



THEMBELIHLE

Incorporating the towns of Strydenburg and Hopetown
Northern Cape Province, Republic of South Africa

LOCAL MUNICIPALITY
PLAASLIKE MUNISIPALITEIT
U-MASIPALA WASEKUHALENI

✉ Private bag X3 HOPETOWN
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HOPETOWN
8750

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www.thembelihlemunicipality.gov.za

QUOTE 03/2025/26: APPOINTMENT OF AN AUCTIONEER FOR THE AUCTION OF REDUDANT AND OBSOLETE STOCK, EQUIPMENT AND VEHICLES OF THE MUNICIPALITY

CLOSING DATE: 09 SEPTEMBER 2025 AT 11:00

Notice is hereby given in terms of Section 111 of the MFMA (No 56 of 2003) and Clause 12(1) of the Municipal Supply Chain Management Policy that Thembelihle Local Municipality intends to procure service of an Auctioneer.

Prospective Service Providers are hereby invited to submit quotations for the services of an Auctioneer.

Quotations must be submitted on the original documents and remain valid for ninety (90) days after the closing date of the bid request. Enquiries pertaining to the specifications can be addressed to Mr. Elrie Mouton or Ms. Nogoli Jaxa at telephone 064 968 2641. A set of quotation documents is available on the municipality's website at www.thembelihlemunicipality.gov.za and E-tender Portal at www.etenders.gov.za can be downloaded at no cost.

Fully completed quotation documents must be placed in a sealed envelope and placed in the tender box in the Foyer at the Thembelihle Local Municipal offices corner Mark and Church Streets, Hopetown not later than time and date stipulated The envelopes/email must be endorsed clearly with the number, title, bidder's name and closing date and time of the quotation as above.

The quotations will be evaluated on the 80/20 Preference Points system as prescribed by the Revised Preferential Procurement Policy Framework of 2022.

The following Specific Goals will apply:

	Specific Goal	Weight
1	Contracting with persons, or categories of persons, historically Disadvantaged by unfair discrimination on the basis of race, women, youth or disability (BBBEE)	20

1. BBBEE - Bidders are required to submit a BBBEE scorecard or a BBBEE Sworn Affidavit. Failure to submit the above document for verification will result in the bidder forfeiting the points.

Criteria to handle a deadlock

In the event where two or more bidders have scored equal Total points for Price and Specific Goals, the bidder who have obtained the highest score under Specific Goals will be the recommended bidder.

REQUIREMENTS OF AN AUCTIONEER

- The Auctioneer must be able to deposit an amount equal to the estimated turnover for the auction into the Councils Bank Account prior to the auction.
- The Auctioneer must also provide his bank approved financial statements.
- The auctioneer must have the capacity to handle all administrative functions and costs and be able to guarantee the council full payment in 7 days.
- The Auctioneer must be able to prepare the goods for the auction in a respectable manner to ensure better returns.
- No up-front costs to the council.
- The Auctioneer must have a long-standing track record.
- The auctioneer must have the high court approved valuers and appraiser's certification on staff complement
- The auctioneer must be a SAIA approved member (South African Institute for Auctioneers)
- An Original valid Tax Clearance Certificate from the South African Revenue Services.
- Proof that both the bidder and its director's rates and taxes are not in arrears for more than 90 days with the bidder's municipality.
- Identity documents of the company directors and company registration details.
- Registration on the Central Supplier Database

The tender box will be emptied just after 11:00 on the closing date as above, hereafter all bids will be opened in public. **LATE QUOTATIONS SUBMITTED BY E-MAIL WILL UNDER NO CIRCUMSTANCES BE ACCEPTED.**

The Municipality reserves the right to withdraw any invitation to tender and/or to re-advertise or to reject any tender or to accept a part of it. The Municipality does not bind itself to accepting the lowest tender or award a contract to the bidder scoring the highest number of points.

It is expected of all Bidders who are not yet registered on the Municipality's Accredited Supplier Database and on the CSD to register without delays. The Municipality reserves the right not to award bids to Bidders who are not registered on the CSD.

Ms. KG Gaborone
Municipal Manager
Thembehle Local Municipality
HOPETOWN
8750

Returnable Documents

1. Fully completed Bid Document with attached MBD Forms
2. Company Registration Documents
3. Certified copies of all directors ID Documents
4. BBBEE Certificate or Original Sworn Affidavit
5. Municipal Account for **all Directors** and the **company** not older than 90 days
6. Bidders must be 18 years or older

Failure to provide any of the above will lead to automatic disqualification.

COMPULSORY DOCUMENTATION

1. ANNEXURE F : PRICE QUOTATION FORM

(Purchases up to an estimated value of R300 000-00)

NB: Use ink, preferably black, to fill in the information applicable to the specific required price quotation

NAME OF SUPPLIER:

CLOSING TIME 11:00 ON: PRICE QUOTATION NO.

VALIDITY: DAYS CSD NUMBER:

ITEM	QTY	DESCRIPTION	PRICE IN RAND CURRENCY INCLUSIVE OF VAT
1	ALL	SERVICES OF AN AUCTIONEER	R
TOTAL AMOUNT (INCLUSIVE OF VAT)			

Trade mark and model:

.....

Country of origin:

.....

Points claimed:

B-BBEE status level verification certificate appended?

YES

OR

NO

***NB: TICK APPLICABLE BLOCK**

ISSUING AGENCY _____

- **Delivery basis:**

(i) Is the delivery period firm?

***YES / NO**

(ii) Period required for delivery after receipt of order

.....

- Is the price (inclusive of VAT) firm?

***YES / NO**

- Discount offered (conditional/unconditional):

.....

- Is offer strictly to specification/terms of reference, if attached?

***YES / NO**

If not to specification/terms of reference, state deviation(s)

.....

.....

(1) Name of taxpayer/quoter:

.....

(2) Identification Document number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

(3) Trade name:

.....

(4) Company/Close Corporation registration number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

(5) Income tax reference number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

(Original of Income Tax Clearance Certificate to be attached)

(6) VAT registration number (if applicable):

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

(7) PAYE employer's registration number (if applicable)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Bank Details (if applicable):

Bank Name:

Bank Branch Code:

--	--	--	--	--	--

Account Holder:.....

Bank Account number:

--	--	--	--	--	--	--	--	--	--	--	--

Bank account type:
.....

Contact person:

Signature:

Name in print:.....

Telephone No.: Code: **No.**

Fax No.: Code: **No.**

E-mail address:

Address:

.....

.....

.....Postal

--	--	--	--

SIGNATURE

SURNAME & INITIALS

DATE

2. Tax Clearance Certificate

- (a) A valid copy of the original Tax Clearance Certificate and a PIN obtainable from SARS must accompany the bid documents together with the CSD Registration report reflecting a Compliant Tax status

3. BUSINESS MUNICIPAL RATES AND SERVICE ACCOUNT

A copy of a Bidders Business Municipal Rates and Service account not older than 30 days must be submitted or a Lease Agreement in the case of a Landlord responsible for the account.

4. MBD 4: 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	Personal Income Tax Reference number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

MBD 6.1

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

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

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)} & \mathbf{or} & \mathbf{P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)} \end{array}$$

Where

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- P_{min} = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)} \end{array}$$

Where

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

(a) an invitation for tender for income-generating contracts, that 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.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

5. 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	<p>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)?</p> <p>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.</p>	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

6. MBD9: 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.

MBD9: 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

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.

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

7. B-BBEE Certificate

- (a) A valid original B-BBEE verification Certificate / a certified copy must accompany the bid documents,/an original sworn affidavit.
Failure to submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1. SCOPE:

Bids are hereby invited for the appointment of an auctioneer for the auction of redundant and obsolete stock, equipment and vehicles of the Municipality.

2. REQUIREMENTS OF AN AUCTIONEER

- The Auctioneer must submit confirmation from his/her bank of his ability to deposit an amount of R100 000 (estimated turnover of the auction) into the Municipality's bank account prior to the auction.
- The Auctioneer must be able to deposit an amount equal to the estimated turnover for the auction into the Councils Bank Account prior to the auction.
- The Auctioneer must also provide his bank approved financial statements.
- The auctioneer must have the capacity to handle all administrative functions and costs and be able to guarantee the council full payment in 7 days.
- The Auctioneer must be able to prepare the goods for the auction in a respectable manner to ensure better returns.
- No up-front costs to the council.
- The Auctioneer must have a long standing track record.
- The auctioneer must have the high court approved valuers and appraiser's certification on staff complement
- The auctioneer must be a SAIA approved member (South African Institute For Auctioneers)

3. CONDITIONS OF SALE:

(A) The auctioneer is responsible for the total administration of the auction including the following:

- a) The advertising of the auction for the auctioneer's account according to the Municipality's requirements, in Volksblad, DFA, Echo and any other newspaper agreed upon.
- b) Making the necessary security arrangements on the day of the auction.
- c) The recruitment and registration of buyers before an auction.
- d) The total administration before and during the auction, until the completions of the transfer of vehicles are concluded.
- e) The awarding of lot numbers and packing of the items in their lots.
- f) The balancing of the auction.
- g) The receipt of all the income generated at the end of the auction.
- h) Management of the removal process of sold auction items during the allowed period of seven working days.

(B) That the following conditions of sale will be applicable:

- a) In order to participate in the auction as a buyer, a registration deposit determined by the Auctioneer will be required, in the form of cash or bank guaranteed cheque, which is only refundable after the completion of the auction.
- b) Should the buyer fail to pay in full for all the lots awarded to him, the said buyer will forfeit his deposit.
- c) All goods numbered in lots, or pointed out by the Auctioneer, will be sold *to the highest bidder*, subject to confirmation of the Thembelihle Local Municipality.
- d) Value Added Tax (VAT) will be added to the offer obtained.
- e) Payment is due by either cash or bank guaranteed cheque, immediately after the auction.
- f) Goods remain the property of the Thembelihle Local Municipality until payment in full has been received
- g) All goods are sold "voetstoots" in whatever condition they may be at acceptance of a bid and *no guarantee* whatsoever is given.

- h) Buyers of vehicles are solely responsible for all administrative actions to be taken, in order to

register the vehicle in his/her name, including obtaining a SAPS clearance/s on such vehicle.

i) Descriptions and information in advertisements, catalogues or given verbally, are given in good faith.

j) The Thembelihle Local Municipality is not responsible for any errors in description, quality or quantity and a bid shall be taken as sufficient proof that the bidder has acquainted himself with the lots for which he bids.

k) All lots awarded immediately become the responsibility of the purchaser and the Thembelihle Local Municipality will not be held responsible for any goods that may be lost, damaged or stolen.

l) In the event of any dispute arising about any item, the Thembelihle Local Municipality may use its discretion and re-auction the lot. The Thembelihle Local Municipality's decision, as well as the auction list will be regarded as final in all cases. Taciturnity from the side of the Municipality means automatic acceptance of the bid.

m) Items may only be removed from the premises:

i. after completion of the auction,

ii. after the items have been paid for in full, and

iii. after the original payment voucher has been produced.

n) The Thembelihle Local Municipality reserves the right to combine or divide any lot/s before or during the auction.

o) The Thembelihle Local Municipality reserves the right to decline any offer and to withdraw any offer from the Auction at any given time.

p) The buyer must comply with all aspects of the Occupational Health and Safety Act (Act 85 of 1993).

q) Items are removed at the buyer's own risk, and the buyer will be held liable for any damages caused to buildings and other property during removal.

r) If the purchaser fails to carry out any of his obligations under the Conditions of sale, the goods may again be put up for sale and the purchaser shall be responsible for any losses pertained by reason of his default.

s) All items purchased must be removed from the Municipality's premises within seven (7) days subsequent to the day of the auction.

t) Should the buyer fail to remove the items purchased within seven (7) days after the auction, the ownership of these items will accrue to the Thembelihle Local Municipality without any compensation to the buyer. Contract: Scope of work

4. The estimated turnover of the auction (which will be a mutual agreement between the Auctioneer and a member of the Municipality) must be paid over to the Municipality the day before the auction. The difference must be paid in by the auctioneer within seven (7) days after the auction, after his commission has been subtracted. The Auctioneer will be refunded in instances where the amount that realised is less than the expected income.

5. The date of the auction shall, in collaboration with the successful bidder, be agreed upon.

6. COMPENSATION.

BIDDERS MUST TAKE NOTE TO TENDER ONLY FOR A PERCENTAGE OF THE TOTAL TURNOVER OF THE AUCTION.

7. PERIOD OF ACCEPTANCE:

Bids are to remain open for acceptance for a period of ninety (90) days from the date on which they are to be lodged and may be accepted at any time during the said period of ninety (90) days.

8. RESERVATIONS REGARDING ACCEPTANCE:

The lowest presentation claimed will not necessarily be accepted and the Municipality reserves the right to accept the whole or any portion