

NDLAMBE MUNICIPALITY



TENDER DOCUMENT

TENDER 32/2526 ACCREDITED LEGAL SERVICE PROVIDERS FOR A PERIOD OF 36 (THIRTY-SIX) MONTHS

NAME OF BIDDER	:	_____
BIDDERS CSD NO	:	_____
CONTACT PERSON	:	_____
TELEPHONE NO.	:	_____
EMAIL ADDRESS	:	_____
PHYSICAL ADDRESS	:	_____
	:	_____
	:	_____

Closing date: Monday, 13 July 2026 at 12:00



NDLAMBE MUNICIPALITY

TENDER 32/2526

INVITATION TO TENDER - PROVISION OF ACCREDITED LEGAL SERVICE PROVIDERS FOR A PERIOD OF 36 (THIRTY-SIX) MONTHS

Ndlambe Local Municipality invites suitable qualified and experienced practitioners, with head offices located within the Eastern Cape Province, to apply for evaluation and listing on the municipality's panel of accredited service providers.

Minimum requirements:

Bidders must comply with the below minimum requirements to be eligible to bid:

- Fidelity Fund Certificate in respect of all directors/partners or principal is to be submitted
- Proof of Professional Indemnity Insurance, including the extent of cover, is to be submitted

Bids will be evaluated for functionality as follows:

Item	Category - Criteria	Points
1	Conveyancing – Total	33
2	Labour Law – Total	33
3	Litigation And General Advisory Services - Total	34

Bidder proposals not providing this information or not achieving functionality score of at least 70 percent for EACH of the above categories will NOT go forward to the Price/PPPFA points calculation stage of the evaluation process. Full requirements are set out in the tender document.

Bidders shall take note of the following BID CONDITIONS:

1. Prices must be valid for at least ninety (90) days from the closing date.
2. Prices quoted must be firm and must, where applicable, be inclusive of VAT.
3. 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 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:
 - o Declaration of Interest (MBD4).
 - o Certificate of Independent Bid Determination (MBD9).
 - o NOTE: Bids will be deemed non-responsive, where bidders submit tenders in more than one bidding entity, or where it is found that the bidder has an interest in more than one bidding entity. This includes directorship, Joint Ventures or any other interests.
 - o Declaration of Bidder's Past Supply Chain Management Practices (MBD8).
7. Bidders who wish to claim for 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. Further required evidence is noted in the tender document.
8. Bidders are required to submit:
 - o particulars of any contracts awarded to the bidder by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution must be declared of such contracts.
 - o A statement indicating whether or not any portion of the goods or services required by the municipality are expected to be sourced from outside the Republic, and, if so, what portion and also whether or not any portion of the payment to be made by the municipality is expected to be transferred out of the Republic.
9. A Municipal Billing Clearance Certificate, which covers, if applicable, both the company and its directors, must accompany all bids (included in the returnable document).
10. It should be noted that the 80/20 or 90/10 preferential points system will be applied, and that the lowest acceptable tender will be used to determine points scoring system to be used.
11. The award will be made in terms of the Municipality's Preferential Procurement and Supply Chain Management Policies.
12. Documents are to be completed in full and in accordance with the conditions and bid rules contained in the bid documents.
13. Failure to meet the Compulsory requirements will result in the bid being deemed non-responsive.

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://ndlambe.gov.za/web/returnable-bid-documents/>

BIDS MAY ONLY BE SUBMITTED ON THE BID DOCUMENTATION ISSUED BY NDLAMBE MUNICIPALITY.

Late submitted, unmarked, faxed, falsified, incomplete or e-mailed proposals will not be considered and will be disqualified. Completed Tender documents, supporting documents and externally endorsed documents must be placed in a sealed envelopes marked "**NOTICE 035/2023 – LEGAL SERVICES**" and placed in the tender box at the **Supply Chain Management Unit, 44 Campbell Street, Port Alfred** not later than 12h00 on **Monday, 13 July 2026**. 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, AS A RESULT, BE DISQUALIFIED.

Further details may be obtained from tenders@ndlambe.gov.za.

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INVITATION TO BID (MBD 1)

YOU ARE HEREBY INVITED TO SUBMIT A BID FOR THE PROVISION OF LEGAL SERVICES (TENDER 32/2526).

BID NUMBER: TENDER 32/2526

CLOSING DATE: 13 JULY 2026

CLOSING TIME: 12H00

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

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

1. GENERAL REQUIREMENTS

- 1.1 The Ndlambe Municipality wishes to invite service providers to submit bids for the **Tender 32/2526 – ACCREDITED LEGAL SERVICE PROVIDERS FOR A PERIOD OF 36 (THRTY SIX) MONTHS**
- 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 : Mr. Lizo Mohapi
Telephone: 046 604 5639
Email : tenders@ndlambe.gov.za

Project Manager: Mr U Nondzube
Telephone: 046 604 5500
Email : unondzube@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 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.

3.6 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.

3.7 Award Processes

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

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

SCOPE OF WORKS

SPECIFICATIONS FOR THE ACCREDITED LEGAL SERVICE PROVIDERS FOR A PERIOD OF 36 (THIRTY-SIX) MONTHS

1. SCOPE OF SERVICES REQUIRED

Ndlambe Local Municipality hereby invites bids for the provision of legal services to the municipality in respect of the following legal service streams:

- a. Conveyancing;
- b. Labour Law; and
- c. Litigation and General Advisory legal services.

Bidders are required to submit bids that demonstrate expertise in respect of providing the typical services associated with each stream of legal services, as detailed below:

(a) **Conveyancing:** to attend to the transfer of properties and associated services on behalf of the Ndlambe Local Municipality, including:

- (i) Preparing and registering of immovable property transfers;
- (ii) Preparing and registering of servitudes and other notarial bonds over immovable property; and
- (iii) Opening of township registers and the consolidation/division of properties.

(b) **Labour Law:** to attend to providing specialist advisory services to the Ndlambe Local Municipality and to represent the Ndlambe Local Municipality in labour/employment related legal disputes, including:

- (i) Advising the Ndlambe Local Municipality in respect of the interpretation and application of the regulatory framework, including associated collective agreements, pertaining to employer/ employee relations within local government;
- (ii) Representing the Employer in disciplinary proceedings not subject to provisions of the Collective Agreement on Disciplinary Hearings;
- (iii) Representing the Ndlambe Local Municipality in dispute resolution proceedings brought under the auspices of the South African Local Government Bargaining Council and
- (iv) Representing the Ndlambe Local Municipality in labour litigation matters instituted in the civil or labour courts.

(c) **Litigation and General Legal Advisory services:** to attend to providing specialist legal advisory services to the Ndlambe Local Municipality in respect of all matters relevant to and affecting the workings and operations of the Ndlambe Local Municipality (other than labour related matters); and to represent the Ndlambe Local Municipality in all legal proceedings , including:

- (i) Advising the Ndlambe Local Municipality on the interpretation and application of the statutory framework regulating the functioning of the Ndlambe Local Municipality and the provision of services;
- (ii) Reviewing of by-laws and policies and other municipal documents, as and when required;
- (iii) Debt Collection Services, as and when required; The debt collection services, to be rendered on an as-and-when-required basis upon written instruction from the Ndlambe Local Municipality, may include any of the legal collection processes listed below. Bidders must submit a methodology in respect of each of the following processes, setting out as a minimum: the statutory or procedural basis relied upon; the procedure to be followed; the typical timeframes for completion; the documents or instructions required from the Ndlambe Local Municipality to proceed; the criteria for escalation to the next process; and the reporting to be provided to the Ndlambe Local Municipality at each stage:
 - a. Letter of Demand - Formal written notice affording the debtor a final opportunity to settle before legal proceedings are instituted.
 - b. Summons - Issued through the court requiring the debtor to settle or to defend the claim.
 - c. Default Judgment - Obtained where the debtor fails to defend the summons within the prescribed period.
 - d. Section 65 Process (Magistrates' Courts Act) - Financial enquiry into the debtor's ability to pay, leading to an appropriate court order for payment.
 - e. Emoluments Attachment Order (EAO) / Garnishee Order - Order providing for deductions

directly from the debtor's salary or emoluments via the employer.

- f. Warrant of Execution - Authorises the sheriff to attach the debtor's movable property.
 - g. Attachment of Movable Property - Attachment of furniture, vehicles, equipment and similar movables.
 - h. Attachment of Immovable Property - Attachment of immovable property in execution of outstanding municipal debt, subject to the requisite judicial oversight.
 - i. Sale in Execution - Public auction of attached assets to recover the debt.
 - j. Rent Interdict - Attachment of rental income from tenants occupying the debtor's property.
 - k. Third-Party Attachment Order - Attachment of funds held in the debtor's bank account or monies owed to the debtor by a third party.
 - l. Liquidation or Sequestration Proceedings - Instituted against companies or individuals with substantial debt.
- (iv) Representing the Ndlambe Local Municipality in:
- a. Formal negotiations;
 - b. Dispute resolution proceedings; and
 - c. Legal proceedings instituted or defended by the Ndlambe Local Municipality.
- Admission as an attorney and possession of a current attorney Fidelity Fund Certificate or Certificate of Good Standing from the council concerned must be submitted with the bid in respect of each attorney proposed to provide services to the Ndlambe Local Municipality;
 - In respect of conveyancing services, proof of admission as a conveyancer and notary public must be supplied with the bid;
 - Only attorney firms having their head offices located within the Eastern Cape will be considered; and
 - Bidders must note that the pricing schedule must be completed.

Failure to comply with any of the above requirements shall result in your bid being disqualified.

TENDER EVALUATION CRITERIA

POINT SCORING

Bidders note that failure to provide the necessary proof in Sections A-C shall result in points not being allocated in the specific sections.

A. CONVEYANCING

A.1

PREQUALIFICATION ASSESSMENT – POINTS SCORING				
Prequalification Category & Description				Points Allocation
Experience				Total = 3
Number of year’s operating as a registered legal firm providing Conveyancing services [Minimum= 5 years]. PROOF OF ESTABLISHMENT OF LAW FIRM MUST BE SUPPLIED IN ORDER TO BE AWARDED POINTS UNDER A.1				
5-6 Years	7-12 Years	10-12 years	13 and above	
1	2	2	3	

A.2

Experience				Total = 10
Experience – Number of public sector clients to whom conveyancing services have been supplied. BIDDERS MUST PROVIDE A LISTING OF PUBLIC SECTOR CLIENTS WITH THEIR CONTACT DETAILS IN ORDER TO BE AWARDED POINTS UNDER A.2				
2	3 - 4	5	6 and above	
7	8	9	10	

A.3

Experience				Total = 20
Demonstrated track record dealing with Local Government conveyancing matters. IN ORDER TO BE AWARDED POINTS UNDER A.3, BIDDERS MUST PROVIDE WRITTEN CONFIRMATIONS FROM THEIR CLIENT MUNICIPALITIES INDICATING THE NUMBER OF INSTRUCTIONS TO THE SPECIFIC CONVEYANCER CONCERNED AND CLIENT LEVELS OF SATISFACTION WITH SERVICES PROVIDED BY THAT CONVEYANCER.				
>3	>6	>9	>12	
14	16	18	19	
				>15
				20

B. LABOUR LAW

B.1

PREQUALIFICATION ASSESSMENT – POINTS SCORING				
Prequalification Category & Description				Points Allocation
Experience				Total = 3
Number of year's operating as a registered legal firm providing labour law services. PROOF OF ESTABLISHMENT OF LAW FIRM MUST BE SUPPLIED IN ORDER TO BE AWARDED POINTS UNDER B.1				
5-6 Years	7-9 Years	10-12 years	13-15 years	16+ years
1	2	2	3	3

B.2

Experience				Total = 10
Experience – Number of public sector clients to whom labour/employment related legal services have been provided. BIDDERS MUST PROVIDE A LISTING OF PUBLIC SECTOR CLIENTS WITH THEIR CONTACT DETAILS IN ORDER TO BE AWARDED POINTS UNDER B.2.				
2	3 – 4	5	6 and above	
7	8	9	10	

B.3

Experience				Total = 20
Demonstrated track record dealing with Local Government labour/ employment law matters. IN ORDER TO BE AWARDED POINTES UNDER B.3, BIDDERS MUST PROVIDE WRITEN CONFIRMATIONS FROM THEIR CLIENT MUNICIPALITIES INDICATING THE NUMBER OF INSRUCTIONS TO THE SPECIFIC ATTORNEY CONCERNED AND CLIENT LEVELS OF SATISFACTION WITH SERVICES PROVIDED BY THAT ATTORNEY.				
>3	>6	>9	>12	>15
14	16	18	19	20

C. LITIGATION AND GENERAL LEGAL ADVISORY SERVICES

C.1

PREQUALIFICATION ASSESSMENT – POINTS SCORING				
Functional Category & Description				Points Allocation
Experience				Total = 4
Number of year's operating as a registered legal firm providing Litigation and General Legal Advisory Services to public sector clients. PROOF OF ESTABLISHMENT OF LAW FIRM MUST BE SUPPLIED IN ORDER TO BE AWARDED POINTS UNDER C.1				
5-6 Years	7-9 Years	10-12 years	13 years and above	
2	3	3	4	

C.2

Experience				Total = 10
Experience – Number of public sector clients to whom Litigation and General Legal Advisory Services have been provided. BIDDERS MUST PROVIDE A LISTING OF PUBLIC SECTOR CLIENTS WITH THEIR CONTACT DETAILS IN ORDER TO BE AWARDED POINTS UNDER C.2.				
2	3-4	5	6	
7	8	9	10	

C.3

Experience				Total = 20
Demonstrated track record dealing with Local Government Litigation and General Legal Advisory Services matters. IN ORDER TO BE AWARDED POINTS UNDER C.3, BIDDERS MUST PROVIDE WRITTEN CONFIRMATIONS FROM THEIR CLIENT MUNICIPALITIES INDICATING THE NUMBER OF INSTRUCTIONS TO THE SPECIFIC ATTORNEY CONCERNED AND CLIENT LEVELS OF SATISFACTION WITH SERVICES PROVIDED BY THAT ATTORNEY.				
>3	>6	>9	>12	>15
14	16	18	19	20



**NDLAMBE LOCAL MUNICIPALITY
Port Alfred**

Causeway Road
P O Box 13
Port Alfred
6170

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

1. No bid will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

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

3.2 Identity Number:

3.3 Position occupied in the Company (director, trustee, hareholder²):.....

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

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

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

3.8.1 If yes, furnish particulars.

.....

¹MSCM Regulations: "in the service of the state" means to be –

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

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

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

3.9.1 If yes, furnish particulars.....

.....

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

3.10.1 If yes, furnish particulars.

.....

.....

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

3.11.1 If yes, furnish particulars

.....

.....

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

3.12.1 If yes, furnish particulars.

.....

.....

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

3.13.1 If yes, furnish particulars.

.....

.....

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

3.14.1 If yes, furnish particulars:

.....

.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

**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)**

This 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
	Total points	100	100

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.

WITNESSES
1
2

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



NDLAMBE MUNICIPALITY

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>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	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 MUNICIPALITY

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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



NDLAMBE MUNICIPALITY

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

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



NDLAMBE MUNICIPALITY

MBD 9

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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



NDLAMBE MUNICIPALITY

MBD 9

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

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

Tender/Quotation Reference or Description: _____

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/Quotation 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.

PRICING INSTRUCTIONS

- (i) Bidder's price offer shall be valid for 90 days from the closing date of this tender.
- (ii) The rates and prices submitted by the bidder must be entered into the Form of Offer schedule below.
- (iii) No deviations from the pricing schedule will be permitted, except where indicated separately in the schedule of deviations.
- (iv) The bid price must be inclusive of VAT, where the bidder is a registered VAT vendor.
- (v) Bidders must provide rates and prices that are fixed for the duration of the contract and not subject to adjustment.
- (vi) Should there be a discrepancy between the total bid amount in the pricing schedule, and that in the form of offer; the price in the form of offer will take precedence. Where there is a discrepancy between the amount in figures and the amount in words, the amount in words will govern.

FORM OF OFFER
TENDER 32/2526 – PROVISION OF LEGAL SERVICES (PURCHASES) (MBD 3.1)

Name of Bidder:	Bid Number: Tender 32/2526
Closing Time: 12:00 (NOON)	Closing Date: 13 July 2026

TENDER WILL BE VALID FOR 90 CALENDAR DAYS
BID PRICE IN RSA CURRENCY
**** (ALL APPLICABLE TAXES INCLUDED)**

To: **NDLAMBE MUNICIPALITY**

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 hereby offer to render legal services, as fully detailed in the individual pages in the tender document, for the **fully inclusive** sum(s) as follows:

Services Required	Hours (estimated hours for price comparison purposes)	Hourly rate per Professional Team	Total PRICE OFFER – SA Rand
Conveyancing	100		
Labour Law	100		
Litigation & General Advisory	100		

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. 32/2526 for the **PROVISION OF LEGAL SERVICES** 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.

Signed on this.....day of.....2026, at

.....(Place)

SIGNATURE OF BIDDER:

FULL NAMES OF BIDDER:

CSD Number of Bidder:

WITNESS 1:

WITNESS 2:

RESOLUTION OF AUTHORITY TO SIGN DOCUMENTS

I/We*, the undersigned, am/are* duly authorised to sign the Bid Form for this contract on

behalf of..... in

accordance with directors resolution taken on

..... (date) by the directors of

..... (company name)

registered with the registrar of companies under Number.....

SIGNATURE:

Name and surname printed:

CAPACITY:

DATE:

WITNESS 1:

WITNESS 2:

* = delete not applicable

NDLAMBE MUNICIPALITY



TENDER 32/2026 LEGAL SERVICES

Attach further required documentation after this page (refer also to Tender Invitation Notice):

- 1. A profile/*Curriculum Vitae* of the firm, including full details of qualifications, relevant experience and traceable references.**
- 2. Details reflecting the various areas of law in which the applicant firm offers expertise, specifically in the following categories:**
 - a. Conveyancing Services**
 - b. Labour Law**
 - c. Litigation and General Legal Advisory Services**
- 3. Original SARS Certificate or PIN number.**
- 4. Original or certified copy of B-BBEE certificate or sworn affidavit; if points are claimed (a copy of a certified certificate will not be accepted):**
 - a. In the case of an Affidavit, both the Commissioner of Oaths stamp for the Affidavit itself (the “commissioning”) AND a “true copy” stamp (which certifies the document as being a true copy of the original) are required i.e. TWO stamps are required.**
 - b. In the case of a B-BBEE Certificate, only a “true copy” stamp and signature (which certifies the document as being an accurate copy) is required i.e. ONE stamp is required.**
- 5. Valid Attorneys’ Fidelity Fund Certificate or Certificate of Good Standing.**
- 6. Bids in respect of Conveyancing Services:**
 - a. Proof of date of establishment of law firm.**
 - b. Listing of public sector clients in respect of conveyancing services.**
 - c. Written confirmations from client municipalities indicating the number of instructions to the specific conveyancer concerned and client levels of satisfaction with services provided by that conveyancer.**
- 7. Bids in respect of Labour Law matters:**
 - a. Proof of date of establishment of law firm.**
 - b. Listing of public sector clients to whom labour/employment related legal services have been provided.**

- c. Written confirmations from client municipalities indicating the number of instructions relating to labour law matters and client levels of satisfaction relating to such matters.**

8. Bids in respect of Litigation and General Legal Advisory Services:

- a. Proof of date of establishment of law firm.**
- b. Listing of public sector clients to whom Litigation and General Legal Advisory Services have been provided.**
- c. Confirmation written by client municipalities indicating the number of instructions relating to Local Government Litigation and General Legal Advisory Services matters and client levels of satisfaction relating to such matters.**

9. Evidence of address of head office of firm.

GENERAL REQUIREMENTS

- 1 The service provider is required to furnish full details requested on the tender forms. All rates tendered shall be inclusive of 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 on 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 the provision of services of a similar nature to the services 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 the request has been made.

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 the 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 to bid conditions and scope of work

Bids will be assessed for compliance to the bid requirements and scope of works after which they will progress to the 80/20 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 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 criteria must be supplied.

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

P_s = Points scored for price of tender under consideration; P_t = price of tender under consideration; and P_{min} = 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 Locality	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 subject to the address of the bidder being the same as that on their company registration documents, Central Supplier Database preferred address and have not changed for a period of two years.

A Bidder failing to submit proof of B-BBEE status level of contributor 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 an 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 a 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 upon, the NDLAMBE MUNICIPALITY will cancel the bid.

1 COMPULSORY SUB-CONTRACTING

The tender is not subject to subcontracting.

2 SUBMISSION OF PROPOSALS

Proposals should be submitted in a sealed envelope, clearly marked “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.

3 RETURNABLES:

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

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

3.1.1 The Trust Deed and any amendments thereto;

3.1.2 The Trust’s Letters of Authority and endorsements thereto;

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

3.2.1 The applicable Partnership Agreement;

3.3 The Identity Document or Registration Document of each partner. Applications to be submitted by a Natural Person require a certified copy of the persons ID.

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

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

3.6 Each Bidder shall submit proof of B-BBEE status level of contributor as per the invitation to tender and complete MBD 6.1 to claim preferential procurement points. Failure to submit will result in zero (0) points scored for the B- BBEE points in the specific goals.

3.7 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:

3.7.1 Irrespective of the procurement process followed, no award may be made to a person:

3.7.1.1 who is in the service of the state;

3.7.1.2 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

3.7.2 a person who is an advisor or consultant contracted with the NDLAMBE MUNICIPALITY.

3.8 Each Bidder shall complete and submit the Certificate of Independent Bid Determination.

3.9 Each Bidder shall submit proof that it is registered on the National Treasury Central Supplier Database (CSD).

3.10 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.

- 3.11 Proof of its VAT registration number, where applicable.
- 3.12 All Bidders should furnish proof that all amounts due to the Ndlambe Municipality by the Bidder, its 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.
- 3.13 Have proof of registration of its SANAS/ The inspection body accreditation of South Africa, if applicable.
- 3.14 Have a certificate of registration in terms of the Compensation for Occupational Injuries and Diseases Act 130 of 1993, if applicable.
- 3.15 Details of services provided by the Bidder to any organ of state in the last five (5) years.

BID FORM AND IMPORTANT CONDITIONS

- 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

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 and 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 the tender reference number Tender 32/2526 must clearly be stated subject line. The cut-off date for such queries and clarifications will be 12:00 on Monday, 6 July 2026. Responses to queries received will be published on the municipal website where the notice has been placed.

BID CHECK LIST

This list is aimed at assisting all bidders to submit complete bid documents.

Bidders are to check the following points before the submission of their tender document and to complete YES/NO next to each item as an indication that the bidder has complied with the provision of the item concerned. If any of the items are marked as NO – it might lead to the disqualification of your bid.

ITEM	DESCRIPTION	YES	NO
1.	Provided copy of your company registration document.		
2.	Provided certified copy of your company VAT registration Certificate		
3.	Tax clearance certificate/copy of tax compliance status (TCS) document has been submitted – in the name of the bidding entity		
4.	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, which is in arrears for more than three (3) months? No bid will be awarded to a company and its directors that owe more than three (3) months charges to any municipality or metro.		
5.	Lease agreement/municipal account of not older than three months in the name of the bidding entity. (Copy of the lease agreement will only be accepted if water and lights are part of lease payment).		
6.	<ul style="list-style-type: none"> ▪ Valid B-BBEE Rating Certificate or letter from registered auditor <p>In the case of an Affidavit, both the Commissioner of Oaths stamp for the Affidavit itself (the “commissioning”) AND a “true copy” stamp (which certifies the document as being a true copy of the original) are required i.e. TWO stamps are required.</p> <p>In the case of a B-BBEE Certificate, only a “true copy” stamp and signature (which certifies the document as being an accurate copy) is required i.e. ONE stamp is required.</p> <ul style="list-style-type: none"> ▪ Consolidated B-BBEE certificate / letter in case of a trust, consortium or joint venture. 		
7.	All pages of the bid document have been read by the bidder and the returnable schedules and MBD forms duly completed and signed.		
8.	All pages requiring information have been completed in full and in black ink.		

09.	No pages removed from the tender document		
10.	The pricing schedule has been signed.		
11.	A copy of the resolution of your Board of Directors, similar to the attached specimen, authorizing the signatory to sign the tender and the subsequent contracts, has been attached and signed.		
12.	JV agreement has been attached and signed (if applicable)		
13	Bidder must attach the Central Supplier Database (CSD) registrations summary report.		
14.	In case of any amendments made, was it signed in full by the authorized signatory? Please note that the use of tipp-ex will lead to immediate disqualification.		
15.	<p>Please declare any interest as required in terms of MBD - 4 truthfully and correctly as incorrect declarations are considered a criminal offence.</p> <ul style="list-style-type: none"> ▪ Personal Tax Numbers included ▪ State Employee Number / Persal Number ▪ Identity number ▪ Name 		
16.	Please take note of the functionality evaluation criteria that will be applied to your submission in order to ensure that your company has the necessary capacity and capability to successfully execute this tender, if appointed. Ensure that sufficient information is included in your submission to ensure successful evaluation of your bid.		

PLEASE NOTE:

No contract will be awarded to a service provider, if the service provider or its directors are in arrears with their municipal accounts for more than three (3) months.

In case of a Joint Venture, please note that individual documents have to be submitted for all parties in the JV, like tax clearance certificates, municipal accounts, etc.

No communication with Ndlambe Municipal officials is allowed after the closing date of the tender. The only authorized form of communication will be through the Supply Chain Management Office.

No bids will be accepted if not submitted on the correct closing date and time in the tender box located at the Supply Chain Management Offices at the Ndlambe Municipality. No late bids will be considered, even if only late by a minute.