



# MAQUASSI HILLS LOCAL MUNICIPALITY

**Contract No: MHLM/SCM/24/2023/2024.**

## **REQUEST FOR FORMAL QUOTATION**

**AS AND WHEN PROVISION FOR AUCTIONEERING SERVICES FOR MAQUASSI LOCAL MUNICIPALITY FOR THE PERIOD OF THREE (3) YEARS**

**ISSUED BY:**  
 MAQUASSI MUNICIPALITY  
 FINANCE FOYER  
 19 KRUGER STREET  
 WOLMARANSSTAD  
 2630

<b>Supply Chain Management</b>	<b>Technical Enquiries</b>
Mrs. Rosinah Kgobe – Acting SCM Manager	Mr Tshepo Modibedi – Acting CFO
Tel: 018 596 3025	Tel: 018 596 3025
Email: <a href="mailto:rosinahm@maquassihills.org">rosinahm@maquassihills.org</a>	Email: <a href="mailto:tshipla@gmail.com">tshipla@gmail.com</a>

**COMPANY NAME:** \_\_\_\_\_

**TENDER AMOUNT:** \_\_\_\_\_

**CONTACT NO.:** \_\_\_\_\_

**EMAIL ADDRESS. :** \_\_\_\_\_

# PART T1: TENDERING PROCEDURES

## T1.1 INVITATION TO QUOTE

1. Prospective Service Provider must be registered on the Central Supplier Database (Attach proof)
2. Joint Venture and Sub - Contractors must also be registered on the Central Supplier database (where applicable)
3. **Functionality** of between 70 and 100 points respectively must be scored to qualify for further evaluation (**SEE BID DOCUMENT**)
4. **Returnable documents to be attached for each bid as per the Tender document, Failure to attached will lead to the bid to be unsuccessful.**
5. **Bid documents can be downloaded for free on eTender Portal.**
6. **Validity Period 90 days**

Sealed tenders duly endorsed with the tender number and description must be deposited into the tender box in the Finance foyer of Maquassi Hills Local Municipality, Wolmaransstad, 19 Kruger Street. Maquassi Hills Local Municipality reserves the right not to accept the lowest or any tender.

MUNICIPAL MANAGER  
PRIVATE BAG X3  
WOLMARANSSTAD  
2630

**Mrs. N.J Mbonani**  
**Municipal Manager**

TENDER NO	DESCRIPTION	BID DOCUMENT AVAILABLE FROM	NON-REFUNDABLE TENDER AMOUNT	EVALUATION CRITERIA	COMPULSORY SITE MEETING	CLOSING DATE & TIME	ENQUIRIES
TENDER NO: MHLM/SCM/24/2023/2024	As and When Provisioning for Auctioneering Services for Maquassi Local Municipality for The Period of Three (3) Years	Tuesday, 25 June 2024 Maquassi Hills SCU, 19 Kruger Street Wolmaransstad	R 2000.00 At MHLM SCM Office  <b>Etender</b>  Free of charge	80/20 80 – Price 20 – Specific Goals	N/A	Wednesday 07 August 2024 @12h00	Mr T Modibedi 018 065 0010  Mrs Rosinah Kgobe 018 596 3025

## **PROVISION OF AUCTIONEERING SERVICES**

MAQUASSI LOCAL MUNICIPALITY HEREBY INVITES YOU TO SUBMIT your quotation for the goods and/or services listed hereunder in this RFQ document. Bidders are requested to furnish all information requested and return their quotation submission on the date stipulated in this invitation and the RFQ advertisement. Late and incomplete submissions will invalidate the quotation submitted.

**PROVISION OF AUCTIONEERING SERVICES** as ordered by the Maquassi Hills Local Municipality as once off/ short term engagement. Buyers should take out that lots are sold "Voetstoots" and that no claims will be considered by virtue of incorrect description, quantity, quality, condition or any other grounds. Items to be auctioned include. But are not limited to the following: The list of items to be auctioned off will be provided to the winning bidder.

- • Plant and Vehicles
- • Redundant assets e.g. Furniture, desks, old equipment
- • Scrap material and Miscellaneous Smalls,

## **ADDITIONAL MANDATORY REQUIREMENTS**

The Auctioneer has to be registered with S.A.I.A (South African Institute of Auctioneers). Registration Certificate to be provided.

- • The Auctioneer must have traded as an Auctioneer for 2 years or more. This might be a signed contract by Government, a contractual signed agreement with sole proprietors and or companies. Please provide proof of signed documents portfolio of evidence.
- • The cost for advertising is borne by the Auctioneer.
- • Payment of the sale should be made within 21 days after the finalisation of the Auction to the Municipality.

**If the Mandatory requirements are not met, the bidder will be deemed non-responsive. The Mandatory requirements will be used as an evaluating criteria, together with the pricing schedule completed.**

## **REQUIREMENTS FOR THE AUCTIONEER**

This is a once off provision of auctioneering service. The winning bidder will engaged on the terms of reference as mentioned herein. Please note that non -submission of the required ill deem the bidder non-responsive.

The equipment to be used during the auction include but is not limited to:

- • Fully computerised auction package
- • Public Address system
- • Catalogues and numbering of units on auction i.e. marking and arranging of items will be made available at the site of the auction.

## **RFQ DOCUMENTS ARE OBTAINABLE FROM:**

19 KRUGER STREET,  
SCM BUILDING  
WOLMARANSSTAD AND ALSO **FREE ON**  
E-TENDER

## **SUBMISSION OF RFQs:**

RFQ Box- Finance - Foyer  
19 Kruger Street,  
Wolmaransstad  
2630

## **TECHNICAL ENQUIRIES:**

Name: Mr T Modibedi  
Tel: 018 596 3025  
Email: tshipla@gmail.com

## PART T2 RETURNABLE DOCUMENTS

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### T2.1 RETURNABLE DOCUMENTS

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Bidders are hereby invited for the provision of Auctioneering Services as ordered by the Maquassi Hills Local Municipality as once off/ short term engagement.

Buyers should take out that lots are sold “Voetstoots” and that no claims will be considered by virtue of incorrect description, quantity, quality, condition or any other grounds.

Items to be auctioned include. But are not limited to the following: The list of items to be auctioned off will be provided to the winning bidder.

- • Plant and Vehicles
- • Redundant assets e.g. Furniture, desks, old equipment
- • Scrap material and Miscellaneous Smalls,

Bidders are required to submit **the following documents** (copies must be originally certified):

- Founding Statement (CK/Company Registration Certificate) or certified copy must be submitted, if a sole proprietor provide affidavit confirming owners and failure will result in disqualification
- Bidders to submit a valid SARS Tax Compliance Status Report.
- Completed and signed declaration of interest MBD4, MBD 6.1, MBD 8 & MBD 9. **Failure to submit will result to disqualification.**
- Specific Goals Mandatory documents original certified copies **Failure to submit will result to loss of points.**
- Billing clearance certificate/ lease agreement signed by both parties the lessor and the lessee, if expired extension of the lease must be attached or statement of municipal accounts not more than 3 months old and not more than 3 months in arrears, if arrangements are made to submit arrangement letter. **Failure to submit will result to disqualification**
- Proof of registration on Central Supplier Database (CSD) report.
- Proof of registration with Maquassi Hills Local Municipality Data base if not already registered.
- MFMA Circular 90 will apply

### ADDITIONAL MANDANTORY REQUIREMENTS

The Auctioneer has to be registered with S.A.I.A (South African Institute of Auctioneers). Registration Certificate to be provided.

- • The Auctioneer must have traded as an Auctioneer for 2 years or more. This might be a signed contract by Government, a contractual signed agreement with sole proprietors and or companies. Please provide proof of signed documents portfolio of evidence.
- • The cost for advertising is borne by the Auctioneer.
- • Payment of the sale should be made within 21 days after the finalisation of the Auction to the Municipality.

If the Mandatory requirements are not met, the bidder will be deemed non-responsive. The Mandatory requirements will be used as an evaluating criteria, together with the pricing schedule completed.

#### REQUIREMENTS FOR THE AUCTIONEER

This is a once off provision of auctioneering service. The winning bidder will be engaged on the terms of reference as mentioned herein. Please note that non -submission of the required ill deem the bidder non-responsive.

The equipment to be used during the auction include but is not limited to:

- Fully computerised auction package
- Public Address system
- Catalogues and numbering of units on auction i.e. marking and arranging of items will be made available at the site of the auction.

#### This submission will be evaluated in two (2) Stages as follows:

- **Stage One:** Bidders passing will need to pass Eligibility Compliance Criteria, and responsiveness to the bid rules and conditions of tender and functionality evaluation.
- **Stage Two:** Functionality and Price and Preferential Points

Tenders will also be submitted to a functionality evaluation, as stated in clause MBD 6.1 to determine further responsiveness, in terms of functionality.

The following aspects will be considered when the Functionality of tenders are being considered:

1. Related Auctioneering service experience
2. Auctioneer registration Certificate (SAIA)
3. Financial reference
4. Locality

Criterion	Weighting per criterion (Maximum score)
Auctioneering service Experience 2-3 years (15 points) 4-5 years OR more (30 points)	30
Auctioneer Registration Certificate S.A.I.A (South African Institute of Auctioneers).	50
Financial reference ( bank letter/recent bank statement)	10
Within Dr Kenneth Kaunda (KK)	6
Outside Dr KK	4
<b>Total</b>	<b>100</b>

The minimum total score required for all four criteria, is 70%. Tenderers scoring less than 70% will be regarded as non-responsive.

1. **Resources required:**

- • Fully computerised auction package
- • Public Address system

- Catalogues and numbering of units on auction i.e. marking and arranging of items will be made available at the site of the auction.

Specific Goals level Points and Price Evaluation (method 2)

**PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT NO 5, 2022 (PPPFA) POINTS WILL BE AWARDED AS FOLLOWS:-**

The 80/20 preference point system will be applicable,  
Points for this bid shall be awarded for:

- (a) Price; and
- (b) Specific Goals Status Level of Contributor.

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

	<b>POINTS</b>
<b>PRICE</b>	80
<b>SPECIFIC GOALS STATUS LEVEL OF CONTRIBUTOR</b>	20
<b>Total points for Price and Specific Goals must not exceed</b>	<b>100</b>

**NB: NO SUBMISSIONS 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)**

**BIDDERS ARE REQUIRED TO FAMILIARISE THEMSELVES WITH THE TENDERING CONDITIONS AND PROCEDURES AS DOCUMENTED BELOW.**

### **1.1 GENERAL CONDITIONS OF THE REQUEST FOR QUOTATIONS (RFQ)**

1. For the purposes of this RFQ document, the words 'bidder' and 'tenderer', and 'RFQ' and 'tender' shall bear the same meaning.
2. 'MHLM,' where referred to in this document means Maquassi Local Municipality.
3. No quotation will be considered unless submitted on this RFQ document.
4. The whole original RFQ document, as issued by Maquassi Municipality must be submitted. A quotation will be considered invalid and will not be accepted, if any part of this RFQ document is not submitted.
5. Bidders must submit one RFQ offer only, either as a single tendering entity or as a member of a joint venture.
6. Telephonic, telegraphic, telex, facsimile or emailed RFQ submissions will not be accepted.
7. Any portion of the RFQ document not completed will be interpreted as 'not applicable'. Notwithstanding the afore-going, failure to complete any compulsory portion of the RFQ document will result in the RFQ submission being declared non-responsive.
8. **Quotations must be properly received and deposited, on or before the closing date and on or before 12:00pm**, in the **RFQ Box** situated at 86 High Street, Grahamstown, Upstairs at Finance Building. If the quotation submission is too large to fit in the allocated box, please enquire at the counter for assistance.
9. **MHLM accepts no responsibility for ensuring that quotations are placed in the correct tender box, and should a quotation be placed in the incorrect tender box, it will be not be accepted.**
10. MHLM reserves the right to accept: 10.1 the whole quotation or part of a quotation or any item or part of any item, or to accept more than one quotation (in the event of a number of items being offered), and MHLM is not obliged to accept the lowest or any quotation; a quotation which is not substantially or materially different from the RFQ specifications.

11. MHLM shall not consider quotations that are received after the closing date and time, as specified in the RFQ advertisement.
12. MHLM will not be held responsible for any expenses incurred by bidders in preparing and submitting quotations.
13. MHLM may, after the RFQ closing date, request additional information or clarification of submitted quotations, in writing.
14. A quotation may be rejected as non-responsive if the bidder fails to provide any clarification requested by MHLM within the time for submission stated in the written request for such clarification.
15. A bidder may request in writing, after the closing date, that its quotation be withdrawn. Such withdrawal will be permitted or refused at the sole discretion of MHLM after consideration of the reasons for the withdrawal, which shall be fully set out by the bidder in such written request for withdrawal.
16. The RFQ document must be signed by a person duly authorised to do so.
17. Quotations submitted by joint ventures, consortia, partnerships shall be accompanied by a joint venture, consortium, partnership agreement, in which it is defined precisely the conditions under which the joint venture, consortium or partnership will function, its period of duration, the persons authorised to represent and obligate it, the participation of the several firms of which it is formed, and any other information necessary to permit a full appraisal of its functioning.
18. **Once the RFQ is awarded, all purchases will be made through an official Maquassi Hills Local Municipality Purchase Order. Therefore no goods must be delivered or services rendered before an official Purchase Order has been forwarded to the successful bidder. The successful bidder must then deliver or render service upon receiving an official signed Purchase Order from MHLM.**
19. **Evaluation of RFQs** 19.1 **Quotations will be evaluated in accordance with the evaluation criteria set out in the Special Conditions of the Request for Quotations.**
- 19.2 Quotations will be evaluated for price and preference using the 80/20 preference points system as follows –
- 19.3 Unless otherwise stated in the Special Conditions, a contract will be concluded with the bidder who complies with the evaluation criteria, and scores the highest total price and Specific Goals points.
- 19.4 Bidders may quote with or without VAT depending upon whether or not they are VAT vendors. In the calculation of price points, VAT shall be removed from the quotation amount of bidders who are registered as VAT vendors, so that financial offers can be evaluated on a comparative basis as a price advantage cannot be afforded to bidders who are not VAT vendors.

Price	80
Specific Goals	20

20. Test for Responsiveness

20.1 **Invalid Submissions**

Quotations shall be invalid if:

- (a) The quotation submission is not sealed when submitted into the tender box.
- (b) The quotation submission is not completed in non-erasable ink.
- (c) The form of offer has not been completed.
- (d) The bidder has been listed on the National Treasury's Register for Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act, No. 12 of 2004, or has been listed on the National Treasury's List of Restricted Suppliers and who is therefore prohibited from doing business with the public sector.
- (e) The bidder is prevented from doing business with MHLM in terms of Regulation 38 and 44 of the Supply Chain Management Regulations (MFMA).

## 20.2 Non-responsive Submissions

Quotations will be declared as non-responsive and eliminated from further evaluation in the following circumstances –

- (a) The submission has not achieved the minimum score for functionality as set out in the evaluation criteria, where functionality is applicable.
- (b) Where there are material deviations or qualifications to the RFQ which in MHLM's opinion would
  -
- i (i) Detrimentally affect the scope, quality or performance of the works, services or supply identified in the scope of works;
  - i (ii) Significantly change MHLM's or the bidder's risks and responsibilities under the contract, or
  - ii (iii) Affect the competitive position of the bidder, or other bidders presenting responsive submissions, if it were to be rectified.
- (c) The submission will be declared non-responsive if the bidder fails to adhere to a written request (within the specified period set out in such request) to –
  - i (i) Comply with the general conditions applicable to RFQs as contained in the MHLM Supply Chain Management Policy;
  - ii (ii) Complete and/or sign any declarations and/or authorisations;
  - iii (iii) Submit items 2 - 3 of the list of returnable documents in Part 2 (section 2.1) of this bid document.

**(d) The bid will be declared non-responsive in the event that the bidder's tax matters, as verified on the government Central Supplier Database, are shown not be in order, and the bidder fails to ensure that its tax matters are in order within such timeframe as may be required by MHLM in writing.**

## 21. Clarification of quotation after submission

The bidder must provide clarification of its submission in response to a request to do so from MHLM during the evaluation process. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of bidders or substance of the submission may be sought, offered, or permitted.

## 22. Provide other material

The bidder shall provide, on request by MHLM, any other material that has a bearing on the RFQ submission, the tenderer's commercial position (including notarized joint venture agreements), or samples of materials, considered necessary by MHLM for the purpose of a full and fair risk assessment. Should the bidder not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in MHLM's request, MHLM may regard the RFQ submission as non-responsive.

## 23. Inspections, tests and analysis

The bidder shall, at the request of MHLM, provide access during working hours to its business premises for any inspections, tests and analyses as required for the RFQ.

## 24. Securities, bonds, policies, etc

If required, the bidder must submit for MHLM's acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required in terms of the conditions of contract.

**25. MHLM supplier database 25.1 Bidders must be registered on the MHLM Supplier Database, or meet the listing criteria set out in the MHLM Supply Chain Management Policy, in order to be considered responsive to the RFQ.**

25.2 Bidders must be registered within 7 days of being requested to do so, failing which its submission shall be declared to be non-responsive.

25.3 It is each bidder's responsibility to keep all the information on the MHLM Supplier Database updated. If any information required (e.g. tax clearance certificate, CIDB certificate, etc) is not valid or has expired, all transactions with the vendor may, in the sole discretion of MHLM, be suspended until such time as the correct, verified information is received.

## 26. Tax compliance status

**26.1 No award shall be made to a person whose tax matters have not been declared to be in order by the South African Revenue Service (SARS).**

**26.2 Each party to a consortium, joint venture or partnership must comply with the above.**

## 27. Declarations and authorisation

Bidders are required to complete all statutory declarations and authorisations in the schedules attached to this RFQ document, failing which the submission may be declared non-responsive.

## 28. Samples

If the specifications require a bidder to provide samples, these shall be provided strictly in accordance with the instructions set out in the special conditions of the RFQ below.

## 29. Alterations to tender document

Bidders may not make any alterations or additions to the RFQ document, except to comply with instructions issued by MHLM, or as are necessary to correct errors made by the bidder. All signatories to the RFQ submission shall initial all such alterations. Erasures and the use of masking fluid are prohibited.

### **30. Objections, Complaints, Queries and Disputes / Appeals in terms of Section 62 of the Systems Act**

#### **30.1 Objections, complaints, queries and disputes**

**30.2 Section 62 Appeals** Persons aggrieved by decisions or actions taken by MHLM in the implementation of the supply chain management system or any matter arising from a contract awarded in terms of the supply chain management system may, within 14 days of the decision or action, lodge a written objection or complaint or query or dispute against the decision or action.

(a) In terms of section 62 of the Systems Act, a person whose rights are affected by a decision taken by a political structure, political office bearer, councillor or staff member of a municipality in terms of a power or duty delegated or sub-delegated by a delegating authority, may appeal against that decision by giving written notice of the appeal and reasons to the Accounting Officer within 21 days of the date of notification of the decision.

(b) An appeal shall contain the following:

- (i) The reasons and/or grounds for the appeal;
- (ii) The manner in which the appellant's rights have been affected;
- (iii) The remedy sought by the appellant.

#### **30.3 Lodging of appeals, objections, complaints, queries and disputes relating to this tender**

Appeals, objections, complaints, requests for information, queries and disputes must be submitted in writing to the Office of the Municipal Manager, 19 Kruger Streets, Wolmaransstad, OR by email, [mbonanin@Maquassihills.org](mailto:mbonanin@Maquassihills.org)

## **1.2 SPECIAL CONDITIONS OF THE REQUEST FOR QUOTATIONS (RFQ)**

The special conditions qualify or are in addition to the general conditions in section 1.1 above. In the event of any ambiguity or inconsistency between the general conditions and the special conditions, the latter shall have precedence.

These special conditions, the general conditions, and the returnable schedules are only required for evaluation purposes, and shall not form part of any contract arising from the invitation to tender.

**Additions or Variations to General Conditions**

**General Conditions Clause No.**

<b>Clause 13 &amp; 21</b> <b>CLARIFICATION OF RFQ SUBMISSION</b>	Where a bidder is requested to provide additional information or clarification of its submission, this shall not be an opportunity for the bidder to bolster its submission in any way, so as to afford it an unfair competitive advantage.
<b>Clause 16</b> <b>AUTHORITY OF SIGNATORY</b>	The bidding entity must submit a letter of authority on its letterhead authorising the signatory to this RFQ to sign all documents in connection with the RFQ, and any contract which may arise therefrom, on behalf of the bidding entity. The letter of authority must be attached to Schedule A.
<b>Clause 18</b>	After the Service provider has been notified of the Award and signs Letter of Award, the bidder will have to wait for an official signed Purchase Order before commencing with the delivery or rendering of services appointed for.
<b>Clause 19</b> <b>EVALUATION OF RFQs</b>	RFQs will be evaluated in accordance with the evaluation criteria set out
<b>Clause 23</b> <b>INSPECTION, TESTS AND ANALYSES</b>	No inspections, tests and analyses shall be required for this RFQ.

### 1.3 RETURNABLE DOCUMENTS –check LIST

In addition to the requirements stipulated in this tender, tenderers are required to submit the documentation listed below.

Failure to submit a Mandatory documents for Specific Goals will result in no points being allocated for the for Specific Goals. <b>ITEM NO.</b>	<b>RETURNABLE DOCUMENT</b>	<b>AVAILABLE (TICK <input checked="" type="checkbox"/>)</b>
1.1	Business Profile	
1.2	Certified copy of Company Registration	
2.	Certified copy of Joint Venture or Consortium Agreement; if bidder is a Joint Venture or Consortium	
3.	Original Municipal debt clearance certificate for company and director(s) / bidders' business premises lease agreement with municipal debt clearance certificate.	
4.	ID copies of directors	
5.	Print-out of Tax Compliance with Pin Issued	
6.	Current Central Supplier Database printout	

## 1.4 RETURNABLE SCHEDULES

All returnable schedules below must be completed by the bidding entity, save for those schedules which are not applicable to it in which case the bidder must indicate which schedules are not applicable. Should the bidder fail to complete all applicable and compulsory schedules, its quotation submission shall be deemed to be non-responsive in accordance with clause 20.2 (d) (ii) of the general conditions.

The schedules required to be completed are as listed below – Schedule A	Letter of Authority for Signatory
Schedule B	Confirmation of Registration of Bidder on Central Supplier Database (CSD)
Schedule C	Municipal Bidding Documents

**SCHEDULE A – LETTER OF AUTHORITY FOR SIGNATORY**

Indicate the status of the bidder by ticking the appropriate box hereunder with an x. COMPANY	CLOSE CORPORATION	PARTNERSHIP	JOINT VENTURE	SOLE PROPRIETORSHIP
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<b>SCHEDULE B –  CONFIRMATION OF REGISTRATION OF BIDDER ON CENTRAL SUPPLIER DATABASE (CSD) NAME OF BIDDER</b>	<b>REGISTERED ON CSD? (YES/NO)</b>	<b>CSD SUPPLIER NUMBER</b>
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**INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ENTITY)

BID NUMBER: .....CLOSING DATE: .....CLOSING TIME: .....

DESCRIPTION.....

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**The successful bidder will be required to fill in and sign a written Contract Form (MBD 7).**

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BID DOCUMENTS MAY BE POSTED TO:

**Maquassi Hills Local Municipality  
19 Kruger street  
WOLMARANSSTAD  
2630**

OR

DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)  
**Maquassi Hills Local Municipality  
19 Kruger Street  
Finance Foyer  
Wolmaransstad**

.....

**Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.**

The bid box is generally open for 7h30 till 16h30 daily, 5 days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

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)**

**THE FOLLOWING PARTICULARS MUST BE FURNISHED  
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)**

NAME OF BIDDER .....

POSTAL ADDRESS .....

STREET ADDRESS .....

TELEPHONE NUMBER CODE.....NUMBER.....

CELLPHONE NUMBER .....

FACSIMILE NUMBER: CODE ... ..NUMBER.....

E-MAIL ADDRESS .....

VAT REGISTRATION NUMBER .....

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN ATTACHED? (MBD 2) YES/NO

HAS SPECIFIC GOALS STATUS LEVEL BEEN INDICATED? (MBD 6.1) YES/NO

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)

**(REQUIRED DOCUMENTS AS A MEANS OF VERIFICATION MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR SPECIFIC GOALS)**

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED?

**YES/NO**

(IF YES ENCLOSE PROOF)

SIGNATURE OF BIDDER .....

DATE .....

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

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS OFFERED .....

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**ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:**

**Municipality / Municipal Entity:** Maquassi Hills Local Municipality

**Department:** Finance (SCM)

**Contact Person:** Mrs Rosinah Kgobe (Acting SCM Manager)

**Tel:** 018 596 3025

**Fax:** N/A

**ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:**

**Contact Person:** Mr Tshupo Modibedi (Acting CFO)

**Tel:** 018 065 0010

**Fax:** N/A

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

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

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

Name of Bidder.....	Bid Number.....
Closing Time .....	Closing Date .....

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

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
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**The proposal must include must rate per hour i.e. hourly rate of the ca (sa), hourly rate of the registered professional Engineer, Accountant, Assistant Manager and any other professional within the team.**

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

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

• “all applicable taxes” includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

\*Delete if not applicable

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

**NOTE: PRICE ADJUSTMENTS WILL BE ALLOWED AT THE PERIODS AND TIMES SPECIFIED IN THE BIDDING DOCUMENTS.**

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

Name of Bidder.....	Bid number.....
Closing Time .....	Closing Date .....

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

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

- At: .....

Brand and model .....

Country of origin .....

- Does the offer comply with the specification(s)? \*YES/NO

If not to specification, indicate deviation(s) .....

Period required for delivery .....

- Delivery: \*Firm/Not firm

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

\*Delete if not applicable

**PRICE ADJUSTMENTS**

**A NON-FIRM PRICES SUBJECT TO ESCALATION**

- IN CASES OF PERIOD CONTRACTS, NON-FIRM PRICES WILL BE ADJUSTED (LOADED) WITH THE ASSESSED CONTRACT PRICE ADJUSTMENTS IMPLICIT IN NON-FIRM PRICES WHEN CALCULATING THE COMPARATIVE PRICES
- IN THIS CATEGORY PRICE ESCALATIONS WILL ONLY BE CONSIDERED IN TERMS OF THE FOLLOWING FORMULA:

$$P_a = (1 - V) P_t + D_1 \frac{R_{1t}}{R_{1o}} + D_2 \frac{R_{2t}}{R_{2o}} + D_3 \frac{R_{3t}}{R_{3o}} + D_4 \frac{R_{4t}}{R_{4o}} + V P_t$$

Where:

- Pa = The new escalated price to be calculated.
- (1-V) Pt = 85% of the original bid price. **Note that Pt must always be the original bid price and not an escalated price.**
- D1, D2. = Each factor of the bid price e.g. labour, transport, clothing, footwear, etc. The total of the various factors D1, D2...etc. must add up to 100%.
- R1t, R2t..... = Index figure obtained from new index (depends on the number of factors used).
- R1o, R2o = Index figure at time of bidding.
- VPt = 15% of the original bid price. This portion of the bid price remains firm i.e. it is not subject to any price escalations.

- The following index/indices must be used to calculate your bid price:

Index..... Dated.....      Index..... Dated.....      Index..... Dated.....  
 Index..... Dated.....      Index..... Dated.....      Index..... Dated.....

- FURNISH A BREAKDOWN OF YOUR PRICE IN TERMS OF ABOVE-MENTIONED FORMULA. THE TOTAL OF THE VARIOUS FACTORS MUST ADD UP TO 100%.

FACTOR (D1, D2 etc. e.g. Labour, transport etc.)	PERCENTAGE OF BID PRICE

**B PRICES SUBJECT TO RATE OF EXCHANGE VARIATIONS**

- Please furnish full particulars of your financial institution, state the currencies used in the conversion of the prices of the items to South African currency, which portion of the price is subject to rate of exchange variations and the amounts remitted abroad.

PARTICULARS OF FINANCIAL INSTITUTION	ITEM NO	PRICE	CURRENCY	RATE	PORTION OF PRICE SUBJECT TO ROE	AMOUNT IN FOREIGN CURRENCY REMITTED ABROAD
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		

- Adjustments for rate of exchange variations during the contract period will be calculated by using the average monthly exchange rates as issued by your commercial bank for the periods indicated hereunder: (Proof from bank required)

AVERAGE MONTHLY EXCHANGE RATES FOR THE PERIOD:	DATE DOCUMENTATION MUST BE SUBMITTED TO THIS OFFICE	DATE FROM WHICH NEW CALCULATED PRICES WILL BECOME EFFECTIVE	DATE UNTIL WHICH NEW CALCULATED PRICE WILL BE EFFECTIVE

**PRICING SCHEDULE**  
(Professional Services)

Name of Bidder:.....	Bid Number: .....
Closing Time: .....	Closing Date .....

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

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

1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project. R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION	HOURLY	RATE
DAILY RATE		
.....	R-----	-----
.....	R-----	-----
.....	R-----	-----
.....	R-----	-----
.....	R-----	-----

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

.....	R-----	----- days
.....	R-----	----- days
.....	R-----	----- days
.....	R-----	----- days

5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....

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

5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
TOTAL: R.....			

6. Period required for commencement with project after Acceptance of bid .....

7. Estimated man-days for completion of project .....

8. Are the rates quoted firm for the full period of contract? .....\*YES/ NO.

9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.....

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

\*Delete if not applicable

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

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

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

**1. GENERAL CONDITIONS**

- 1.1 The following preference point systems are applicable to invitations to tender:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state  
(delete whichever is not applicable for this tender).  
The applicable preference point system for this tender is the 90/10 preference point system.  
The applicable preference point system for this tender is the **80/20** preference point system.  
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:

$$\begin{array}{l} 80/20 \qquad \text{or} \qquad 90/10 \\ \frac{Pt - P \min}{P \min} \qquad \frac{Pt - P \min}{P \min} \\ Ps = 80 \left( 1 - \frac{Pt - P \min}{P \min} \right) \qquad Ps = 90 \left( 1 - \frac{Pt - P \min}{P \min} \right) \text{ or} \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

#### 3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{l} 80/20 \qquad \text{or} \qquad 90/10 \\ \frac{Pt - P \max}{P \max} \qquad \frac{Pt - P \max}{P \max} \\ Ps = 80 \left( 1 + \frac{Pt - P \max}{P \max} \right) \qquad Ps = 90 \left( 1 + \frac{Pt - P \max}{P \max} \right) \text{ or} \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

**4. POINTS AWARDED FOR SPECIFIC GOALS**

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 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 (80/20 system) (To be completed by the organ of state)	Means of Verification	Number of points claimed (80/20 system) (To be completed by the tenderer)
Locality (within Maquassi Hills Local Municipal)	5	Statement of Municipal Rates and Taxes of not more than Three Months	
Women	5	Identification Document	
People with Disability	5	Medical Report confirming disability	
Youth (18 to 35 Years of age)	5	Identification Document	

**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.

<p>.....  <b>SIGNATURE(S) OF TENDERER(S)</b></p>
<p><b>SURNAME AND NAME:</b> .....</p>
<p><b>DATE:</b> .....</p>
<p><b>ADDRESS:</b> .....</p> <p>.....</p> <p>.....</p>

**1.Points awarded for Specific Goals**

1.1

Specific Goals	Number of points (80/20 system)
Female	5
Youth	5
Disability	5
Locally	5
Non-compliant contributor	0

## CONTRACT FORM - PURCHASE OF GOODS/SERVICES

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

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

1. I hereby undertake to supply all or any of the goods and/or services described in the attached bidding documents to (name of institution)..... in accordance with the requirements and specifications stipulated in bid number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.
  
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Proof of Tax Compliance Status;
    - Pricing schedule(s);
    - Technical Specification(s);
    - Preference claim form for Preferential Procurement in terms of the Preferential Procurement Regulations;
    - Declaration of interest;
    - Declaration of bidder's past SCM practices;
    - Certificate of Independent Bid Determination;
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
  
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
  
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
  
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
  
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

WITNESSES	
1	.....
2.	.....
DATE: .....	

**CONTRACT FORM - PURCHASE OF GOODS/SERVICES**

**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

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

ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	BRAND	DELIVERY PERIOD	TOTAL PREFERENCE POINTS CLAIMED	POINTS CLAIMED FOR EACH SPECIFIC GOAL

4. I confirm that I am duly authorized to sign this contract.

SIGNED AT .....ON.....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

WITNESSES

1. ....

2. ....

DATE .....

**CONTRACT FORM - RENDERING OF SERVICES**

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

**PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)**

- 7. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
- 8. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (iv) Bidding documents, viz
    - Invitation to bid;
    - Proof of tax compliance status;
    - Pricing schedule(s);
    - Filled in task directive/proposal;
    - Preference claim form for Preferential Procurement in terms of the Preferential Procurement Regulations;
    - Declaration of interest;
    - Declaration of Bidder's past SCM practices;
    - Certificate of Independent Bid Determination;
    - Special Conditions of Contract;
  - (v) General Conditions of Contract; and
  - (vi) Other (specify)
- 9. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
- 10. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
- 11. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
- 12. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

WITNESSES	
1	.....
2	.....
DATE: .....	

**CONTRACT FORM - RENDERING OF SERVICES**

**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

- 4. I..... in my capacity as..... accept your bid under reference number .....dated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).
- 5. An official order indicating service delivery instructions is forthcoming.
- 6. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	TOTAL PREFERENCE POINTS CLAIMED	POINTS CLAIMED FOR EACH SPECIFIC GOAL

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT ..... ON .....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

WITNESSES

1 .....

2 .....

DATE: .....

# CONTRACT FORM - TENDER FOR INCOME-GENERATING CONTRACTS<sup>1</sup>

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

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

13. I hereby undertake to lease property/ purchase all or any of the goods and/or services described in the attached bidding documents from (name of institution)..... in accordance with the requirements stipulated in (bid number)..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the seller during the validity period indicated and calculated from the closing time of bid.
  
14. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (vii) Bidding documents, viz
    - Invitation to bid;
    - Proof of tax compliance status;
    - Pricing schedule(s);
    - Preference claim form for Preferential Procurement in terms of the Preferential Procurement Regulations;
    - Declaration of interest;
    - Declaration of Bidder's past SCM practices;
    - Special Conditions of Contract;
  - (viii) General Conditions of Contract; and
  - (ix) Other (specify)
  
15. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) quoted covers the leased property/ all the goods and/or services specified in the bidding documents; that the price(s) cover all my obligations and I accept that any mistakes regarding price(s) and calculations will be at my own risk.
  
16. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
  
17. I undertake to make payment for the leased property/ goods/services as specified in the bidding documents.
  
18. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
  
19. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....  
 CAPACITY .....  
 SIGNATURE .....  
 NAME OF FIRM .....  
 DATE .....

<b>WITNESSES</b>	
1	.....
3.	.....
DATE:	.....

**CONTRACT FORM - TENDER FOR INCOME-GENERATING CONTRACTS**

**PART 2 (TO BE FILLED IN BY THE LESSOR/ SELLER)**

7. I..... in my capacity as.....  
 accept your bid under reference number .....dated.....for the leasing of property/  
 purchase of goods/services indicated hereunder and/or further specified in the annexure(s).
8. I undertake to make the leased property/ goods/services available in accordance with the terms and  
 conditions of the contract.

ITEM NO.	DESCRIPTION	PRICE (ALL APPLICABLE TAXES INCLUDED)	TOTAL PREFERENCE POINTS CLAIMED	POINTS CLAIMED FOR EACH SPECIFIC GOAL

4. I confirm that I am duly authorized to sign this contract.

SIGNED AT .....ON.....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

WITNESSES

3. ....

4. ....

DATE .....

## DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state.
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 and/or take an oath declaring his/her interest.

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

3.1 Full Name: .....

3.2 Identity Number: .....

3.3 Company Registration Number: .....

3.4 Tax Reference Number: .....

3.5 VAT Registration Number: .....

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

3.6.1 If so, furnish particulars.

.....  
.....

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

3.7.1 If so, furnish particulars.

.....  
.....

*MSCM Regulations: "in the service of the state" means to be –  
(a) a member of –*

\_\_\_\_\_

- (i) any municipal council;
- (ii) any provincial legislature; or
- (iii) the national Assembly or the national Council of provinces;

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

3.8 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?

3.8.1 If so, furnish particulars.

.....

3.9 Are you, aware of any relationship (family, friend, other) between a 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**

3.9.1 If so, furnish particulars

.....

.....

3.10 Are any of the company's directors, managers, principal Shareholders or stakeholders in service of the state? **YES / NO**

3.10.1 If so, furnish particulars.

.....

.....

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

3.11.1 If so, furnish particulars.

.....

.....

**CERTIFICATION**

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

**CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM (MBD 4) IS  
CORRECT.**

**I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO  
BE FALSE.**

.....  
.....

Signature

Date

.....

## 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 as a company or person prohibited from doing business with the public sector? <b>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? <b>(To access this Register enter the National Treasury’s website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon “Register for Tender Defaulters” or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
		<input type="checkbox"/>	<input type="checkbox"/>



**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

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

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

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

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

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(Bid Number and Description)

in response to the invitation for the bid made by:

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(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

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

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

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....

.....  
Signature

.....

Date

.....

.....  
Position

.....

Name of Bidder

**C1.2 CONTRACT DATA: GCC- SUPPLY AND DELIVERY OF SERVICES WILL APPLY**

Project title:	AS AND WHEN PROVISION OF AUCTIONEERING SERVICES FOR THREE (3) YEARS
Tender No:	MHLM/SCM/24/2023/2024

	The contract will be administered in terms of the <b>General Conditions of Contract 2010</b> as issued by National Treasury. A copy of the General Conditions of Contract may be obtained from the National Treasury website – <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>
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<b>42.0</b>	<b>Part 1: Contract Data completed by the Employer</b>
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<b>42.1</b>	<b>Contracting and Other Parties</b>
<b>42.1.1</b>	<b>Employer:</b>  Maquassi Local Municipality <b>Postal Address:</b> Private Bag X3 Wolmaransstad 2630  <b>Tel:</b> 018 596 3025
[1.2]	<b>Physical Address:</b> 19 Kruger Street Wolmaransstad 2630

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## Part C2: Pricing Data

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### C2.1 Pricing Instructions .....

#### 2.1.1 PRICING INSTRUCTIONS

- i (i) The rates and prices submitted by the bidder must be entered into the pricing schedule below.
- i (ii) The quotation amount must be inclusive of VAT, where the bidder is a registered VAT vendor.
- i (iii) Bidders must provide rates that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract.
- i (iv) Bidders are required to pay attention to clause 25 of the general conditions (imbalance in quoted rates).
  
- i (vi) The pricing sheet is to be signed and stamped by the prospective company

**C2.2 Activity**  
**Schedule.....**

**2.2.2 PRICING SCHEDULE**

Maquassi Local Municipality invites written quotations for the Auctioneering services.	<b>Quantities Required</b>	<b>Total</b>
1	COMMISSION ON REDUNDANT ASSETS	
2	COMMISSION OF PLANT AND VEHICLES	
3	COMMISSION OF MISCELLANEOUS SMALLS AND SCRAP MATERIALS	
<b>TOTAL</b>		