

INKOSI LANGALIBALELE LOCAL MUNICIPALITY



BID NUMBER NO: ILM 24/25/26 **RE-ADVERT DISPOSAL OF SERVICED SITES – WEMBEZI** **B SECTION**

NAME OF BIDDER	
CONTACT	
BID AMOUNT	R

CLOSING DATE: 16 OCTOBER 2025

CLOSING TIME: 10:00am

ISSUED BY:

MR SB MTHEMBU (MUNICIPAL MANAGER)
INKOSI LANGALIBALELE LOCAL MUNICIPALITY
Victoria Street
Estcourt
3310

INKOSI LANGALIBALELE LOCAL MUNICIPALITY

Victoria Street
Estcourt
3310



Telephone: (036) 342 7800
Facsimile: (036) 352 7898

RE-ADVERT

DISPOSAL OF SERVICED SITES – WEMBEZI B SECTION

In terms of section 25(5) of the Constitution of the Republic, 1996 read with section 113 and section 14 of Municipal Finance Management Act 56 of 2003 and item 37 of Supply Chain Management regulations (Government Gazette, No. 27637 of 30 May 2005) and section 21 of Municipal Systems Act. Inkosi Langalibalele Local Municipality is herewith communicating its intention to dispose the following properties through competitive bidding subject to conditions as outlined in the tender form which can be obtained from 01 October 2025 the Municipal Website and e-Tenders.

Council resolved to dispose the following sites for the public to enhance compaction and densification for infill development.

STATUS OF LAND OWNERSHIP

The following properties are under Municipal ownership either through a registered title deed. All below sites will be disposed through competitive bidding process, the market value that is in the table is the minimum value of the property.

Tender Name	Tender No.	Tender Closure
Disposal of serviced sites for Inkosi Langalibalele Municipality Wembezi –B Section (19 Sites)	ILM 24/25/26	16 OCTOBER 2025 10H00

*Table 1 Sites that were valued and earmarked for disposal by outright purchase (**Residential sites**)*

The Municipality will evaluate the above-mentioned projects as follows:

- Tender document will be evaluated using price, functionality, returnable documents and specific goals.
- Inkosi Langalibalele Municipality has adopted policy in terms of selection criteria that will be followed, and that policy will be adhered to in evaluating the above projects.

TERMS AND CONDITIONS

The lowest acceptable price will score 80 points: price, and 20 points for specific goals.

Lot No	Extent in m²	Address	OFFSET PRICE	ZONING
51	300	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
52	300	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
53	300	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
54	300	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
55	300	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
56	300	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
57	300	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
58	300	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
59	382	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
264	375	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
265	375	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
266	375	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
267	375	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
268	375	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
269	375	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
270	375	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
271	375	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
272	375	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
273	375	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
274	375	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL

The successful bidder or bidders will have to enter into a Deed of Sale with Council and will be required to pay the entire purchase price together with the VAT in cash in terms of section 164(1)(c) of the MFMA 56 of 2003.

Specific Goals

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Verification Documents
Specific goal 1: Ownership (Max Points =10)		
HDI women	10	ID copy (Certified)
HDI Men	8	ID copy (Certified)
Specific goal 2: RDP (Max Points =10)		
Promotion of enterprises located within: Inkosi Langalibalele Municipal area	10	Proof of Municipal accounts/affidavit/proof of residence signed by Ward Councillor
Uthukela District Municipality	6	Proof of Municipal accounts/affidavit/proof of residence signed by Ward Councillor
Province of KwaZulu Natal	3	Proof of Municipal accounts/affidavit/proof of residence signed by Ward Councillor
Other Provinces	1	Proof of Municipal accounts/affidavit/proof of residence signed by Ward Councillor

THE CRITERIA FOR THE DISPOSAL OF SITES IS AS FOLLOWS:

- (a) (i) Preference will be given to residence residing within Inkosi Langalibalele Municipal area of jurisdiction
(ii) First time buyers only
(iii) One site per person or entity,
- (b) that during the process of Public Participation through invitation of declaration of interest, the community of Inkosi Langalibalele and other South Africans be advised that should there be any person or entity claiming ownership of any of the advertised property, a declaration of such claim shall be submitted to Inkosi Langalibalele Local Municipality within twenty-one (21) days from the date of this advertisement.
- (c) that should any claimant, in the spirit of the above resolution, miss the opportunity for any reason whatsoever, the claim be treated as never existed and the process of disposal will be allowed to take effect.

Queries relating to the issue of the above-mentioned document may be addressed to:

Contact Person		Tel No	Email
Faroiz Shaik	Housing Manager	036 342 2353	fairoz@ilm.gov.za
Lindani Sithathu	SCM Manager	036 342 7836	lsithathu@ilm.gov.za

Tender documents will be Obtainable to the Municipal Website and e-Tenders.

Tenders may only be submitted on the tender document that was issued. Requirements for sealing, addressing, delivery, openings and assessment are stated in the tender data.

The Municipality is not obliged to accept the lowest or any bidder. Bidder will be adjudicated in terms of the Council's Supply Chain Management Policy.

CLOSING DATE AND SUBMISSION OF TENDERS:

As per above table (see "tender closure"), at the offices of the Inkosi Langalibalele Municipality at 10:00. No late tenders will be accepted. Tenders should be clearly marked on their envelopes with the name of tender and tender number.

.....
Mr. SB MTHEMBU
Municipal Manager

NOTICE NO: 26/2025

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE INKOSI ILANGALIBALELE MUNICIPALITY					
QUOTATIONb NUMBER:	RFQ LD 641 23/	CLOSING DATE:	16 October2025	CLOSING TIME:	10:00 AM
DESCRIPTION	DISPOSAL OF RESIDENTIAL SITES				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT					
MAIN MUNICIPAL BUILDING					
1 VICTORIA STREET					
ESTCOURT					
3310					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER		CODE		NUMBER	
CELLPHONE NUMBER					
FACSIMILE NUMBER		CODE	NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS		TCS PIN:		OR CSD No:	
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		[IF YES ENCLOSE PROOF]		[IF YES, ANSWER PART B:3]	
TOTAL NUMBER OF ITEMS OFFERED				TOTAL BID PRICE	R
SIGNATURE OF BIDDER		DATE			
CAPACITY UNDER WHICH THIS					
BID IS SIGNED					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT	SCM units		DEPARTMENT	Housing dept.	
CONTACT PERSON	Sithathu L		CONTACT PERSON	S h a i k	
TELEPHONE NUMBER	0363427836		TELEPHONE NUMBER	0363422353	
E-MAIL ADDRESS	lsithathu@ilm.gov.za		E-MAIL ADDRESS	fairouz@ilm.gov.za	

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

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

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
- 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
- 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
- 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO
- 3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID. NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.

SIGNATURE OF BIDDER:.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

STAGE ONE: ADMINISTRATION COMPLIANCE

1.1.1

For Business

This phase consists of Mandatory administrative compliance evaluation of all proposals.

a) Mandatory Requirements

- Latest Proof of Central Supplier Database Registration (CSD Report). The service provider should be in good standing with the South African Revenue Services which will be verified on CSD.
- Fully Completed and signed MBD forms (MBD 1, MBD 4, MBD 6.1, MBD 8 and MBD 9).
- Offer to be Submitted on a Company Letterhead
- Tax status Pin

- Business registration certificate
- Certified ID copies of owners of the business

Failure to provide any mandatory information required will result in the submission being deemed null and void and shall be considered non-responsive.

For Individual

- Fully Completed and signed MBD forms (MBD 1, MBD 4, MBD 6.1, MBD 8 and MBD 9).
- Tax status Pin or individual tax number from SARS
- Offer to be submitted on another own page but be inserted inside this document
- Certified Id copy of an individual prospective buyer
-

SPECIFICATIONS

Background

The Inkosi Langalibalele municipality has the following vacant residential sites which are up for sale at the below offset price. Bidders can offer to purchase more than one sites.

Lot No	Extent in m²	Address	OFFSET PRICE	ZONING
51	300	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
52	300	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
53	300	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
54	300	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
55	300	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
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273	375	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL
274	375	Wembezi B Section - Longhomes	R55 000,00	SPECIAL RESIDENTIAL

The successful bidder or bidders will have to enter into a Deed of Sale with Council and will be required to pay the entire purchase price together with the VAT in cash in terms of section 164(1)(c) of the MFMA 56 of 2003.

DECLARATION OF INTEREST

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

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

3.2 Identity Number:

3.3 Position occupied in the Company (director, trustee, shareholder²):.....

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

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE QUOTATION AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.

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

a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable.

1.3 Points for this bid shall be awarded for:

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

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

	POINTS
Price	80
Specific Goals	20
Total points for Price and Specific Goals	100

1.5 Failure on the part of a bidder to submit proof of CSD report, Consolidated BBBEE Certificate for Consortium, Joint Venture, Trust or Consortium, Joint Venture, Trust Agreement together with the bid, will be interpreted to mean that preference points for Preference points are not claimed.

1.6 The purchaser 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 preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering processor any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by

an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) “the Act” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

4. POINTS AWARDED FOR PRICE

4.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

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

4.3 POINTS AWARDED FOR PRICE

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

80/20

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmax = Price of highest acceptable bid

5. POINTS AWARDED FOR SPECIFIC GOALS

- 5.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, Preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated below:
- 5.2 In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system, then the municipality must indicate points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table1: Specific Goals for the bid and points claimed are indicated as per the table below.

Specific Goal: Ownership Criteria Category

80/20

Race: Black	0%	0
	>0% and	<51%
		8
	≥51% and <100%	15
	100%	20

Should the municipality apply a combination of Specific Goals, the points for the individual goals will be weighted according to the Goal Weightings specified in the Tender Data to arrive at the final points for Preferential Points for Specific Goals.

Proof of claim as declared on MBD 6.1 (1 or more of the following will be used in verifying the tenderer's status)

- Companies and Intellectual Property Commission registration document (CIPC)
- CSD report.
- B-BBEE Certificate of the tendering entity.
- Consolidated B-BBEE Certificate if the tendering entity is a Consortium, Joint Venture, or Trust (Issued by verification agency accredited by the South African Accreditation System).
- Agreement for a Consortium, Joint Venture, or Trust.

IMPORTANT NOTICE

By applying to this advert you hereby acknowledge that you have read and accept the following Protection of Personal Information ACT (POPIA) disclaimer:

I hereby consent for Inkosi Langalibalele Municipality to process my personal information as part of the procurement process. Durban Marine Theme Park shall take all reasonable measures to protect the personal information of applicants and for the purpose of this disclaimer "personal information" shall be defined as detailed in the Protection of Personal Information Act, Act 4 of 2013 ("POPIA")

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	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). 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.	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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard 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 *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description) in response to the invitation for the bid made by:

INKOSI ILANGALIBALELE MUNICIPALITY

(Name of Institution)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
 2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
 3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
 4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
 5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
 6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
 7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
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8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

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Date

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Position

.....
Name of Bidder