



## MAKHUDUTHAMAGA LOCAL MUNICIPALITY

**LIM473/Landfill-Maintenance/24/25/026**

### **Maintenance of Makhuduthamaga landfill site for the period of 3 years**

<b>ISSUED BY:</b>	<b>PREPARED BY:</b>
<u>Supply Chain Management Unit</u>	<u>Budget &amp; Treasury Department</u>
Mr KJ Mothapo Manager SCM Private Bag X 434 Jane Furse 1085 Tel: 013 265 8607 Email: <a href="mailto:khalabom@makhuduthamaga.gov.za">khalabom@makhuduthamaga.gov.za</a>	Ms Mashao AM Senior Manager Community Services Private Bag X 434 Jane Furse 1085 Tel: 013 265 8625 Email: <a href="mailto:audreym@makhuduthamaga.gov.za">audreym@makhuduthamaga.gov.za</a>
<b>NAME OF BIDDER</b>	:
<b>TENDER AMOUNT</b>	:
<b>TEL NUMBER</b>	:
<b>FAX NUMBER</b>	:
<b>EMAIL ADDRESS</b>	:

## 1.TABLE OF CONTENT

No	Description	Pages
	Cover page	1
1	Table of content	2
2	Bid notice	3
3	Bid data	4-5
4	Evaluation procedures	6-13
5	Record of addendum to bid	13
6	Compulsory enterprise questionnaire	14-15
7	Certificate of authority	16-18
8	Certificate for municipal services and payments	19
9	Authorisation for deduction	20
10	Form of offer	21
11	Acceptance	22
12	Data provided by service provider	23
13	Pricing instruction	23
14	Tender specification	24-27
15	Bill of quantity	28-33
16	Mbd1,4,8,9,5,6.1 &2	33-50



## MAKHUDUTHAMAGA LOCAL MUNICIPALITY

### 2. Bid Notice and Invitation to Bid

No	Project no.	Description	Closing date
01	LIM473/Landfill-Maintenance/24/25/026	Maintenance of Makhuduthamaga landfill site for the period of 3 years	15/02/2025 @ 12:00

The employer is Makhuduthamaga Local Municipality represented by the Municipal Manager.

Bid documents will be obtainable from Makhuduthamaga Local Municipal offices from **22 January 2025 (Mon-Fri from 08:00-16:30)** from the cashiers; at a non-refundable deposit **R560.00** for each payable in cash or bank-guaranteed cheque. Bid documents can also be downloaded from online service ([www.etender.gov.za](http://www.etender.gov.za)) at **no cost**.

Completed and signed tender documents must be sealed in an envelope and marked with the relevant project number and project description and be deposited in the tender box at Makhuduthamaga Local Municipality Offices in Jane Furse before the closing date and time.

The municipality shall adjudicate and award tenders in accordance with the Preferential Procurement Policy Framework Act. 5/2000 and revised procurement regulation with effect 16 January 2023 read with amended regulation on 14 December 2023 on 100 points for functionality and 90/10 for points system where 90 points is for the price and 10 points is for municipal specific goals (according to the said legislation). Details of specific goals and functionality are in the bid document. Bid will remain valid for 90 (Ninety) days.

The lowest and any tender will not necessarily be accepted, and the Municipality reserves the right not to consider any tender not fully completed. Bidders are required to initial each page of the tender document and sign where necessary.

**For enquiries contact:**

**Supply Chain Unit** : **Mr Mothapo KJ - 013 265 8607**  
**Community Services** : **Ms Mashao AM - 013 265 8602**

Bid offers will only be accepted if the bidder is free of any common conflict of interest with the Makhuduthamaga Local Municipality.

### 3. Bid Data

1.2.1. The employer is MAKHUDUTHAMAGA **LOCAL MUNICIPALITY**

1.2.2 The bid documents issued by the employer comprise:

1.1 Bid notice and invitation to bid

1.2 Bid data

2.1 List of returnable documents

**Part 1: Agreements and contracts data**

C1.1 Form of offer and acceptance

**Part 2: Pricing data**

C2.1 Pricing instructions

C2.2 Specification

1.2.3 The employer's agent is: Municipal manager

Tel: (013) 265 8600

Fax: (013) 265 1975

1.2.4 Only Bidders who are registered with central supplier database (CSD) will be considered.

1.2.5 The arrangements for a compulsory clarification meeting are as stated in the Bid Notice and Invitation to Bid where applicable.

1.2.6 If a bidder wishes to submit an alternative bid offer, the only criteria permitted for such alternative bid offer is that it demonstrably enables the Employer's objectives for the services as stated in the Scope of Work to be achieved.

1.2.7 All parts of each bid offer communicated on paper shall be submitted as the original.

1.2.8 The employer's address for delivery of bid offers and identification details to be shown on each bid offer package is:

**BID BOX (TENDER BOX)  
MAKHUDUTHAMAGALOCALMUNICIPALITY  
GROBLERSDAL ROAD  
JANE FURSE**

1.2.9 The closing time for submission of bid offers is as stated in the Bid Notice and Invitation to Bid.

1.2.10 Telephonic, telegraphic, telex, facsimile or e-mailed bid offers will not be accepted.

1.2.11 The bid offer validity period is ninety (90) days.

1.2.12 The bidder is required to submit with his/her bid all required documents as listed in the list of returnable documents as part of the eligibility criteria.

1.2.13 The Bid/Proposal will be opened immediately after the closing time for bids only to confirm the bidder, at:

**MAKHUDUTHAMAGALOCALMUNICIPALITY  
GROBLERSDAL ROAD  
JANE FURSE**

**1.2.14 The procedure for the evaluation of responsive bids will be on 100 points for functionality and 90/10 points system, where 90 points are for price and 10 points are for Municipal Specific goals**

1.2.15 Bid offers will only be accepted if:

1.2.15.1 The bidder or any of its directors is not listed on the Register of Bid Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;

1.2.15.2 The bidder has not:

- abused the Employer's Supply Chain Management System;
- or
- failed to perform on any previous contract and has been given a written notice to this effect;

1.2.15.3 The bidder has completed the Compulsory Enterprise questionnaire and there are no conflicts of interest which may impact on the bidder's ability to perform the contract in the best interests of the employer or potentially compromise the bid process; and

1.2.15.3 The bidder or any of its directors is not employed by the state.

#### 4.EVALUATION PROCEDURES

All bids will be evaluated based on 3 process gate1,gate 2, gate3

<b>Pre-qualification Criteria (Gate 1) Administrative and mandatory requirement</b>	<b>Functionality (Gate 3).</b>	<b>Price and Specific Goals Evaluation Criteria (Gate 3) AND vetting</b>
Bidders must submit all mandatory documents as outlined in paragraph 4.1 Only bidders that comply with all these criteria will proceed to Gate 2.	Bidder(s) are required to achieve a minimum of 70 points out of 100 points to proceed to Gate 4 as per 4.2.	Bidder(s) will be evaluated on price (weighted price) ( 90 points as per 4.3.1.)and specific goals claimed ( 10 ) points as per 4.3.2. and the award will be recommended to the bidder with the highest points.

#### 4.1. GATE ONE: PRE QUALIFICATION CRITERIA

NO.	Document that must be submitted	Non-submission may result in disqualification.	
1.	Original Bid Documents	YES/NO	Fully completed Bid document, Initialised and signed.  (Initialised all pages where there is no signature)
2.	Proof of registration on Central Supplier Database (CSD) (detailed CSD report)/MAAA no.	YES/NO	The bidder must be registered as a service provider on the Central Supplier Database (CSD). In the case of a joint venture/consortium, CSD registration documents or provide MAAA number for CSD verification of each entity constituting the joint venture/consortium, must be submitted with the bid document.
3.	COIDA registration certificate	YES/NO	Valid letter of good standing (Compensation for Occupational Injuries and Disease Act (COIDA) from Department of Labour OR any company accredited by Department of Labour (to be verified)
4.	UIF proof of registration	YES/NO	Bidders are required to submit proof of registration with the Unemployment Insurance Fund
5.	Fire Fighters	YES/NO	Proof of some staff members having been trained as fire fighters (To assist in terms of fire breakage), Paramedics or in OHS
6.	Operational plan with safety and fire fighting strategy	YES/NO	Provide a communication strategy between the municipality and the security company. And should outline how the security will communicate with the central/satellite office in terms of emergency.
7.	Company Profile	YES/NO	Detailed Company Profile
8.	Municipal rates and Taxes	YES/NO	Proof of municipal rates and taxes for both the company and the directors not older than three months of the closing date of the tender. Must not owe more than 90 days. (Not over ninety days in arrear)

			An affidavit from SAPS must be attached in case of bidders who are not paying rates and taxes- e.g., In rural areas
9.	Pricing Schedule	YES/NO	Pricing structure must be completed in full for all service categories and be put in a separate envelope. Where bidder has omitted to put price for certain price categories the price offer will not be accepted and will be disqualified as it will not be comparable with others who have quoted for all service categories.
10.	Audited annual financial statements if the bid will exceed 10 Million Rands.	YES/NO	for the past three years; or since their establishment if established during the past three years; then the bidder should provide those financial statements.
11.	SARS or Tax Pin	YES/NO	SARS or TCS PIN Number, In the case of a joint venture/consortium, the TCS Pin number of each entity constituting the joint venture/consortium, must be submitted with the bid document
12.	JV agreement submitted	YES/NO	If Applicable
13.	Certified ID copies	YES/NO	Certified ID copies of directors/shareholders or of the members on the JV be attached
14.	OHS letter of good standing	YES/NO	OHS letter of good standing In the case of a joint venture/consortium, the the letter of each entity constituting the joint venture/consortium, must be submitted with the bid document
15.	Environmental science qualifications	YES/NO	Atleast a diploma in environmental sciences or equivalent.
16.	Safety qualifications certificate	YES/NO	Atleast a diploma in safety qualifications or equivalent
17.	Fire fighter qualifications	YES/NO	Atleast a certificate qualifications for fire fighting
19.	SACPCM Accreditation certificate	YES/NO	Attach a certified copy of the SCPCM certificate

## 4.2. GATE TWO: FUNCTIONALITY

<b>The quality criteria and maximum score in respect of each of the criteria are as follows:</b>		
<b>Item</b>	<b>Criterion</b>	<b>Weighting</b>
4.3.1	Company/ Entity's experience - Number of contracts completed / running contract of a similar services	20
4.3.2	Years of Experience in landfill side	20
4.3.3	Experience Key Personnel-team leader	20
4.3.4	Qualifications of the key personnel – Qualification in environmental science	10
4.3.5	Qualifications of the personnel in safety management	10
4.3.6	Plant and Equipment	10
4.3.7	Bank ratings	10
<b>TOTAL</b>		<b>100</b>

<b>4.3. Functionality Evaluation Criteria</b>	<b>Weight</b>	<b>Value</b>	<b>Total</b>
<b>4.3.1. Company/ Entity's experience - Number of contracts completed / running contract of a similar landfill side services(attach reference letters with clear contact persons and telephone)</b>  1 = 0 contract 2 = 1 – 2 contracts 3 = 3 - 4 contracts 4 = 5 contracts +	5	4	20
<b>4.3.2. Years of Experience in rendering of general landfill side services (attach reference letters with contact details with clear contract period).</b>  1 = 1 years 2 = 2 years 3 = 3 - 4 years 4 = 5 years +	5	4	20
<b>4.3.3. Experience Key Personnel-team leader – Attach a detailed CV indicating experience relevant to the project.</b>  0 = 1 years 1 = 2 - 4 years 2 = 5 years +	10	2	20
<b>4.3.4. Qualifications of the key personnel – Qualification in environmental science</b> 1= B-Degree / National Diploma/Diploma 2= B-Tech/ Postgraduate	5	2	10
<b>4.3.5. Qualifications of the personnel in safety management</b> 1= B-Degree / National Diploma/Diploma 2= B-Tech/ Postgraduate	5	2	10
<b>4.3.6. Equipment's Required – Proof of ownership or letter of intend to hire/rent the equipment</b> 0 = 2 Equipment 1 = 3 to 5 Equipment 2 = 6 Equipment	5	2	10
<b>4.3.7. Bank Ratings</b>			10

<b>TOTAL</b>			<b>100</b>
<b>Total score by Evaluator</b>			

#### 4.4. GATE THREE. PRICING AND SPECIFIC GOAL

##### 4.4.1. Pricing

$$N_p = \frac{90[1 - (P_t - P_{min})]}{P_{min}}$$

Where-

$P_s$  = Points scored for price of tender under consideration;

$P_t$  = Price of tender under consideration; and

$P_{min}$  = Price of lowest acceptable tender.

##### 4.4.2. Specific goals

NO	DESIGNATED GROUP	SPECIFIC GOALS (10 POINTS)
1	Black People	2
2	Youth	2
3	Women- ownership of more than 50 %	1
4	Small, Medium and Micro Enterprises (SMMEs)	2
5	People with disability	1
6	Enterprises within Makhuduthamaga jurisdiction	2

- a. The points scored by a tenderer in respect of the specific goals above must be added to the points scored for price.
- b. Only the tender with the highest number of points scored may be selected.

##### 4.4.3. Criteria for breaking deadlock in scoring

(1) If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for specific goals.

(2) If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.

#### 4.4.4. Exemption

The Minister may, on request, exempt an organ of state from any or all the provisions of this Act if-

- (a) It is in the interest of national security
- (b) The likely tenderers are international suppliers; or
- (c) It is in the public interest

#### 4.4.4. AWARD OF CONTRACTS TO TENDERERS NOT SCORING HIGHEST POINTS

4.4.4.1. contract may be awarded to a tenderer that did not score the highest points only in accordance with Section 2(1)(f) of the Act.

4.4.4.2. If the entity intends to apply objective criteria in terms of Section 2(1)(f) of the Act, the entity should stipulate in the tender documents.

**Note:**

- All copies must be certified, the certification must not be older than 3 months of the closing date.
- Use black pen only to complete the document.
- All correction must be signed by the authorised person.
- Use of correction pen (tippex) is prohibited.
- Failure to adhere any of the above will lead to automatic disqualification

### 5. Record of Addendum to Bid Documents

We confirm that the following communications received from the Employer before the submission of this bid offer, amending the bid documents, have been taken into account in this bid offer:		
	<b>Date</b>	<b>Title or Details</b>
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

Attached additional pages if more space is required.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_

Bidder \_\_\_\_\_



**Section 7: Record of spouses, children and parents in the service of the state**

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal stakeholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:

- |   |  |
|---|--|
| <input type="checkbox"/> a member of any municipal council                          | <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within |
| <input type="checkbox"/> a member of any provincial legislature, the                |  |
| <input type="checkbox"/> a member of the National Assembly or the of (1999)         | <input type="checkbox"/> meaning of the Public Finance Management Act, (Act 1  |
| <input type="checkbox"/> National Council of Province                               | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity                                     |
| <input type="checkbox"/> a member of the board of directors of any municipal entity | <input type="checkbox"/> an employee of parliament or a provincial legislature   |
| <input type="checkbox"/> an official of any municipality or municipal entity        |  |

Name of spouse, child or parent	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
			Within last 12 months

\*insert separate page if necessary

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise:

- i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- ii) confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Bid Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- iii) confirms that no partner, member, director or other person, who wholly or partly excercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iv) confirms that I / we are not associated, linked or involved with any other bidding entities submitting bid offers and have no other relationship with any of the bidders or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- iv) confirms that the contents of this questionnaire are witin my personal knowledge and are to the best of my belief both true and correct.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_

Enterprise Name \_\_\_\_\_

## 7. Certificate of Authority

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

A Company	B Partnership	C Joint Venture	D Sole Proprietor	E Close Corporation

### A. Certificate for company

I,....., chairperson of the board of directors of ..... hereby confirm that by resolution of the board (copy attached) taken on .....20...., Mr/Mrs.....acting in the capacity of.....,was authorised to sign all documents in connection with this tender and any contract resulting from it on behalf of the company.

As witness

1.....  
.....  
Chairman

2.....  
.....  
Date

### B. Certificate of partnership

We, the undersigned, being the key partners in the business trading as ..... hereby authorise Mr/Mrs....., acting in the capacity of.....to sign all documents in connection with the tender for Contract.....and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

NOTE: This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole.

**C. Certificate for Joint Venture**

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Mrs....., authorised signatory of the company .....,

Acting in the capacity of lead partner, to sign all documents in connection with the tender offer for Contract.....and any other contract resulting from it on our behalf.

This authorisation is evidenced by the attached power of attorney signed by legally authorised signatories of all the partners to the Joint Venture.

NAME OF FIRM	ADDRESS	AUTHORISING SIGNATURE, NAME & CAPACITY

**D. Certificate for sole proprietor**

I, ....., hereby confirm that I am the sole owner of the business trading as.....

As Witness:

1.....

.....  
Signature: Sole owner

2.....

.....  
Date

**E. Certificate for Close Corporation**

We, the undersigned, being the key members in the business trading  
as.....hereby authorise Mr/Mrs.....

Acting in the capacity of....., to sign all documents in  
connection with the tender for Contract.....and any contract resulting  
from it on our behalf.

<b>NAME</b>	<b>ADDRESS</b>	<b>SIGNATURE</b>	<b>DATE</b>

NOTE: This certificate is to be completed and signed by all key members upon who rests the direction  
of the affairs of the Close Corporation as a whole.

**8. CERTIFICATE FOR MUNICIPAL SERVICES AND PAYMENTS**

TO: MUNICIPAL MANAGER, MAKHUDUTHAMAGA LOCAL MUNICIPALITY

FROM: \_\_\_\_\_ (Name of Bidder)

FURTHER DETAILS OF BIDDER(S); DIRECTORS/SHAREHOLDERS/PARTNERS, ETC.

Directors/shareholders/Partner	Physical address of the Business	Municipal Account No.	Physical residential address of the Director/Shareholder/Partner	Municipal Account No.

**NB: Please attach certified copy (ies) of ID document(s) and proof of payment not older than 3 months**

\_\_\_\_\_

Signatory

\_\_\_\_\_

Date

**Witnesses**

1. \_\_\_\_\_

Full Names

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

2. \_\_\_\_\_

Full Names

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

**9. AUTHORISATION FOR DEDUCTION OF OUTSTANDING AMOUNTS OWED TO COUNCIL**

TO: MUNICIPAL MANAGER, MAKHUDUTHAMAGA LOCAL MUNICIPALITY

FROM: \_\_\_\_\_ (Name of the Bidder or Consortium)

I, \_\_\_\_\_ the undersigned, hereby authorise the Makhuduthamaga Local Municipality to deduct the full amount outstanding by the business organisation/Director/Shareholder/Partner, etc. from the payment that will be made to me.

Signed at \_\_\_\_\_ Date \_\_\_\_\_ Month \_\_\_\_\_ 20 \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Thus done and signed for and on behalf of the bidder

\_\_\_\_\_

Signatory

\_\_\_\_\_

Date

**Witnesses**

1. \_\_\_\_\_

Full Names

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

2. \_\_\_\_\_

Full Names

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

# 10. Form of Offer and Acceptance

## Offer

The employer, identified in the acceptance signature block, has solicited offers for **PROVISSION OF LANDFILL SIDE FOR THE PERIOD OF 36 MONTHS.**

The bidder, identified in the offer signature block, has examined the documents listed in the bid data and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of bid.

By the representative of the bidder, deemed to be duly authorized, signing this part of this form of offer and acceptance, the bidder offers to perform all of the obligations and liabilities of the service provider under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.

**THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS: -----**

----- (Rands VAT Inclusive / exclusive)

.....  
.....  
..... (Amount In words)

This offer may be accepted by the employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the bidder before the end of the period of validity stated in the bid data, whereupon the bidder becomes the party named as the Service Provider in the conditions of contract identified in the contract data.

### for the bidder

Signature ..... Date .....

Name .....

Capacity .....

(Name and address of organization) .....

Name and signature of witness .....

## 11.Acceptance

By signing this part of this form of offer and acceptance, the employer identified below accepts the bidder's offer. In consideration thereof, the employer shall pay the service provider the amount due in accordance with the conditions of contract identified in the contract data. Acceptance of the bidder's offer shall form an agreement between the employer and the bidder upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the bidder receives on fully completed original copy of this document. Unless the bidder (now service provider) within five working days of the date of such receipt notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

Signature ..... Date .....

Name .....

Capacity .....

for the Makhuduthamaga Local Municipality

.....

.....

.....

Name and ..... Date .....

signature .....

of witness .....

## 12. Data Provided by the Service Provider

Clause	
9.1	The Service Provider is ..... Address: ..... Telephone: ..... Fax simile: .....
9.2	The authorized and designated representative of the Service Provider is: Name: .....  The address for receipt of communication is:
9.3	Telephone: ..... Fax simile: ..... Address: .....

## 13. Pricing Instructions

The Service Provider is required to provide the services in accordance with the Scope of Work. This embraces all things necessary and incidental to complete the work.

## **14. TERMS OF REFERENCE**

### **INTRODUCTION**

The following form part of Makhuduthamaga landfill site:

1. High reinforced concrete palisade perimeter fence with lockable gate ,
2. Weigh bridge to that meet a conditions of the license,
3. Ablution facilities, guard office and related infrastructure
4. Surface storm water and runoff control facilities,
5. Subsurface drainage,
6. Paved access road connecting to the main road from the landfill entrance,
7. Burial cells.

### **PURPOSE OF THE CONTRACT**

The purpose of the contract is to procure the services of a Site Operator (Service Provider) with requisite experience and technical competence in waste disposal management by landfilling. The service provider will be required to perform, amongst others, the following duties in the landfill site:

Operations and maintenance of the Landfill Sites including the provision and supply of landfill plant and equipment to execute the operations on a daily basis:

- a) Spreading and compaction of deposited waste to the required densities at the required slopes;
- b) Daily covering sufficient to isolate the waste from the environment;

- c) Limited on-site composting, spreading of compost on landfill slopes;
- d) Maintenance of a wet weather cells to accommodate weather conditions;
- e) Dust and odour management
- f) Routine and continuous maintenance of plant, equipment and facilities
- g) All operations to be in line with conditions stipulated in the *Minimum requirements of waste Disposal by landfill, Classification System and Approved Designs*.
- h) Progressive rehabilitation of side slopes and completed cells on an as and when required basis as per instruction by Waste and Environment Section
- i) The service provider is expected to charge the private users of the landfill site and keep that money as part of payment by the Municipality for a year till the Municipality has developed its own tariffs.

## **MONITORING AND SUPERVISION**

The Work of the Site Operator /Service provider will be supervised by the Waste and Environment Section and/or their official designated in the form of a Project Manager.

## **NATURE OF CONTRACT**

### **Provision of Plant, Equipment, Personnel and Fuel**

As a general provision, the Site Operator shall ensure that plant, equipment and personnel on site must be appropriate for the size and type of the landfill operation. The Site Operator shall determine the optimal plant mix that will be able to landfill the deposited waste at each landfill site during the specified working hours/days in line with the particular landfill permit conditions or waste management license, the "*Minimum Requirements for Waste Disposal by Landfill, 2008, The National Environmental*

*Management Waste Act, 2008 (ACT NO. 59 OF 2008), National Waste Information regulations Gazetted 13 August 2012 and Waste classification and regulations, national norms and standards Gazetted 23 August 2013.*

The Site Operator will make available the plant and equipment with the required personnel and fuel to operate same to give the Municipality (Waste and Environment Section) uninterrupted service during the hours of operation. Plant can either be owned or leased as follows

**Table A: Plant and Equipment required at the Site:**

DESCRIPTION OF PLANT AND EQUIPMENT		QTY	REMARKS
1	30 ton Landfill Compactor	1	Three days a week
2	D6 Dozer or Similar	1	Five days a week
3	10000 litre Water Tanker with Sprinklers	1	Five days a week
4	4x4 TLB for miscellaneous works on-site	1	One day a week
5	10 cubes Tipper Truck	1	One day a week
6.	LDV for supervisory and technical staff, including spotters, supervisor, general workers, recyclers etc.	1	Everyday

**NOTE**

**Back-up plant and equipment must be available for waste spreading and compaction, application of daily cover and maintenance of leachate collection systems within 24 working hours of primary equipment breakdown.**

**Should plant not be replaced or repaired within the stipulated time frames above, penalties will be applied.**

**Take Note: All plant must not be older than ten (10) years from date of purchase. Evidence of plant age and/or documentation indicating intention to enter into lease agreement must be submitted with the bid document. Failure to submit will lead to the bid being disqualified or rejected.**

**Supervision of the landfilling equipment on the Landfill Sites**

The Site Operator/Service Provider shall supervise all landfill plant/equipment at all times and ensure that such is operated in accordance with the Municipality standard operating procedures. Furthermore, the Site Operator shall be required to comply to the Occupational Health and Safety Act (Act 85 of 1993) and regulations promulgated in terms of the Act when operating plant and equipment.

## Scope of Work

The scope of work will include the Permit Conditions, Waste Management License and not limited to:

### Waste Disposal

The landfill site maintenance and operator and the municipality's waste and environmental section Site Operator and the Municipality Solid Waste and Environment Section will agree on the method of working in line with the permit conditions, waste management license, the "*Minimum Requirements for Waste Disposal by Landfill, 2008, the National Environmental Management Waste Act, 2008* (Act No. 59 of 2008), *National Waste Information regulations* Gazetted 13 August 2012 and *Waste classification and regulations, national norms and standards* Gazetted 23 August 2013. Waste disposal will be in accordance with the site specific long-term design and operational plan.

**The Site Operator will operate and maintain the landfill site in accordance with the waste management and landfill operation and maintenance documentation including the Landfill Filling Plan as issued by the Waste and Environment Section.**

**The Site Operator will be responsible for:**

- a) Setting up and enforcing pre-acceptance and acceptance procedures of waste at the landfill site of their responsibility and where applicable request information and/or samples to be provided prior to the transport of waste to the site, to ensure that the waste is within the requirements of the site permit conditions, waste management license or Minimum Requirements.
- b) Ensuring that waste acceptance and disposal procedures on site are compliant with relevant applicable legislation, regulations and site permit, waste management license or Minimum Requirements.
- c) Screening out hazardous and prohibited wastes from the general solid waste stream to reduce the risk of injury to landfill workers, risk of fire and explosion and limit the potential to contaminate the receiving environment.
- d) Strictly managing waste deposition operations on site within permit conditions, waste management license or Minimum Requirements applicable to the character and classification of the site.
- e) Assuring that the landfill site do not pose an unreasonable risk or adverse effect on human health or the environment by demonstrating an acceptable level of compliance with applicable regulatory and legislative requirements.
- f) Ensuring availability of a working face with sufficient cell capacity to accommodate at least one week's waste.

- g) Maintaining an emergency cover material stockpile on site in line with the Minimum Requirements of Waste Disposal by Landfill (One month of cover material must always be available on stockpile).
- h) Where cover is excavated on site, ensure the correct depths and gradients (1:3) are adhered to in order to avert possible groundwater contamination.
- i) Directing and routing vehicle traffic within the landfill site and to and from the active cell/working face in the form of barriers, signs, or a combination of both as reasonably possible to ensure smooth operation and management of the site.
- j) Managing the interaction between the Reclaimers and Site Users.
- k) Establishing, operating and maintaining an easily accessible wet weather cell constructed close to the working face or close to an all-weather road, for use under abnormally wet weather conditions. The wet weather cell must have sufficient capacity to accommodate one week's waste.
- l) Applying sanitary landfill principles of compaction and cover in line with permit conditions, waste management license or minimum requirements in order to prevent the development of nuisances such as litter, flies, odour, vermin and dust.

## **Covering of Deposited Waste**

**The application rate shall be an average thickness of 150mm in line with the permit, waste management license or Minimum Requirements.**

- a. The suitable cover material will be sourced (excavated) on site or where applicable the Operator will source cover material from materials brought to the site.
- b. The quality of the cover material must comply with the Minimum Requirements for Waste Disposal by Landfilling.
- c. The Site Operator shall maintain the road surfaces inside the landfill site in a state where the listed average turnaround times from the weighbridge to the active waste cell and back to the weighbridge can be safely achieved.
- d. Further-more the Site Operator shall enforce the stipulated speed limit as indicated on site and signage.

### **In repairing the roads, the Site Operator shall:**

- a) Use suitable road building material excavated from site (where available), deposited on site, or crushed from deposited builder's rubble by the Site Operator and arranged into stockpile on site.
- b) Use alternative suitable road building material imported from outside the landfill site at no cost to the Municipality arranged into a stockpile on site by the Contractor.
- c) Ensure that there is always adequate stockpile of road building material on site and never lower than one month of supply of the required stockpile of fill material.

The Site Operator shall be responsible for the overall management and maintenance of existing storm water and leachate channels within the landfill site.

### **Completed Slopes.**

The slopes of the completed cell must be in line with the recommended gradient of 1 vertical: 3 horizontal. Instructions pertaining rehabilitation of incorrect slopes to be issued by the Project Manager as and when applicable.

## **Waste reclamation**

### **Site Operator shall:**

- a) Develop an on-site waste reclamation plan (approved by the Waste and Environment Section) to facilitate, formalize and control reclamation activities;
- b) Manage the process of site access with those reclaimers that are permitted to enter the site during normal working hours;
- c) Develop and implement a system to record the total amount of waste reclaimed from site and provide evidence thereof;
- d) Develop a health and safety manual for the landfill site in order to encourage safe working conditions and ultimately improve safety and minimize health risks;
- e) Manage the reclaimers at the working face in order to minimize the interaction between the plant and/or equipment used on the landfill site and the reclaimers. It will be the responsibility of the Site Operator to ensure that the reclaimers are kept away from the plant on the workingface.
- f) Regular meetings must therefore be held between the Site Operator and the Reclaimers or their representatives, in order to advocate, educate them and negotiate with them on where applicable.

The following are the historical numbers of reclaimers who are active on the working face:

LANDFILL SITE	RECLAIMERS ALLOWED AT THE WORKING FACE	AVERAGE NUMBER OF RECLAIMERS PER DAY ACTIVE ON THE WORKING FACE	
		2019/2020	2021/2022
Makhuduthamaga Landfill Site	<b>&lt;15</b>	<b>&lt;25</b>	<b>&lt;30</b>

#### Leachate Management and Monitoring

The Site Operator will be responsible to pump the leachate and test the quality as stipulated within permit conditions, waste management license or Minimum Requirements and alternatively as directed by the Waste and Environment Section. It will be a daily responsibility of the Site Operator to maintain a 500mm freeboard on all leachate dams and storm water dams on site. The purpose of monitoring is to control subsurface (LFG) migration

- Controlling surface emissions & nuisance odours
- Protecting ground, controlling fires in the landfill waste mass

#### Tyres Received on Site

No tyres will be allowed for disposal at the working-face except only where the tyres are shredded on arrival. The Site Operator will be required to develop and submit an operational plan for the handling and processing of tyres for the landfill site. The plan should include provision of a suitable tyre shredder to process tyres entering the site in their normal shape and size.

#### Reclamation of waste

The Municipality has provided limited space on the landfill to receive recyclable material on the landfill site. The Site Operator to label the skip bins or storage facilities for recyclable material according to relevant categories at the Public Drop-off Areas and elsewhere on-site where reclamation and recover of waste materials is conducted.

The Site Operator will be responsible in line with these scope of work for receiving and the sorting out of the recyclable materials on-site. The Site Operator shall Sub-contract or undertake the reclamation function at the Public Off-loading area, working-face and elsewhere on-site.

The Site Operator will also be responsible for keeping auditable records for each category of waste reclaimed in accordance with the permit requirements, waste management license or Minimum Requirements.

The Site Operator will be responsible for depositing the residue material from the reclamation activities on the landfill site at no additional cost to the Municipality.

The Site Operator will be responsible in keeping the landfill site orderly and clean including the area used or allocated for reclamation of materials.

The Site Operator shall be responsible for the development and implementation of a waste minimization and diversion plan for the site. The plan shall be approved by the Project Manager of the Municipality.

### **Resources and Personnel**

It is a Minimum Requirement that there are sufficient resources to meet the permit requirements, waste management license and the Minimum Requirements relating to the operations, technical and management aspects of the landfill sites.

The Municipality will provide the Site Operator with access to site offices and ablution facilities, The Site Operator will be required at own cost, to furnish the offices, provide general office equipment and supplies, provide consumables,

Active communication methods including internet connectivity as well as boardroom equipment will be the responsibility of the Site Operator. Makhuduthamaga will provide Waste Disposal Site office, ablution, parking . Storeroom facilities are non- existent and will be the responsibility of the Site Operator to provide such facilities during site establishment in the form of wooden temporary structures or as directed by the Waste and Environment Section.

The Site Operator must at all times provide suitably trained staff and back-up in order to ensure an ongoing environmentally acceptable waste disposal operation. It is a Minimum Requirement that the operation of the landfill site within the Municipality are carried out under the direction of suitably qualified and experienced staff complement, the minimum required will be in the form of an experienced full-time site manager to manage the site with a minimum of 2 years' experience on equivalent or higher class site. The experience and qualifications of the site manager shall comply with the "Minimum Requirements for Waste Disposal by Landfill, 1998", as issued by the Department of Water Affairs.

**The responsible person must in all cases be supported by suitably qualified and competent staff such as:**

- Site supervisor
- General workers
- Plant operators, drivers etc
- Spotter
- Safety officer
- The support staff must be fully (knowledgeable) with the operations of a landfill site.

### **Electricity**

The Municipality has installed and connected for the landfill sites access to services such as electricity which must be the responsibility of the municipality.

### **Weighbridge maintenance**

The municipality will operate and maintain the Weighbridge unless arrangements are done with the service provider.

### **Occupational Health and Safety Plan.**

In terms of the provisions of the Occupational Health and Safety Act, Act no. 85 of 1993, as amended at the date hereof hereinafter referred to as the act, the Site Operator shall:

- Keep itself apprised of the amendments of the ACT such that it will be compliant at all times
- The Site Operator as an employer in its own right and in its capacity as Site Operator
- for the execution of the Works, shall have certain obligations and arrangements as per the ACT to ensure compliance by the Site Operator with the provision of the ACT
- The Site Operator shall ensure that workers deployed on the project have received accredited training in the health and safety relevant to the work to be performed on the project
- Keep records of all relevant training given to landfill site workers in each of the workers file

### **NOTE**

**Bidder shall submit a draft OHS plan suitable for the operations and maintenance of a landfill sites which should, amongst others, address all of the above. The Plans will be subjected to revision on appointment within the initial three (3) months of commencement of the contract or operations.**

### **Notice to Bidders**

The following information is provided to assist Bidders. The Municipality gives no assurances or warranties as to the accuracy or to future trends. The Site Operator will need to satisfy itself with regards to the accuracy of the statistics and make suitable provision in the rates to cover the cost of providing the services.

The Site Operator will be responsible for operating the site each day, from Monday to Friday .

**General Information**

The following are the general information on the landfill sites:

LANDFILL SITE		TYPE	CLAS S	CO ORDINATES	PHYSICAL ADDRESS
1	Makhuduth amaga	G:L:B+	B	26° 2'49.97"S and 30° 6'33.92"E	

**Operating Hours: Applicable to the Landfill Site**

OPERATI NG HOURS	Open to public from:	OPENING	CLOSING
1.	Monday to Friday Site Operation	07:30	16:30
2.	Sat and Sun & Public Holidays Site Operation	07:30	14:00

**Take Note: The Site Operator shall allow itself time to cover the working-face on a daily basis as per the site permit, waste management license and minimum requirements for waste disposal by landfill.**

Additionally, waste may be disposed off until 22:00 but only by special arrangement between the municipality and the service provider.

The following are the requirements and the general information on the landfill site:

<b>Makhuduthamaga Landfill Site</b>	
<b>Classification</b>	<b>G:L:B+ or Class B</b>
<b>Size and Perimeter</b>	<b>117 ha and 5 215.63m</b>
<b>Average Tonnages per Day</b>	<b>&gt;500 tonnages</b>
<b>Working Hours Per Day</b>	<b>10</b>
<b>Cover Cycle Time</b>	<b>Daily</b>
<b>Waste Compaction Density</b>	<b>1356 kg/m<sup>3</sup></b>
<b>Length of Road from Gate to working face</b>	<b>± 800 m</b>
<b>Average Turn Around Time for the site</b>	<b>25 minutes</b>
<b>No of Reclaimers</b>	<b>&gt;25 variable</b>

### **Growth Patterns**

The following are the recorded growth patterns of waste disposal on the landfill sites. This can be used by the Site Operator to determine the adequate plant and equipment mix to operate and maintain the landfill sites according to these specifications. In case of inadequate or non-satisfactory performance the Municipality, after due process, reserves the right to terminate the contract.

<b>LANDFILL SITE</b>	<b>AVERAGE TONNAGES PER ANNUM</b>
Makhuduthamaga Landfill Site	>150 000

### **Waste quantities**

Quantities reflected in the tables below are based on the estimated waste received and latest waste characterization of the Municipality. However the Municipality shall not be bound to these quantities as they may differ from time to time. The Site Operator will be required to submit an average estimate of waste quantities entering the landfill site during the initial three (3) months of commencement of the contract or operations to motivate any payment measurements adjustments. Because of unpredictable growth taking place, however, the

## **MEASUREMENT AND PAYMENT**

The Bidder shall give the total all-inclusive prices in South African Rands inclusive of all taxes and discounts in the pricing schedule. This pricing will be recorded in the Tender Register. Where conflicts exist between the price quoted in the pricing schedule and the other prices quoted by the Bidder elsewhere, the price quoted in the pricing schedule shall prevail.

The Site Operator will keep all areas of the landfill site in a clean, orderly and litter free condition including grass cutting, cleaning of paved areas, weeding, spillages, landscape, garden maintenance and general housekeeping and cleaning inclusive of the Weighbridge and 500m buffer zone in line with the Municipality requirements and the cost thereof must be included in the given rates.

The following prices will be required from all bidders. Where the item is not priced it will be assumed that the Bidder has included the price of executing the item already elsewhere in its rates:

### **Provision of Plant, Equipment, Personnel and Fuel.**

This rate will cover the cost of the provision of plant, equipment, fuel and personnel as well as directing the operations in line with the Municipality requirements for the formation of the active cells (wet and dry cells), creation of the required berms, directing the trucks to the active cells, spreading the deposited cells, compaction of the deposited waste to the required compaction density, provision and placing of the required cover material to the depth of 150 mm for all sites and maintenance of adequate stockpile for the emergency and the required fill material.

## **NOTE**

**These Specification covers the requirements for the operation, maintenance and ongoing closure of compacted waste deposited at a GLB+ Waste Disposal Sites with specific reference to the handling of types 2 classified waste. It also covers the day to day requirements for receiving, testing, depositing, spreading and covering of the waste on the Site to ensure an effective operation in accordance with a systematic and operational plan as approved by the Municipality and other relevant legislation and requirements from the involved authorities at all levels. The Site Operator will also be expected to follow "Sanitary Landfill Practice" to the satisfaction of the Municipality.**

## PENALTIES

The acts, omissions, events or requirements for which penalties shall be applied, and the corresponding amounts of the penalties are as follows:

ITEM	DESCRIPTION OF ACTS, OMISSIONS, EVENTS AND ET AL	APPLICABLE PENALTY
1	Failure by the Site Operator to open or operate the site on any of the operating days, or closure of the Site for each hour or part thereof during the agreed operating hours.	R10 000, 00 for first half hour, escalating by R4 000, 00 for each further one hour period or part thereof.
2	Failure by the Site Operator to adequately cover overnight with material (excluding limited volumes of waste delivered during exceptional periods or emergency situations after hours) for normal waste and any exposure in the case of animal carcasses or	R10 000, 00 for first occurrence, escalating by R5 000, 00 for consecutive days to a maximum of R40 000, 00 per

	similar wastes	occurrence.
<b>3</b>	Inadequate nuisance control like litter control, odour control, dust control, noisy equipment, fire, rodent control and vector control.	R4 000, 00 for first occurrence, escalating by R2 000, 00 for consecutive days to a maximum of R20 000, 00 per occurrence.
<b>4</b>	Not excavating the cover material to within 1,0m tolerance on the horizontal dimensions, 300mm on the vertical dimensions and slopes on the sides of excavations steeper than 1 (vertical) : 3 (horizontal).	Site Operator to correct slopes at own  Costs
<b>5</b>	Developing the natural landform such that, irrespective of the final landform model, the side slope in any part of the landfill exceeds a maximum slope of 1 (vertical): 3 (horizontal Failure to achieve the minimum compaction Ratio of 950kg/m <sup>3</sup>	Site Operator to correct final landform at  own costs.
<b>6</b>	Failure to achieve the minimum compaction Ratio of 950kg/m <sup>3</sup>	R 20 000.00 per occurrence
<b>7</b>	Failure to prepare a Wet weather cell in preparation of rainy season.	R10 000, 00 for first occurrence, escalating by R2 000, 00 for consecutive days to a maximum of R20 000, 00 per occurrence.
<b>8</b>	Failure to replace or repair plant after the first 24 hours.	R 5000, 00 per plant after 24 hours, escalating by R2 500, 00 per plant every 24 hours thereafter to maximum of R 25 000, 00 per day.
<b>9</b>	Failure by the operating Site Operator to achieve a compliance level during the environmental audits, both internal and external.	R 25 000.00 per occurrence
<b>10</b>	Any proven deviation from the operating permit	R5 000, 00 for first

## ALMT04/2021 Operation and Maintenance of Landfill Site

	<p>conditions, waste management license which includes the "Minimum Requirements for Waste Disposal by Landfill, 2008 ", and regulations of the National Environmental Management Waste Act, 2008 (ACT NO. 59 OF 2008), National Waste Information regulations Gazetted 13 August 2012 and Waste classification and regulations, national norms and standards Gazetted 23 August 2013.</p>	<p>occurrence, escalating by R2 000, 00 for consecutive days to a maximum of R20 000, 00 per occurrence.</p>
--	--	--

**RECORD KEEPING**

**The Site Operator shall submit plans for recordkeeping and reporting system.**

- a) Permits/Licenses/certificates of compliance applicable to the site
- b) Plant deployed on site on daily basis/equipment operation and maintenance statistics
- c) Log books for all plant, Equipment and Personal deployed on site/daily log of activities.
- d) Assets register for Office furniture and equipment for site use
- e) Incidents and accidents log book.
- f) Occupational health and safety meetings minutes.
- g) Jobs created
- h) Skills transfer program.
- i) Diesel consumption.
- j) Planned Maintenance Program.
- k) Strategic stock control registers.
- l) Service and maintenance records for Plant and equipment

- m) Waste volumes and Waste analysis results.
- n) Location of waste placement, including a map.
- o) Inventory of cover material used during the month
- p) Environmental monitoring data and results.
- q) Daily photo graphs of the working phase
- r) Occupational safety records, including safety training, surveys, personnel requirements etc.

## **REPORTING**

### **The Site Operator shall be responsible for ensuring that:**

- a) All personnel at the site know the procedures for reporting accidents, injuries, fires and other unusual occurrences on site.
- b) Incident reporting instructions are regularly updated to ensure that latest Telephone numbers for ambulance; doctor, hospital, fire department; law enforcement and spill response are readily available as and when required.
- c) Where an incident occurs on site, the Site Operator will ensure that the incident is recorded and reported to the Municipality, relevant authorities and law enforcement agencies within a prescribed timeframe stipulated in the operating permit.
- d) Where an injury has occurred, the Site Operator shall ensure that the injured are provided with life-saving first aid assistance, treatment for minor cases and in more severe cases the injured must be taken to nearest hospital.
- e) Monthly reports are compiled and submitted to the Project Manager on an approved format and presented by the Site Operator at the Monthly Liaison Meeting and Quartley at the Compliance Monitoring Meeting.

## **MONTHLY MEETINGS**

**All Monthly Liaison Meetings are to be chaired by the Head of Department or Delegated Official. The monthly meetings will amongst others cover the following items:**

- a) Site Operator's Performance against SLA and Scope of Work.
- b) Site Compliance against Permit or License.
- c) Invoices and Statement.
- e) Penalties.
- f) Incidents.
- g) Breakdowns.
- h) Plant Availability.
- i) Complaints etc.
- j) Directives from the Relevant Authorities.
- k) Inspection Reports
- l) Compliance Monitoring Committee
  
- m) Audits

## **RECLAIMERS MANAGEMENT PLAN**

The Site Operator shall have Reclaimers Management Plan approved by Municipality (or relevant authorities) to ensure safe and clean working environment. These plan will be adjusted in line with the prevailing working conditions. The adjustment against approved Safety Plan and Reclaimers Management Plan will be recorded and be sent to the Project Manager or authorized person for approval.

## **HEALTH AND SAFETY PROCEDURES**

**The Site Operator shall:**

- a) Ensure that workers deployed at the Municipality landfill site continuously receive refresher safety training courses. Records of such courses must be kept.
  
- b) Keep the record of all the relevant training given to the worker on file. Project Manager or delegated official reserves the right to inspect training records for workers deployed at Municipality landfill site.
- c) award and prior to commencement of contract furnish the Municipality Project Manager for approval the updated Operational Plan, Occupational Health and Safety Plan, Emergency Preparedness Plan and Reclaimers Management Plan  
The cost for overtime, stand-by and shifts is considered to be part of the labour and personnel rates.

- c) Upon expiration of the contract be expected to handover the landfill site with all the installations in an acceptable condition.
  
- d) Be expected to create jobs in line with Municipality local economic and job creation strategy.

e) Be expected to transfer critical technical skills to the Municipality’s personnel or its Project Manager or Delegated Officials over the duration of the contract.

Description	Calculations ( Rands )
Monthly cost	
Vat amount if applicable	
Sub total	
12 months ( year one )	

**YEAR ONE (01)**

BID PRICE(S) MUST BE FIXED FOR THE FIRST 12 MONTHS AFTER COMMENCEMENT OF CONTRACT.

**YEAR TWO (02)**

BID PRICE(S) IS/ARE SUBJECT TO ESCALATION AS PER CONSUMER PRICE INDEX CHANGES.

**YEAR THREE (03)**

BID PRICE(S) IS/ARE SUBJECT TO ESCALATION AS PER CONSUMER PRICE INDEX CHANGES.

**NOTE: ONLY FIRM PRICES WILL BE ACCEPTED, NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**  
**CSD Vendor no -----**

**13. DURATION OF CONTRACT**

It is a three (3) years contract and the price will increase as per CPI adjustments.

**14. Payments**

Payments will be made within thirty days of submission of (Tax) invoice.

**DECLARATION OF INTEREST**

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorized representative declare his/her position in relation to the evaluating/adjudicating authority where-

- The bidder is employed by the state; and/or
- The legal person on whose behalf the bidding document is signed, has a relationship with persons/ a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

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

2.2. Identity Number:.....

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

2.4. Company registration number:.....

2.5. Tax Reference Number:.....

2.6. VAT Registration Number:.....

2.6.1 The names of all directors/ trustees/ shareholders/ members, their individual identity numbers, tax reference numbers and, if applicable, employee/ persal numbers must be indicated in paragraph 3 below.

<sup>1</sup>“State” means –

- a. Any national or provincial department, national or provincial public entity or constitution within the meaning of Public Finance Management Act, 1999 (Act No. 1 of 1999);
- b. Any municipality or municipal entity;
- c. Provincial legislature;
- d. National Assembly or the national Council of provinces; or
- e. Parliament.

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

2.7. Are you or any person connected with them bidder presently employed by the state? YES  NO

2.7.1. If so, furnish the following particulars:  
Name of person / director / trustee/ shareholder/ member:

.....

Name of state institution at which you or person connected to the bidder is employed:

.....

Position occupied in the public institution:

.....

Any other particulars:

.....

.....

.....

2.7.2. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES  NO

2.7.2.1. If yes, did you attached proof of such authority to the bid document? YES  NO

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2. If no, furnish reasons for non-submission of such proof:

.....

.....

.....

2.8. Did you or your spouse, or any of the company's directors/ trustees/ shareholders/ members or their spouses conduct business with the state in the previous twelve months? YES  NO

2.8.1. If so, furnish particulars:

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

2.9. Do you, or any person connected with the bidder, have any relationship YES  NO   
(family, friend, other) with a person employed by the state and who may  
be involved with the evaluation and or adjudication of this bid?

2.9.1. If so, furnish particulars:

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

2.10. Are you, or any person connected with the bidder, aware of any YES    
relationship (family, friend, other) between any other bidder and any person  
employed by the state who may be involved with the evaluation and or  
adjustment of this bid?

2.10.1. If so, furnish particulars:

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

2.11. Do you or any of the directors/ trustees/ shareholders/ members of the  
company have any interest in any other related companies whether or  
not they are bidding for this contract?

2.11.1. If so, furnish particulars:

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

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

Full Names	Identity Number	Personal Tax Reference Number	State Employee Number/ Pearsal Number

**3. DECLARATION**

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPH 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
 Signature

.....  
 Date

Position

Name Of Bidder

**MBD1**

**PART A  
INVITATION TO BID**

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

BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					

**THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).**

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS


**SUPPLIER INFORMATION**

NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		<b>OR</b>	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT <input type="checkbox"/> Yes <input type="checkbox"/> No		

**[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]**

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3 ]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R
SIGNATURE OF BIDDER	.....	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>	<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>		
DEPARTMENT		CONTACT PERSON	
CONTACT PERSON		TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS			

Where the recommended bidder is not tax compliant, the bidder should be notified of their non-compliant status and the bidder must be requested to submit to the municipality or municipal entity, within 7 working days, written proof from SARS of their tax compliance status or proof from SARS that they have made an arrangement to meet their outstanding tax obligations. The proof of tax compliance status submitted by the bidder to the municipality or municipal entity must be verified via the CSD or e-Filing.

**The accounting officer should reject a bid submitted by the bidder if such a bidder fails to provide proof of tax compliance status within the timeframe stated above.**

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</b></p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.</p> <p>2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>
<p>3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <span style="float: right;"><input type="checkbox"/></span>                YES <input type="checkbox"/> NO</p> <p>3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? <span style="float: right;"><input type="checkbox"/></span>                YES <input type="checkbox"/> NO</p> <p>3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?                <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?                <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <span style="float: right;"><input type="checkbox"/></span>                YES <input type="checkbox"/> NO</p> <p><b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</b></p>

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

SIGNATURE OF BIDDER: .....

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

DATE: .....

## 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 as a company or person prohibited from doing business with the public sector?</p> <p><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></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><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></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:		
<b>Item</b>	<b>Question</b>	<b>Yes</b>	<b>No</b>
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**

Js367bW

**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.
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.**

**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

**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 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).*

- 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:

	<b>POINTS</b>
<b>PRICE</b>	90
<b>SPECIFIC GOALS</b>	10
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps} = \mathbf{80} \left( \mathbf{1} - \frac{\mathbf{Pt} - \mathbf{Pmin}}{\mathbf{Pmin}} \right) & \mathbf{or} & \mathbf{Ps} = \mathbf{90} \left( \mathbf{1} - \frac{\mathbf{Pt} - \mathbf{Pmin}}{\mathbf{Pmin}} \right) \end{array}$$

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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps} = \mathbf{80} \left( \mathbf{1} + \frac{\mathbf{Pt} - \mathbf{Pmax}}{\mathbf{Pmax}} \right) & \mathbf{or} & \mathbf{Ps} = \mathbf{90} \left( \mathbf{1} + \frac{\mathbf{Pt} - \mathbf{Pmax}}{\mathbf{Pmax}} \right) \end{array}$$

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 (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)
<b>Black People</b>	2	4		
<b>Youth</b>	2	4		
<b>Women- ownership of more than 50 %</b>	1	2		

<b>Small, Medium and Micro Enterprises (SMMEs)</b>	<b>2</b>	<b>4</b>		
<b>People with disability</b>	<b>1</b>	<b>2</b>		
<b>Enterprises within Makhuduthamaga jurisdiction</b>	<b>2</b>	<b>4</b>		
<b>TOTAL</b>	<b>10</b>	<b>20</b>		

**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.

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

MBD 5

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

For all procurement expected to exceed R10 million (VAT included), bidders must complete the following questionnaire:

1. Are you by law required to prepare annual financial statements for auditing? **YES/NO**
  - 1.1 If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.

.....  
.....

2. Do you have any outstanding undisputed commitments for municipal services towards a municipality or any other service provider in respect of which payment is overdue for more than 30 days? **YES/NO**

2.1 If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days.

2.2 If yes, provide particulars.

.....  
.....

3. Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract? **YES/NO**

3.1 If yes, furnish particulars

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

4. Will any portion of goods or services be sourced from outside **YES / NO**

the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic?

4.1 If yes, furnish particulars

.....  
.....

**CERTIFICATION**

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

**CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.**

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of a bidder