLIER DATABASE REGISTRATION NR*	
CIDB NR. (IF APPLICABLE)	
CONTACT PERSON	
ADDRESS	
TELEPHONE NUMBER	
CELLPHONE NUMBER	
E-MAIL ADDRESS	
B-BBEE LEVEL OF CONTRIBUTION	
LOCALITY (Municipal Area where Business is Located)	
TENDER AMOUNT (VAT APPLICABLE) Refer to page	

**Closing date: 13 APRIL 2026 at 12:00**



## NDLAMBE MUNICIPALITY

### TENDER 16/2526

#### INVITATION TO TENDER - SUPPLY AND DELIVERY OF DIESEL AND PETROL FUEL

Tenders are hereby invited for the Supply and Delivery of Petrol and Diesel Fuel in bulk to Ndlambe Municipality for a period of 3 years (36 Months) as follows:

#### 1. SCOPE OF WORK

The scope of work for this requirement is as follows:

- Units to be quoted in litres (estimated volumes are included in the returnable document):
- Diesel - 50 ppm
- Unleaded petrol - ULP95
- A fuel analysis is to be performed after every fuel drop. The reports are required to be submitted directly to Ndlambe Municipality monthly. If the analysis shows discrepancies, fuel must be replaced.
- A maximum lead time of two days (48 hours from order to delivery) is required. Ndlambe Municipality will be entitled to utilise alternative sources if the contracted provider is unable to supply within the 48-hour lead time.
- **The supplier must be the holder of a wholesale licence under the Petroleum Products Act 120 of 1977 (Section 2A (b) of The Petroleum Product Amendment Act, 2003 (Act No 58 of 2003) states that no person must operate as a wholesaler unless that person has a valid wholesale licence).**
- Legislated price adjustments during the duration of the contract shall be accepted by Ndlambe Municipality.
- Supplier must be responsible for the maintenance and functionality of the Municipal equipment (Pump, Tanks etc.) at all times and dispensers to be calibrated annually. (Equipment being the property of the Ndlambe Municipality).

2. Additional quantities may be requested by the Municipality on an “as and when needed” basis

Fully detailed requirements and deliverables are set out in the returnable Tender Document.

#### Pre-qualification Criteria

The supplier must be the holder of a valid wholesale licence under the Petroleum Products Act 120 of 1977 (Section 2A (b) of The Petroleum Product Amendment Act, 2003 (Act No 58 of 2003) states that no person must operate as a wholesaler unless that person has a valid wholesale licence).

Failure to be a valid holder of the above licence will result in the bid being rejected and deemed as non-responsive.

#### Bids will be evaluated for functionality as follows (full details are set out in the returnable document):

#### FUNCTIONALITY

Tenders will be evaluated on the functionality criteria as set out below. Bidders that score less than 75 out of 100 points for these criteria will be regarded as non-responsive and will not proceed to the Preferential Points calculation.

	CRITERION	Max Points
1	Experience of the bidder in the supply and delivery of goods	75
2	Delivery Period (Gantt chart required)	25
	<b>Total</b>	<b>100</b>

#### Bidders shall take note of the following BID CONDITIONS:

1. Prices must be valid for the full duration of the validity period as noted in the bid document.
2. Prices quoted must be firm and must, where applicable, be inclusive of VAT.
3. Ndlambe Municipality reserves the right to withdraw any invitation to tender and/or to re-advertise it. Furthermore, Ndlambe Municipality does not bind itself to accept the lowest bid or any other bid and reserves the right to accept the whole or part of the bid.
4. An original tax clearance certificate issued by SARS must accompany all tenders OR a tax reference number and PIN or TCC number must be provided. Tax status will also be verified against the Central Supplier Database (CSD)
5. Evidence of registration of the company on the Central Supplier Database must be provided (CSD MAAA” number).
6. Bidders must complete the following forms, which are included in the returnable document:
  - Declaration of Interest (**MBD 4**).
  - Declaration of Interest (**MBD 5**)
  - Declaration of Bidder’s Past Supply Chain Management Practices (**MBD 8**).
  - Certificate of Independent Bid Determination (**MBD 9**).
7. Bidders who wish to claim preferential points for Specific Goals in terms of the Preferential Procurement Policy of Council and the Preferential Procurement Regulations, 2022, must submit a completed form **MBD 6.1** (included in the returnable document) as well as a **certified copy** of the proof of B-BBEE status level of contribution and proof of locality.
8. A Municipal Billing Clearance Certificate, which covers, if applicable, both the company and its directors, must accompany all bids

(included in the returnable document).

9. It should be noted that the 80/20 or 90/10 preferential points system will be applied, 80/90 being for price and 20/10 for Specific Goals as defined in the Preferential Procurement Policy.
10. The award will be made in terms of the Municipality's Preferential Procurement and Supply Chain Management Policies.
11. This bid is subject to the General Conditions of Contract (GCC)
12. Documents are to be completed in full and in accordance with the conditions and bid rules contained in the bid
13. **Samples of the offered unit(s) shall be requested from bidders, bidders are required to ensure they are submitted within the set timeframes, if not submitted together with the tender document.**

To ensure that tenders are not exposed to invalidation, documents are to be completed in accordance with the conditions and bid rules contained in the bid documents. The returnable tender document, which includes full details of the specifications, is available for download, **free of charge**, from Ndlambe Municipality's website <https://www.ndlambe.gov.za/quotations-and-tenders/>

**N.B. Bidders requiring a hard copy to be supplied by the municipality must pay a non-refundable tender deposit of R134.35, inclusive of VAT. In the latter case, the original receipt should be attached to the submitted tender document. BIDS MAY ONLY BE SUBMITTED ON THE BID DOCUMENTATION ISSUED BY NDLAMBE MUNICIPALITY.**

Tender documents may be collected from the Supply Chain Management office at Ndlambe Local Municipality Offices, 44 Campbell Street, Port Alfred, 6170 from **12 March 2026** (office hours 08h00 until 16h00). **Late submitted, unmarked, faxed, falsified, incomplete or e-mailed proposals will not be considered and will be disqualified.**

Completed Tender documents together with the samples of the offered units, supporting documents and externally endorsed documents must be placed in a sealed envelope marked "**T16/2526 - SUPPLY AND DELIVERY OF DIESEL AND PETROL FUEL**" and deposited in the Tender Box at the Supply Chain Management Offices, 44 Campbell Street, Port Alfred not later than 12h00 on **13 April 2026. SAMPLES OF THE OFFERED UNIT(S) ARE TO BE PLACED IN A SEPARATE BOX WITH THE BIDDER'S NAME CLEARLY MARKED THEREON.** Tenders will be opened at the Supply Chain Management Unit at 12h05 on the same day.

**N.B. ENVELOPES NOT MARKED AS INDICATED ABOVE WILL NOT BE OPENED AND SUCH BIDS WILL BE DISQUALIFIED.**

Further technical details may be obtained from Mr. Lizo Mohapi at Tel: 046 604 5639 [tenders@ndlambe.gov.za](mailto:tenders@ndlambe.gov.za)

NOTICE NUMBER: 63/2026  
12 April 2026

ADV R. DUMEZWENI  
MUNICIPAL MANAGER

NOTICE BOARDS, WEBSITE, TALK OF THE TOWN

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## INVITATION TO BID (MBD 1)

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**YOU ARE HEREBY INVITED TO SUBMIT A PROPOSAL FOR T16/2526 – SUPPLY AND DELIVERY OF DIESEL AND PETROL FUEL.**

**BID NUMBER:** TENDER 16/2526

**CLOSING DATE:** 13 APRIL 2026

**CLOSING TIME:** 12H00

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**THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM**

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BID DOCUMENTS TOGETHER MUST BE DEPOSITED IN THE CORRECT BID BOX SITUATED AT:

**NDLAMBE MUNICIPALITY tender box on the 1st Floor, Supply Chain Management office, 44 Campbell Street, Port Alfred.**

Bidders should ensure that bids are delivered timeously to the correct address and placed in the bid box. If the bid is late, or if it is deposited in an incorrect box it will not be accepted for consideration.

The physical bids must be submitted during office hours, namely 08H30 to 16H00 Monday to Friday.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL TENDER DOCUMENTATION PROVIDED BY THE NDLAMBE MUNICIPALITY.

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

**NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (as defined in Regulation 1 of the Local Government: Municipal Supply Chain Management Regulations)**

## PART 2 - CONDITIONS OF BID

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### 1. GENERAL REQUIREMENTS

- 1.1 The Ndlambe Municipality wishes to invite service providers to submit bids for the **Tender 16/2526 – SUPPLY AND DELIVERY OF DIESEL AND PETROL FUEL.**
- 1.2 The bidder is required to furnish full details requested on the bid forms.
- 1.3 The bidder is requested to furnish all relevant information not entertained on the form of bids under separate cover which shall form part of the bid.

### 2. CONTACT PERSON FOR QUERIES

Name : Ms. S Smaile  
Telephone: 046 604 5671  
Email : [tenders@ndlambe.gov.za](mailto:tenders@ndlambe.gov.za)

Project Manager: Mr. Lizo Mohapi  
Telephone: 046 604 5639  
Email : [lmohapi@ndlambe.gov.za](mailto:lmohapi@ndlambe.gov.za)

### 3. TERMS AND CONDITIONS

#### 3.1 Confidentiality

All materials, specifications, service level requirements detailed information and everything else supplied with this request for the bid remains the property of the Ndlambe Municipality and may be recalled if deemed necessary.

With reference to the POPI Act all personal information will be treated with the strictest confidentiality and will not be used for any unnecessary processing not related to the tender in question.

#### 3.2 Contractual obligations

The request for bid does not constitute a contract nor does it create an obligation on the part of the Ndlambe Municipality to purchase services, products or equipment from any vendor submitting a bid.

#### 3.4 Response to Questions

Where appropriate, questions should be answered explicitly by providing specific details requested. Bidders selecting to omit any of the required information or who do not follow the specified format will be disqualified from the bid process.

Should additional information be required by Ndlambe Municipality, bidders may be approached to provide more details, including aspects not specifically covered in this request for bids.

Please ensure that the documentation required is completed in full and signed, **failure to complete the tender document in full, placement of signature where required, and commissioning may render the bid non-responsive.**

#### 3.5 Completion of Tender Documents and Ambiguities

It must be noted that if there are any ambiguities found in this bid document, it is the responsibility of the bidder to clarify any such ambiguities before the closing of queries. If any ambiguities are noted during the bid evaluation process, the Bid evaluation committee shall make a determination on interpretation of the ambiguity.

No unauthorised alteration of this set of tender documents will be allowed. Any unauthorised

alteration will disqualify the tender automatically.

### **3.6 Registration on the Central Supplier Database**

It is required that all prospective service providers who are not yet registered on the Central Supplier Database (CSD) to register without delay on the CSD website: [www.csd.gov.za](http://www.csd.gov.za) The Municipality reserves the right not to award tenders to prospective suppliers who are not registered on this Database.

### **3.7 Award Processes**

Bidders are advised that only the Supply Chain Management office will issue information relating to the bid award process (including correspondence related to intentions to appoint).

### **3.8 Municipal Rates, Taxes and Charges**

A copy of the bidder's and those of its director's/members municipal accounts (for the Municipality where the bidder and its director's/members pay their account) for the month preceding the tender closure date must accompany the tender documents. If such a copy does not accompany the bid document of the successful bidder, the Municipality reserves the right to obtain such documents after the closing date to verify that their municipal accounts are in order.

Any bidder which is or whose directors are in arrears with their municipal rates and taxes or municipal charges due to any Municipality or any of its entities for more than three months and have not made an arrangement for settlement of same before the bid closure date will be unsuccessful. The arrangement for settlement for the outstanding amount (which were done before the closing date of the bid), must also be submitted with the tender document.

If a bidder and its director's/members rent their premises, the current lease agreement must be submitted with the tender document, which indicates that the rental includes their municipal rates and taxes. If the lease agreement indicates that the bidder or its director's/members are responsible to pay the municipal rates and taxes, the Municipal Account of the leased premises indicated must also be submitted.

If a bidder and its director's/members, do not own any property, they must submit the following:  
(i) Affidavit from the bidder and its director's/members, that they do not own any property;  
(ii) Affidavit from the owner of the property where business is situated/director's/members reside, that the bidder and its director's/members are not liable for the municipal rates and taxes.

If a bidder or its director's/members, lives outside of South Africa, an affidavit by the Company must be submitted

### **3.9 Use of Bidders information**

Under the POPI Act, by submission of this bid, the bidder hereby provides consent to the municipality to utilize information and data sources available to confirm the information provided by bidders and obtain any other relevant information to ensure compliance with applicable procurement regulations. The municipality will treat the bidders' information with confidentiality and access only the information that is required for evaluation and procurement processes.

I \_\_\_\_\_ (bidder's nominated representative)  
grant the Ndlambe Municipality permission to utilize information and data sources available to confirm the information provided by our enterprise and obtain any other relevant information to ensure compliance with applicable procurement regulations.

**THIS BID DOCUMENT WILL ONLY BE ACCEPTED IF IT IS COMPLETED IN BLACK NON-ERASABLE INK.**

# SCOPE OF WORKS

## SPECIFICATIONS FOR THE SUPPLY AND DELIVERY OF DIESEL AND PETROL FUEL

### 1. BACKGROUND

Ndlambe Municipality requires the appointment of a suitably qualified and licensed fuel supplier to ensure the continuous and reliable supply of petroleum products necessary for effective municipal service delivery. The appointed supplier must hold a valid wholesale licence in terms of the Petroleum Products Act, 1977 (Act No. 120 of 1977), as amended, and legislated fuel price adjustments during the contract period will be accepted. The supplier will furthermore be responsible for the ongoing maintenance, functionality, and annual calibration of municipal fuel equipment, including pumps, tanks, and dispensers, which remain the property of Ndlambe Municipality.

### 2. SCOPE OF WORK

The scope of work entails the supply and delivery of petroleum products to Ndlambe Municipality to support continuous municipal operations and service delivery. The appointed service provider will be required to supply Diesel 50 ppm and Unleaded Petrol (ULP95) in litres, as and when ordered, based on estimated volumes provided by the Municipality. Fuel deliveries must be completed within a maximum lead time of forty-eight (48) hours from order to delivery. The service provider shall conduct fuel quality analysis after every delivery and submit monthly reports to the Municipality, and any fuel found to be non-compliant shall be replaced at the supplier's cost. The service provider must be in possession of a valid wholesale licence in terms of the Petroleum Products Act, 1977 (Act No. 120 of 1977), as amended, and shall comply with all applicable legislation. Legislated fuel price adjustments during the contract period shall apply. The service provider shall further be responsible for the maintenance, functionality, and annual calibration of all municipal fuel equipment, including pumps, tanks, and dispensers, which remain the property of Ndlambe Municipality.

### 3. DIESEL AND PETROL FUEL COMPLIANCE REQUIREMENTS

The appointed service provider shall be responsible for the supply, delivery, and management of petroleum products to Ndlambe Municipality in accordance with all applicable legislative and operational requirements. The scope of work shall include, but not be limited to, the following:

- Supply and delivery of
  - Diesel 50 ppm and
  - Unleaded Petrol (ULP95) in litres,based on estimated municipal consumption and as ordered from time to time to the Ndlambe Municipal stores located in **Port Alfred and Kenton-on-Sea**.
- Ensure delivery of fuel within a maximum lead time of forty-eight (48) hours from receipt of an official municipal order. **Pot support – galvanized steel**.
- Conduct fuel quality analysis after every delivery and submit consolidated monthly fuel analysis reports directly to Ndlambe Municipality.
- Replace, at no additional cost to the Municipality, any fuel found to be non-compliant or discrepant in terms of the fuel analysis results.
- Maintain full compliance with the Petroleum Products Act, 1977 (Act No. 120 of 1977), including possession of a valid wholesale licence for the duration of the contract.

- Prices are subject to fluctuations during the contract period as regulated by Government. Proof of price increases/decreases published by The Department of Mineral Resources and Energy to be provided for each increase/decrease. The bidder shall apply legislated fuel price adjustments in accordance with national petroleum pricing regulations during the contract period.
- During delivery the supplier must comply to Health and Safety procedures for delivering Petrol 95 unleaded and/or Diesel 50ppm fuel.
- The delivery truck must be fitted with a meter reader that display the quantity of fuel delivered.
- Prior to accepting any price increases, written proof must be submitted. Acceptance of the price increases are subject to the approval of the Chief Financial Officer or his delegate after satisfying himself that these increases are in line with the industry norm). Such a letter must be submitted before the 15th of the month prior to the requested price increase.
- A preferred and alternative bidders may be appointed depending on the responsiveness of bidders.
  - The successful bidder (preferred bidder) must confirm, in writing, within 24 hours after receipt of the order, if the required quantity per order cannot be delivered. Failure to respond or to make alternative arrangements with the relevant municipal official will result in cancellation of the order and the Municipality reserves the right to allocate the order to the first alternative bidder without further notice.
  - The first alternate bidder must confirm, in writing, within 24 hours after receipt of the order, if the required quantity per order cannot be delivered. Failure to respond or to make alternative arrangements with the relevant municipal official will result in cancellation of the order and the Municipality reserves the right to allocate the order to the second alternative bidder without further notice.
  - The second alternative bidder must confirm, in writing, within 24 hours after receipt of the order, if the required quantity per order cannot be delivered. Failure to respond or to make alternative arrangements with the relevant municipal official will result in cancellation of the order and will be deemed that the items cannot be delivered, and then three (3) quotations and/or formal written quotations (FWQ) process will be followed.
- **Samples of the offered unit(s) are required to be submitted together with the tender document. Such samples are to be sealed and clearly marked with the bidder's name and the Ndlambe LM tender number (T16/2526). Failure to provide the samples with the bid as per the tender notice will deem the bid non-responsive.**

## PERFORMANCE OF SUCCESSFUL BIDDER

Repeated failure to deliver the required quantities within the stipulated timeframe, or repeated cancellations due to non-performance, will be recorded as poor performance in terms of the Municipality's Contract Management and Performance Monitoring provisions and may result in the bidder being restricted from receiving further orders, or other remedial action as provided for in the SCM Policy and applicable legislation.

If the successful bidder continuously underperforms or does not meet the service level required as per the contract, the service provider will be issued a written notification of such poor service. Continued poor performance will result in the termination of the contract.

### Key Performance Indicators

The following key performance indicators will be applicable to the successful bidder/s and will be measured after each order, to assess the performance:

**Supplied in Terms of Specifications**

<b>Standard</b>	Product delivered complies with specifications as set out in tender document.
<b>Target</b>	100% achievement
<b>Proof of evidence</b>	Tender document

**Delivery Time Frames**

<b>Standard</b>	Goods and Services must be delivered On-Time as agreed.
<b>Target</b>	100% achievement.
<b>Proof of evidence</b>	Delivery notes

**Communication with Municipality**

<b>Standard</b>	Service Provider regularly liaises with the authorised representative of the Municipality and promptly returns calls, e-mails etc.
<b>Target</b>	100% achievement.
<b>Proof of evidence</b>	E-mails

Signature of the bidder.....

## Functionality Evaluation

The bid will be subject to a functionality evaluation, to determine the technical capability of the bidder. Bidders that score less than 75 out of 100 points for these criteria will be regarded as non-responsive and will not proceed to the Preferential Points calculation.

Criteria	Sub criteria	Points
<b>Experience</b>	<p>Experience of the bidder in supply and delivery of diesel and petrol fuel. (5 reference letters or 5 Orders – verification of such confirmation may be done by the municipality).</p> <p>15 points for each letter provided</p> <p>5 reference letters or 4 Orders = 75 Points</p> <p>4 reference letters or 4 Orders = 60 Points</p> <p>3 reference letters or 3 Orders = 45 Points</p> <p>2 reference letters or 2 Orders = 30 Points</p> <p>1 reference letter or 2 Order = 15 Points</p> <p>No reference letter or Orders = 0 Points</p>	<b>75</b>
<b>Delivery Period</b>	<p>Delivery Period (Gantt chart required)</p> <p>5 Working Days after the receipt of the order</p> <p>Within 5 Working Days = 25 Points More</p> <p>more than 5 Working Days = 0 Points</p>	<b>25</b>
<b>Total</b>		<b>100</b>

**A bidder that scores less than 75 points out of 100 in respect of “functionality” will be regarded as submitting a non-responsive bid/ quote and will be disqualified.**

## INFORMATION REQUIRED FOR FUNCTIONALITY EVALUATION

The information required for the functionality evaluation must be submitted in the following format:

### PREVIOUS EXPERIENCE

1. Provide details of previous supply and delivery of goods (Attach reference letters or purchase orders from previous or current work).

	Project name	Description of scope of work/services	Project Value in R	Contract period (Start – end date)	Institution Name and Address	Contact person and number for reference purposes
1.						  
2.						  
3.						   
4.						  
5.						  

**DELIVERY PERIOD**

2. Provide details of delivery period that will be applicable with bid submission and ensure a detailed Gantt chart has been submitted.

	<b>Delivery Period – Proof of submission</b>	<b>Yes/No</b>	<b>Possible Points</b>
1.	Gantt chart provided indicating a delivery period within 2 working days after receipt of the order		25
2.	Gantt chart provided indicating a delivery period of more than 2 working days after the receipt of the order		0

## RESOLUTION OF AUTHORITY TO SIGN DOCUMENTS

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category.

<b>A</b> Company	<b>B</b> Partnership	<b>C</b> Joint Venture	<b>D</b> Sole Proprietor	<b>E</b> Close Corporation	<b>F</b> Other (Specify)

I/We, the undersigned, am/are\* duly authorised to sign the Tender Form for this contract on behalf of..... (bidding entity) acting in the capacity of..... (Position in the Enterprise), and will sign as follows: ....., the Bid/Tender, and all documents and/or correspondence of this tender and any contract resulting from it on behalf of the company.

Witness 1 Signature:

---

Witness 2 Signature:

---

Chairperson's Signature:

---

Date:

---

Name of Directors/Members or Partners	Capacity	Signature	Date

**Note:**

This resolution must be signed by all the Directors/Members/Partners of the Bidding Enterprise. Should the number of Directors/Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

Alternative a resolution taken by the parties to the bidding entity may be attached to this bid, authorizing a signatory for THIS bid.

**FORM OF OFFER**  
**TENDER 16/2526 – SUPPLY AND DELIVERY OF DIESEL**  
**AND PETROL FUEL (PURCHASES) (MBD 3.1)**

Name of Bidder: .....	Bid Number: T16/2526
Closing Time: 12:00 (NOON)	Closing Date: 13 APRIL 2026

**TENDER WILL BE VALID FOR 90 CALENDAR DAYS**

BID PRICE IN RSA CURRENCY  
 \*\* (ALL APPLICABLE TAXES INCLUDED)

Having examined the bid documentation and the requirements as set out in the document, and noting the requirement that any disputes arising must be settled by means of mutual consultation, mediation (with or without legal representation) or, when unsuccessful, in a South African court of law, I/We\* offer to provide the required services, as fully detailed in the bid invitation notice and this bid document, for the **fully inclusive** sum(s) as follows:

COMPONENT	UNIT PRICE	QUANTITY	TOTAL ZAR
Diesel: 50ppm		1L	
Petrol: 95 unleaded (ULP)		1L	
OR			

**PART B: UNIT PRICES ONLY AS AND WHEN REQUIRED**

I the undersigned (Full Names) .....duly authorized thereto hereby undertake to supply all the stipulated goods to Ndlambe Local Municipality in accordance with the requirements and specifications stipulated in Tender No. 16/2526 for the SUPPLY AND DELIVERY OF DIESEL AND PETROL FUEL as per the above price/s quoted. The offer/s remains binding upon me/company/close cooperation and open for acceptance by Ndlambe Local Municipality during the validity period indicated and calculated from the closing time of bid.

**TOTAL PRICE OFFER (INCLUDING VAT) PER ABOVE**

R.....

Signed on this..... day of .....2025, at  
 ..... (Place)

**SIGNATURE OF AUTHORISED PERSON:** .....

**NAME OF AUTHORISED PERSON:** .....

**On behalf of the bidder (Company Name)**.....

WITNESS 1: .....

WITNESS 2: .....

**PART B – TERMS AND CONDITIONS FOR BIDDING**



# NDLAMBE LOCAL MUNICIPALITY – MBD 4

Causeway Road  
P O Box 13  
Port Alfred  
6170

Phone: (046) 604 5500  
Fax: (046) 604 2702  
tenders@ndlambe.gov.za  
<http://www.ndlambe.gov.za>

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

3.1 Full Name of bidder or his or her representative:.....

3.2 Identity Number: .....

3.3 Position occupied in the Company (director, trustee, hareholder<sup>2</sup>):.....

3.4 Company Registration Number: .....

3.5 Tax Reference Number:.....

3.6 VAT Registration Number: .....

3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state? **YES / NO**

3.8.1 If yes, furnish particulars. ....

.....

<sup>1</sup>MSCM Regulations: "in the service of the state" means to be –

- (a) a member of –
  - (i) any municipal council;
  - (ii) any provincial legislature; or
  - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

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

3.9 Have you been in the service of the state for the past twelve months? .....**YES / NO**

3.9.1 If yes, furnish particulars.....

.....

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? .....**YES / NO**

3.10.1 If yes, furnish particulars.

.....

.....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? .....**YES / NO**

3.11.1 If yes, furnish particulars

.....

.....

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

3.12.1 If yes, furnish particulars.

.....

.....

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

3.13.1 If yes, furnish particulars.

.....

.....

3.14 Do you or any of the directors, trustees, managers, principal shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. ....**YES / NO**

3.14.1 If yes, furnish particulars:

.....

.....

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

Full Name	Identity Number	State Employee Number

.....  
**Signature**

.....  
**Date**

.....  
**Capacity**

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



# NDLAMBE LOCAL MUNICIPALITY – MBD 5 –

Causeway Road  
P O Box 13  
Port Alfred  
6170

Phone: (046) 604 5500  
Fax: (046) 604 2702  
tenders@ndlambe.gov.za  
<http://www.ndlambe.gov.za>

## DECLARATION FOR PROCUREMENTS ABOVE R10 MILLION (VAT INCLUDED)

For all procurements expected to exceed R5 million (VAT 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 a municipality 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 a municipality or other service provider in respect of which payment is overdue for more than 30 days.

2.2 If yes, provide particulars.

.....

.....

.....

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 / municipality 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**



## NDLAMBE LOCAL MUNICIPALITY – MBD 6.1

Causeway Road  
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<http://www.ndlambe.gov.za>

### SPECIFIC GOALS PREFERENTIAL POINTS CLAIM FORM IN TERMS OF THE MUNICIPALITY'S PREFERENTIAL PROCUREMENT POLICY, 2023 AND THE PREFERENTIAL PROCUREMENT REGULATIONS OF 4 NOVEMBER 2022 (Gazette 47452)

These specific goals preferential points claim form is submitted with bids invited where the estimated procurement amount exceeds R30 000. It contains general information and serves as a claim form for points for **specific goals** as follows:

- Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution, and
- Bidder Locality

#### 1. GENERAL CONDITIONS

1.1. The following preference point systems are applicable to all bids:

- 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. Points shall be awarded for:

- 1.2.1. Price;
- 1.2.2. B-BBEE Status Level of Contributor (Specific Goal 1); and
- 1.2.3. Locality of bidder (Specific Goal 2)

1.3. The formulae and methodologies to be applied in calculating price and specific goal points shall be those as set out in the 2022 PPPFA Regulations (the Preferential Procurement Regulations made by the Minister on 4 November 2022) 4 to 7, which formulae and methodologies are subject to amendment by the Minister from time to time.

1.4. The maximum points for this bid are allocated as follows:

#	Component	Maximum Points – value up to R50 million	Maximum Points – value above R50 million
1	Price	80	90
2	B-BBEE Status Level of Contributor	10	5
3	Locality of bidder	10	5
	<b>Total points</b>	<b>100</b>	<b>100</b>

1.5. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6. Failure on the part of a bidder to submit proof of locality with the bid, will be interpreted to mean that preference points for Bidder Locality are not claimed.

1.7. Ndlambe Local Municipality reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to specific goals, in any manner required by the municipality.

## 2. DEFINITIONS

- (a) "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) "B-BBEE status level of contributor" means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) "bid" means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) "functionality" means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) "prices" includes all applicable taxes less all unconditional discounts;
- (h) "proof of B-BBEE status level of contributor" means:
- 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (j) "specific goals" means specific goals as contemplated in Para 4 of Ndlambe Municipality's Preferential Procurement Policy.

## 3. BID DECLARATION – SPECIFIC GOALS

3.1 Bidders who wish to claim points in respect of B-BBEE Status Level of Contribution must complete the following:

B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4

B-BBEE Status Level of Contributor: = \_\_\_\_\_ Points claimed = \_\_\_\_\_ (see below)

B-BBEE Level	Points - value up to R50 million	Points - value above R50 million
1	10	5
2	5	2.5

### N.B. B-BBEE Certificate or Affidavit to be attached.

3.2 Bidders who wish to claim Locality Points must complete the following:

Full physical address of bidder: \_\_\_\_\_

Bidder Locality	Points - value up to R50 million	Points - value above R50 million
Ndlambe LM	10	5

### N.B. A recent Municipal Billing Certificate (not dated earlier than two months before the bid closing date) to be attached.

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

4.1 Name of company/firm: \_\_\_\_\_

4.2 VAT registration number (if a VAT Vendor) \_\_\_\_\_

4.3 CSD (Central Supplier Database) number: MAAA \_\_\_\_\_

**4.4 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

\_\_\_\_\_

**4.5 MUNICIPAL INFORMATION**

Municipality where business is situated: \_\_\_\_\_

Registered Account Number: \_\_\_\_\_

Stand Number: \_\_\_\_\_

4.6 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 and Locality in paragraphs 1.4 and 3 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 3, 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

SIGNATURE(S) OF WITNESSES
1.....
2.....

SIGNATURE(S) OF BIDDERS(S)
DATE:
ADDRESS



## NDLAMBE LOCAL MUNICIPALITY – MBD 8 DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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Port Alfred  
6170

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Fax: (046) 604 2702  
[tenders@ndlambe.gov.za](mailto:tenders@ndlambe.gov.za)  
<http://www.ndlambe.gov.za>

---

- 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	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?  (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).  <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>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?  <b>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**



## NDLAMBE LOCAL MUNICIPALITY – MBD 9 CERTIFICATE OF INDEPENDENT BID DETERMINATION

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tenders@ndlambe.gov.za  
<http://www.ndlambe.gov.za>

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

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

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

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

T16/2526 SUPPLY AND DELIVERY OF DIESEL AND PETROL FUEL

in response to the invitation for the bid made by: NDLAMBE 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)**

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

<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.

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



# CERTIFICATE FOR MUNICIPAL SERVICES

Causeway Road  
P O Box 13  
Port Alfred  
6170

Phone: (046) 604 5500  
Fax: (046) 604 2702  
tenders@ndlambe.gov.za  
<http://www.ndlambe.gov.za>

Information required in terms of Ndlambe Municipality's Supply Chain Management Policy, Para 14(5)(b):

Tender Reference or Description: Tender 16/2526 – SUPPLY AND DELIVERY OF DIESEL AND PETROL FUEL

Name of Bidder:

### FURTHER DETAILS OF THE BIDDER/S: Proprietor/Director(s)/Partners, etc:

Physical Business address of the Bidder	Municipal Account Number(s)

If there is not enough space for all the names, please attach the additional details to the Tender documents.

Name of Director/Member/ Partner	Identity Number	Physical residential address of Director/Member/ Partner	Municipal Account number(s)

I, \_\_\_\_\_, the undersigned,

(full name in block letters) certify that the information furnished on this declaration form is correct and that I/we have no undisputed commitments for municipal services towards a municipality or municipal entity in respect of which payment is overdue for more than 30 days.

\_\_\_\_\_

Signature

THUS DONE AND SIGNED for and on behalf of the Bidder/Contractor

at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_

**Please note:**

Even if the requested information is not applicable to the Bidder, the table above should be endorsed NOT APPLICABLE and THIS DECLARATION MUST STILL BE SIGNED.

# NDLAMBE MUNICIPALITY



## TENDER 16/2526 SUPPLY AND DELIVERY OF DIESEL AND PETROL FUEL

### ADDITIONAL DOCUMENTATION

Attach further required documentation after this page  
(refer also to Tender Invitation Notice and elsewhere in the Bid Documentation):

1. CSD REPORT
2. TAX CLEARANCE CERTIFICATE/COPY OF TAX COMPLIANCE STATUS DOCUMENT (TCS) MUST BE ATTACHED
3. ATTACH VALID B-BBEE CERTIFICATE/ OR LETTER FROM REGISTERED AUDITORS
4. MUNICIPAL ACCOUNT NOT OLDER THAN THREE MONTHS
5. PROOF OF JOINT VENTURE AGREEMENT (IF APPLICABLE)

**BIDDER MUST ATTACH THE CENTRAL SUPPLIER DATABASE (CSD) REGISTRATION SUMMARY REPORT**

**TAX CLEARANCE CERTIFICATE/COPY OF TAX COMPLIANCE STATUS DOCUMENT (TCS)  
MUST BE ATTACHED**

**ATTACH VALID BBBEE CERTIFICATE/ OR LETTER FROM REGISTERED AUDITORS**

**THE BIDDING ENTITY AS WELL AS ALL ITS DIRECTORS MUST SUBMIT A MUNICIPAL ACCOUNT WHICH IS NOT MORE THAN THREE (3) MONTHS IN ARREARS**

**ATTACH PROOF OF JOINT VENTURE AGREEMENT (IF APPLICABLE)**

## GENERAL REQUIREMENTS

- 1 The service provider is required to furnish full details requested on the tender forms. All rates tendered shall include Value Added Tax at the prevalent rate and will be evaluated inclusive of VAT.

The bidder is requested to furnish all the relevant information not entertained in the form of bid under separate cover which shall form part of the bid.

### 2 COMPETENCY REQUIREMENTS

The service provider should have expertise and experience in providing services similar to those requested by the NDLAMBE MUNICIPALITY.

### 3 COMPLETENESS OF THE BID INFORMATION

The NDLAMBE MUNICIPALITY may request clarification or additional information regarding any aspect of the bid. The Bidder must supply the requested information within 48 hours after making the request.

### 4 TERMINATION FOR DEFAULT

The client, without prejudice to any other remedy for breach of contract, by written notice of default sent to the service provider, may terminate this contract in whole or in part:

- a) if the service provider fails to deliver any or all of the goods or provide the required services within the period(s) specified in the contract, or within any extension thereof granted by the client;
- b) if the service provider fails to perform any other obligation(s) under the contract; or
- c) If the service provider, in the judgement of the client, has engaged in corrupt or fraudulent practices in competing for or in executing the contract.

In the event the client terminates the contract in whole or in part, the client may procure, upon such terms and in such manner as it deems appropriate, goods, works or services similar to those undelivered, and the service provider shall be liable to the client for any excess costs for such similar goods, works or services.

However, the service provider shall continue performance of the contract to the extent not terminated.

### 5 EVALUATION CRITERIA

The evaluation of this Bid will be conducted in the following:

a) **Assessment of Compliance, bid conditions and scope of work**

Bids will be assessed for compliance with the bid requirements and scope of work after which they will progress to the functionality evaluation.

b) **Assessment of functionality**

The assessment of functionality will be done in terms of the evaluation criteria. A Bid will be disqualified if it fails to meet the minimum threshold for functionality as per the Bid invitation and will not proceed to the evaluation for price and specific goals. All responses to this Request for bids shall be evaluated in terms of the Functionality Criteria and Score Sheet, which is to be completed by all bidders, and documentation supporting each criterion must be supplied.

**Functionality Criteria**

Functionality Criteria	Maximum Points
<b>Maximum Points</b>	<b>100</b>
• Experience	75
• Delivery Period	25

**The minimum functionality score is 75/100**

**c) Preference points systems and Specific Goals**

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 points for specific goals as follows as per the MBD 6.1 document.

- a. The following formula shall be used to calculate the points out of 80 for price inclusive of all applicable taxes:

$$P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

Where

- Ps = Points scored for price of tender under consideration;  
 Pt = price of tender under consideration; and  
 Pmin = price of lowest acceptable tender.

- b. The following tables shall be used to award points for B-BEE contribution and locality points as per the Ndlambe Municipality specific goals.

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 table 1 below**:

B-BBEE Level	Points - value up to R50 million	Points - value above R50 million
1	10	5
2	5	2.5

**N.B. B-BBEE Certificate or Affidavit to be attached as per invitation to tender.**

Bidders who wish to claim Locality Points must complete the following:

Full physical address of bidder: \_\_\_\_\_

Bidder Localit y	Points - value up to R50 million	Points - value above R50 million
Ndlambe LM	10	5

**Evidence required to claim locality points: –**

- A recent Ndlambe Municipality Billing Clearance Certificate indicating that the bidder’s property details in the Ndlambe jurisdiction is not in arrears for more than three months, is to be attached, or
- Lease agreement with a Ndlambe Municipality address, or
- A statement of account with a Ndlambe Municipality address

**Where a lease agreement or statement of account has been provided, it is subject to the bidder's address being the same as that on their company registration documents or Central Supplier Database preferred address and not changing for a period of one year.**

A Bidder failing to submit proof of B-BBEE status level of contributor and locality will score zero(0) points.

A Bidder will not be awarded points for B-BBEE status level of contributor if the response indicates that the Bidder intends subcontracting more than 25% of the value of the contract to any other person not qualifying for at least the points that the Bidder qualifies for, unless the intended subcontractor is an EME that has the capability to execute the subcontract.

The points scored by a Bidder for specific goals will be added to the points scored for price.

The points scored will be rounded off to the nearest two decimal places. The contract shall be awarded to the Bidder scoring the highest points.

If the price offered by the bidder scoring the highest points is not market-related, the Ndlambe Municipality may not award the contract to that bidder.

The Ndlambe Municipality may:

- a) negotiate a market related price with the Bidder scoring the highest points or cancel the bid;
- b) if the Bidder does not agree to a market related price, negotiate a market related price with the bidder scoring the second highest points or cancel the bid;
- c) if the Bidder scoring the second highest points does not agree to a market related price, negotiate a market related price with the bidder scoring the third highest points or cancel the bid.
- d) If a market related price is not agreed, the NDLAMBE MUNICIPALITY will cancel the bid.

## **5 COMPULSORY SUB-CONTRACTING**

The tender is not subject to compulsory subcontracting as indicated in the scope of work.

## **6 SUBMISSION OF PROPOSALS**

Proposals should be submitted in a sealed envelope, clearly marked **as per the bid notice**, where after, Bids will be opened in public as per the invitation to tender. Late, telephonic, faxed and emailed electronic bids will not be accepted.

## **7 RETURNABLES:**

The following documents must be submitted with the bidder's Application:

7.1 Applications to be submitted by a Trust require certified copies of:

7.1.1 The Trust Deed and any amendments thereto;

7.1.2 The Trust's Letters of Authority and endorsements thereto;

7.2 Applications to be submitted by a Partnership require certified copies of:

7.2.1 The applicable Partnership Agreement;

7.2.2 The Identity Document or Registration Document of each partner.

7.3 Applications to be submitted by a Natural Person require a certified copy of the persons ID.

7.4 Each Bidder shall note the functionality criteria score sheet and, where applicable, documentation supporting each criterion in the functionality table must be supplied.

**7.5 Each Bidder shall complete the form of offer, failure to complete the form of offer will deem the bid non-responsive.**

7.6 Each Bidder shall submit proof of B-BBEE status level of contributor and locality as per the invitation to tender and bid conditions. Failure to submit will result in zero (0) points scored for the specific goals.

- 7.7 Each Bidder must complete and submit the MBD 4 hereto given Paragraph 44 of the Supply Chain Management Policy of the NDLAMBE MUNICIPALITY which provides that:
- 7.7.1 Irrespective of the procurement process followed, no award may be made to a person:
    - 7.7.1.1 who is in the service of the state;
    - 7.7.1.2 if that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; or
  - 7.7.2 a person who is an advisor or consultant contracted with the NDLAMBE MUNICIPALITY.
- 7.8 Each Bidder shall complete and submit the Certificate of Independent Bid Determination.
- 7.9 Each Bidder shall submit proof that it is registered on the National Treasury Central Supplier Database (CSD).
- 7.10 Each Bidder shall submit proof of valid and compliant SARS Tax status issued in respect of Good Standing, through a SARS Tax pin/Tax Clearance Certificate or CSD SARS compliant status.
- 7.11 Proof of its VAT registration number, where applicable.
- 7.12 All Bidders should furnish proof that all amounts due to the Ndlambe Municipality by the Bidder, it's Directors, Members, Trustees or Partners are up to date or that arrangements have been made in respect thereof. Bidders whose address or registered office is not within the jurisdiction of the Ndlambe Municipality should furnish proof that all amounts due to the local authority in whose jurisdiction their address or registered office is situated are up to date or that arrangements have been made in respect.
- 7.13 Have proof of registration of its SANAS/ The inspection body accreditation of South Africa, if applicable.
- 7.14 Have a certificate of registration in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993, if applicable.
- 7.15 Details of services provided by the Bidder to any organ of state in the last five (5) years.

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## Part 6 - Bid Form and Important Conditions

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- 1 I/We hereby Bid to supply all of the supplies and/or to render all or any of the services described in the attached documents to the Ndlambe Municipality on the terms and conditions and in accordance with the specifications stipulated in the Bid documents (and which shall be taken as part of, and incorporated into, this Bid) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
- 2 I/We agree that:
  - (a) the offer herein shall remain binding upon me/us and open for acceptance by the Accounting Officer during the validity period indicated and calculated from the closing time of the Bid;
  - (b) this Bid and its acceptance shall be subject to the terms and conditions contained in the General Conditions of contract and Preference Certificate with which I am/we are fully acquainted;
  - (c) if I/we withdraw my/our Bid within the period for which I/we have agreed that the Bid should remain open for acceptance, or fail to fulfill the contract when called upon to do so, the NDLAMBE MUNICIPALITY may without prejudice to its other rights, agree to the withdrawal of my/or Bid or cancel the contract that may have been entered into between me/us and the NDLAMBE MUNICIPALITY and I/we will then pay to the NDLAMBE MUNICIPALITY any additional expense incurred either to accept any less favorable Bid or fresh Bidders have to be invited, the additional expenditure incurred by the invitation of fresh Bids and by the subsequent acceptance of any less favorable Bid, the NDLAMBE MUNICIPALITY shall also have the right to recover such additional expenditure by set-off against moneys which may be due or become to me/us under this or any other Bid or contract or against any guarantee or deposit that have been furnished by me/us or on my/our behalf for the due fulfillment of this or any other Bid or contract and pending the ascertainment of the amount of such additional expenditure to retain such moneys, guarantee or deposit as security for any loss the NDLAMBE MUNICIPALITY may sustain by reason of my/our default;
  - (d) the law of the Republic of South Africa shall govern the contract created by the acceptance of my/our Bid and that I/we choose domicilium citandi et executandi in the Republic (full address).
- 3 I/We furthermore confirm that I/we have satisfied myself/ourselves as to the correctness and validity of my/our Bid, that the price(s) and rate(s) quoted cover all the work/items(s) in these documents; and that the price(s) and rate(s) cover all my/our obligations under a resulting contract. I/we accept that any mistakes regarding price(s) and calculations will be at my/our risk.
- 4 I/we hereby accept full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on me/us under this agreement as the Principal(s) liable for the due fulfillment of this contract.
- 5 I/We agree that any action from this contract in all respects be instituted against me/us and I/we hereby undertake to satisfy fully any sentence or judgment which may be pronounced against me/us as a result of such action.
- 6 I/We declare that I/we have participation / no participation in the submission of any other offer for the supplies/service described in the attached documents. If in the affirmative, state name(s) or Bid (s) involved.
- 7 Are you duly authorized to sign the Bid? **\*YES / NO**
- 8 Has the Declaration of Interest been duly completed and included with the other Bid forms? **\*YES / NO**

**\*Delete whichever is not applicable**

SIGNATURE (S) OF BIDDER\_\_\_\_\_

DATE:\_\_\_\_\_

Please complete the following in block letters

Capacity and particulars of the authority  
under which this Bid is signed \_\_\_\_\_

Name of Bidder \_\_\_\_\_

Postal Address \_\_\_\_\_

Telephone number(s) \_\_\_\_\_

Facsimile number(s) \_\_\_\_\_

Bid Number \_\_\_\_\_

Name of contact person .....

\_\_\_\_\_

## IMPORTANT CONDITIONS

1. Failure on the part of the Bidder to sign this Bid form and thus to acknowledge and accept the conditions in writing or to complete the attached forms, questionnaires and specifications in all respects, may invalidate the Bid.
2. Bids should be submitted on the official forms and should not be qualified by the Bidder's own conditions of Bid. Failure to comply with these requirements or to renounce specifically the Bidder's own conditions of Bid, when called upon to do so may invalidate the Bid.
3. If any of the conditions on this Bid form are in conflict with any special conditions, stipulations or provisions incorporated in the Bid, such special conditions, stipulations or provisions shall apply.
4. This Bid is subject to the Supply Chain Management Regulations and the General Conditions and Procedures and subsequent amendments thereto and re-issues thereof.
5. This Request for tender forms part of the official Supply Chain Management Processes of the Ndlambe Municipality and in the event of any conflict between the Supply Chain Management Policy and the Applicable Legislation, the provisions of the Applicable Legislation shall prevail.
6. Late and incomplete bids will not be accepted. The only or lowest bid will not necessarily be accepted and the Ndlambe Municipality reserves the right to accept the whole or any portion of a bid, or not to make an award.
7. **Posted, e-mailed, or faxed applications will not be accepted.**
8. Receipt by the NDLAMBE MUNICIPALITY of the Bidder's response shall not in any manner whatsoever oblige the NDLAMBE MUNICIPALITY to enter any negotiations or to enter into any contract with the Bidder and any award made in terms of this bid shall be subject to an agreement being concluded between the Bidder and the NDLAMBE MUNICIPALITY on terms and conditions acceptable to the Accounting Officer of the NDLAMBE MUNICIPALITY.
9. NDLAMBE MUNICIPALITY accepts no liability for any loss incurred by any person(s) due to events or actions taken as a consequence of the preparation and dissemination of this bid.
10. Any costs and/or expenses incurred by any Bidder in submitting its response shall be for the exclusive account of the Bidder and the NDLAMBE MUNICIPALITY shall not be liable in this respect whatsoever.
11. The Bidder acknowledges and agrees that it shall have no claim or claims whatsoever against the NDLAMBE MUNICIPALITY, including claims for damages whether direct, indirect or consequential, arising from and/or pursuant to and/or in relation to the submission by the Bidder of its response pursuant to the Bidder having been invited to submit same in terms of this documentation.

12. Any Bidder:

having a conflict of interest in respect of the transaction for which the response is submitted or in the Service of the State; and/or

having been convicted for fraud or corruption within a five-year period prior to the submission of its response; and/or

who has willfully neglected, reneged on or has failed to comply with a government or local government contract within a five-year period of the submission of its response; and/or

has outstanding tax obligations to the South African Revenue Services in respect of which arrangements have not been made; and/or

is in arrear in respect of charges payable to the Ndlambe Municipality in terms of Section 118 of the Municipal Systems Act and has failed to make suitable arrangements to settle such arrears;

shall be barred from applying.

13. Failure to provide all information required in this bid will result in the application not being considered.
14. The Bidder acknowledges that this bid request is for the Bidder to submit a response to the NDLAMBE MUNICIPALITY as constituted by this document, it does not confer on the Bidder any legal right or entitlement or legitimate expectation in relation to the NDLAMBE MUNICIPALITY and the Bidder acknowledges that this bid similarly does not impose or create any obligation on the NDLAMBE MUNICIPALITY to be discharged in favour of the Bidder.
15. No verbal and/or telephonic queries and clarifications will be entertained by the NDLAMBE MUNICIPALITY. They must be made in writing and will be responded to accordingly. The NDLAMBE MUNICIPALITY reserves the right to circulate the questions and answers to all registered Bidders in the form of a bulletin. All queries and clarifications are to be addressed to [tenders@ndlambe.gov.za](mailto:tenders@ndlambe.gov.za), the tender reference number Tender 16/2526 must clearly be stated subject line. The cut-off date for such queries and clarifications will be close of business on Monday, 06 April 2026.

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## Bid Check List

Ndlambe Municipality Individual bid documents will have the typical bid check list as an attachment. This list is to assist all bidders to submit complete bids.

Bidders are to check the following points before the submission of their bid:

**Tick**

- |   |                          |
|---|--------------------------|
| 1. All pages of the bid document have been read and initialed by the bidder.  | <input type="checkbox"/> |
| 2. All pages requiring information have been completed in black ink.  | <input type="checkbox"/> |
| 3. The Pricing Schedule has been checked for arithmetic correctness.  | <input type="checkbox"/> |
| 4. All sections requiring information have been completed.  | <input type="checkbox"/> |
| 5. The bidder has submitted the following documentation, e.g.   |                          |
| - BBEE Certificate or Sworn Affidavit (original or certified copy)  | <input type="checkbox"/> |
| - Proof of locality for specific goals  | <input type="checkbox"/> |
| - Compliant Tax clearance status on SARS and CSD  | <input type="checkbox"/> |
| - CSD supplier report/ number   | <input type="checkbox"/> |
| - Valid Municipal Billing Clearance Certificate (original or certified copy)  | <input type="checkbox"/> |
| - CIDB Certificate (if applicable)  | <input type="checkbox"/> |
| - This bid requires for bidders to submit the financial statements for the past three years or since establishment, if established during the past three years. Have these financial statements been submitted. | <input type="checkbox"/> |