




## BID DOCUMENT

**BID NUMBER: MLM/W13/S/P5/24-25**

### BASIC SANITATION WARD 13

A Tender for Category 5CE or higher CIDB Registered Contractors

<b>Registered Name of Tenderer:</b>	
<b>Trading Name of Tenderer:</b>	
<b>Registration No. of Entity:</b>	
<b>Postal Address of Tenderer:</b>	
<b>Contact Person:</b>	
<b>Tel. No.:</b>	
<b>CIDB CRS Number(s):</b>	
<b>CSD number(s):</b>	<b>MAAA</b>
<b>This tender closes at 12:00 on 08 August 2024 at the Municipal Hall, in offices of the Moretele Local Municipality located at 4065 B, Mathibestad, Makapanstad 0404</b>	
<b>NO LATE SUBMISSIONS WILL BE CONSIDERED</b>	

<b>Prepared For:</b>  <b>Moretele Local Municipality</b> 4065 B, Mathibestad Private Bag X367 <b>MAKAPANSTAD</b> 0404  Contact Name: Mr. P Molautsi or Ms Phenya Telephone: (012) 716 1347 or (012) 716 1414	<b>Prepared by:</b>  <b>ITHEMBALETHU Consulting Engineers</b> PLOT 65, Plantation Rd <b>Bluehills</b> 1684  Contact Name: Masello Ramathe Telephone: 076 246 7309
 <b>EXPANDED PUBLIC WORKS PROGRAMME</b>	In compliance with the Preferential Procurement Regulations, 2022 published in Government Gazette No. 47452 of 04 November 2022
	In compliance with the CIDB standards for uniformity

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**MORETELE LOCAL MUNICIPALITY**

**Tender No. MLM/W13/S/24-25**

**For**

**BASIC SANITATION WARD 13**

**Tender section of the document : Pages T1 – T61**  
**Contract section of the document : Pages C1 – C138**

**CONTENTS**

<b>Section Number and Heading</b>	<b>Page</b>	<b>Colours</b>
<b>The Tender</b>		
<b>Part T1: Tendering Procedures</b>		
T1.1	Tender Notice and Invitation to Tender	White
T1.2	Tender Data	Pink
<b>Part T2: Returnable Documents</b>		
T2.1	List of Returnable Documents	Yellow
T2.2	Returnable Schedules	Yellow
<b>The Contract</b>		
<b>Part C1: Agreements and Contract Data</b>		
C1.1	Form of Offer and Acceptance	White
C1.2	Contract Data	Pink
C1.3	Form of Guarantee	White
C1.4	Agreement in terms of Section 37(2) of the Occupational Health and Safety Act No. 85 of 1993	White
C1.5	Retention Money Guarantee	White
C1.6	Transfer of Rights	White
<b>Part C2: Pricing Data</b>		
C2.1	Pricing Instructions	Yellow
C2.2	Schedule of Quantities	Yellow
<b>Part C3: Scope of Work</b>		
C3.1	Standard Specifications	Blue
C3.2	Project Specifications	Blue
C3.3	Particular Specifications	Blue
<b>Part C4: Site Information</b>		
C4.1	Site Information	Green
<b>Part C5: Drawings</b>		

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Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**T1: TENDERING PROCEDURES**

**TABLE OF CONTENTS**

<b>T1.1</b>	<b>TENDER NOTICE AND INVITATION TO TENDER .....</b>	<b>T4</b>
<b>T1.2</b>	<b>TENDER DATA .....</b>	<b>T6</b>

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Employer	Witness 1	Witness 2	Contractor	Witness 1	Witness 2

T1.1 TENDER NOTICE AND INVITATION TO TENDER ..... T4

# MORETELE LOCAL MUNICIPALITY

**MUNICIPAL OFFICES**  
**4065B**  
**Mathibestad**  
**Tel: (012) 716 1300**  
**FAX (012) 716 9999**



**Private Bag X367**  
**Makapanstad**  
**0404**

## TENDER NOTICE

Project Name	Bid Number	Compulsory Briefing Session	Bid Document Price	Evaluation Criteria	CIBD Grading	Closing date
Basic Sanitation Ward13	MLM/W13/S/20 24-25	01/08/2024 @13H00 @Municipal Hall	R1000.00	80/20 in line with the Preferential Procurement Policy Framework Act no. 5 of 2000 Regulation of 2022 of Specific Goals  Minimum Qualifying Score: 70%	5CE OR Higher	08/08/2024 @ 12H00 @ Municipal Hall

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

Bid documents with detailed bid specifications and detailed information are obtainable at the **Revenue office of Moretele Local Municipality, 4065 B Mathibestad (please check dates as per project)** at 08:00 – 16:00. A non-refundable deposit as per tender above payable at the bank as per the following details:

**Account Name:** Moretele Local Municipality  
**Bank:** ABSA  
**Cheque account No:** 405 331 7014  
**Branch code:** 632005  
**Ref:** Company Name..... **BID Number**

**NB: No cash will be accepted only proof of payment or Debit cards will be accepted.**

Sealed Bids clearly marked "**BID No AND PROJECT NAME (as per the table above)**" must be placed in the Bid box situated at the offices of **MORETELE LOCAL MUNICIPALITY, 4065 B MATHIBESTAD**. Compulsory briefing will be done as per the project indicated on the table.

**No late BIDS will be accepted.**

Moretele Local Municipality reserves the right to accept the whole or part of any bid and further reserves the right to re-advertise if it so wishes to. No reason for the acceptance or rejection of any bid will be given.

Bids will be adjudicated according to the Moretele Local Municipality's Supply Chain Management Policy, the Preferential Procurement Policy Framework Act, (Act No. 5 of 2000) and the Preferential Procurement Regulations 2022 of Specific Goals. Bids will remain valid for 90 days.

Enquiries may be directed to: Ms P Molautsi (012) 716 1309, Mrs M Phenya Tel :(012) 716 1414

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**Mr S. Ngwenya**  
**MUNICIPAL MANAGER**

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Employer	Witness 1	Witness 2	Contractor	Witness 1	Witness 2

## T1.2 TENDER DATA

The conditions of tender are the Standard Conditions of Tender as contained in Annex C of Board Notice 423 of 2019 in Government Gazette No. 42622 of 8 August 2019, Construction Industry Development Board (CIDB) Standard for Uniformity in Construction Procurement. (see [www.cidb.org.za](http://www.cidb.org.za)) which are reproduced without amendment or alteration for the convenience of tenderers as an Annex to this Tender Data.

The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the standard conditions of the tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

**The following variations, amendments, and additions to the Standard Conditions of Tender as set out in the Tender Data below shall apply to this tender:**

Clause Number	Data / Wording
<b>This procurement document has been formatted and compiled under the headings as contained in the CIDB's "Standard for Uniformity in Construction Procurement."</b>	
<b>C1.1</b>	The Employer is the <b>Moretele Local Municipality</b>
<b>C.1.2</b>	<p>(a) The <b>Tender Documents</b> consist of the following:</p> <p><b>PART T1: TENDERING PROCEDURES</b>  T1.1 Tender Notice and Invitation to Tender  T1.2 Tender Data</p> <p><b>PART T2: RETURNABLE DOCUMENTS</b>  T2.1 List of Returnable Documents  T2.2 Returnable Schedules</p> <p><b>PART C1: AGREEMENTS AND CONTRACT DATA</b>  C1.1 Form of Offer and Acceptance  C1.2 Contract Data  C1.3 Form of Guarantees  C1.4 Agreement in terms of Section 37(2) of the Occupational Health and Safety Act No. 85 of 1993  C1.5 Retention Money Guarantee  C1.6 Transfer of Rights</p> <p><b>PART C2: PRICING DATA</b>  C2.1 Pricing Instructions  C2.2 Schedule of Quantities</p> <p><b>PART C3: SCOPE OF WORKS</b>  C3.1 Standard Specifications  C3.2 Project Specifications  C3.3 Particular Specifications</p> <p><b>PART C4: SITE INFORMATION</b>  C4.1 Locality Plan  C4.2 Example of Contract Signboard Details</p> <p>(b) <b>Drawings</b></p>

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Employer

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Witness 1

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Witness 2

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Contractor

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Witness 1

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Witness 2

Clause Number	Data / Wording
<b>This procurement document has been formatted and compiled under the headings as contained in the CIDB's "Standard for Uniformity in Construction Procurement."</b>	
	<p>(c) <b>'General Conditions of Contract for Construction Works, Third Edition, 2015'</b> issued by the South African Institution of Civil Engineering (abbreviated title 'General Conditions of Contract 2015' – 'GCC 2015'). This document is obtainable separately and Tenderers shall obtain their own copy.</p> <p>(d) <b>'The Occupational Health and Safety Act No 85 and Amendment Act No 181 of 1993, and the Construction Regulations 2014 (Government Gazette No 37305 of 7 February 2014, Notice No R. 84)'</b>. These documents are obtainable separately and Tenderers shall obtain their own copies.</p> <p>(e) <b>The Construction Industry Development Board Act No. 38 of 2000 as amended and the Regulations in terms of the CIDB Act 38 of 2000, Government Notice No 423 of 2019 as amended.</b></p> <p>In addition, Tenderers are advised, in their own interest, to obtain their own copies of the relevant Acts, Regulations, and Standards referred to in this document as they are essential for the Tenderer to become acquainted with the basics of construction management, the implementation of preferential construction procurement policies, and participation of targeted enterprises and labour.</p>
<b>C.1.4</b>	<p>The Employer's agent for the purpose of this tender is deemed to be the authorized and designated representative of the Employer:</p> <p>Name of the Firm: <b>ITHEMBALETHU Consulting Engineers</b>  Contact Person: Masello Ramathe  Tel: 076 246 7309  Fax: (086) 687 3678  E-mail: Actovia.ramathe@gmail.com</p>
<b>C.1.5</b>	<b>Cancellation and Re-Invitation of Tenders</b>
<b>C.1.5.1</b>	<p>An Employer may, prior to the award of the tender, cancel a tender if</p> <p>a) due to changed circumstances, there is no longer a need for the engineering and construction works specified in the invitation.  b) funds are no longer available to cover the total envisaged expenditure; or  c) no acceptable tenders are received.  d) there is a material irregularity in the tender process.</p>
<b>C.1.5.2</b>	The decision to cancel a tender invitation must be published in the same manner in which the original tender invitation was advertised
<b>C.1.5.3</b>	An Employer may only with the prior approval of the relevant treasury cancel a tender invitation for the second time
<b>C.2</b>	<b>Tenderer's obligations</b>
<b>C.2.1</b>	<p><b>Eligibility</b>  Only those tenderers who satisfy the following criteria are eligible to submit tenders:</p> <p><b>a) CIDB registration</b></p> <p>Registered with the CIDB, at close of tender, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations, as per amended notice no. 357 of 2019, for a <b>5CE</b> or higher class of construction work.</p>

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

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	<p>Tenderers whose CIDB registration expires within the tender validity period, need to demonstrate that there is a reasonable chance of being registered in the appropriate grading designation during the tender evaluation period, by submitting a copy of their timely application for CIDB registration, with their tender submission.</p> <p>Tenders received from such tenderers who are not capable of being registered in the required contractor designation, within 10 working days after either expiry of their registration or after being requested to provide proof of registration, will be considered non-responsive. <b>Note that in terms of the Construction Industry Development Board Act, 2000 (Act No. 38 of 2000) a registered contractor must apply for renewal of registration three months before the existing registration expires.</b></p> <p>Tenderers registered as potentially emerging enterprises but with a CIDB contractor grading designation lower than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations, as per amended notice no. 357 of 2019, are not eligible to have their tenders evaluated.</p> <p><b>Joint Ventures are eligible to submit tenders provided that:</b></p> <p>a) every member of the joint venture is registered with the CIDB;</p> <p>b) the lead partner has a contractor grading designation of not lower than one level below the required grading designation in the class of construction works under consideration and possesses the required recognition status, and</p> <p>c) the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a <b>6CE</b> or higher class of construction work or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations, as per amended notice no. 357 of 2019.</p>
<p><b>C.2.1.1</b></p>	<p>Only those bidders who satisfy the following eligibility criteria are eligible to submit bids:</p> <ol style="list-style-type: none"> <li>a. the Contractor submitting the tender is under restrictions or has principals who are under restriction to participate in the Employer’s procurement due to corrupt or fraudulent practices;</li> <li>b. the Tenderer does not have the legal capacity to enter into the contract;</li> <li>c. the Contractor submitting the tender is insolvent, in receivership, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of the foregoing;</li> <li>d. The Tenderer does not comply with the legal requirements stated in the Employer’s procurement policy;</li> <li>e. The Tenderer cannot demonstrate that he possesses the necessary professional and technical qualifications and competence, financial resources, equipment and other physical facilities, managerial capability, personnel, experience and reputation to perform the contract;</li> <li>f. The Tenderer cannot provide proof that he is in good standing with respect to duties, taxes, levies and contributions required in terms of legislation applicable to the work in the contract.</li> </ol>

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

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<b>C.2.2</b>	
<b>C.2.2.1</b>	The tenderer must be notified of all arithmetic errors, omissions and/or rate imbalances that are identified in the tender offer and request the tenderer to, within a stipulated time, accept the total of the rates / prices as corrected by the Employer's Agent without changing the tender amount / final offer.
<b>C.2.2.2</b>	<b>Cost of Tender</b> The cost of the tender documents charged by the Employer shall be limited to the actual cost incurred by the Employer or Employer's Agent for printing the documents
<b>C.2.3</b>	<b>Check Documents</b> Check the tender documents on receipt for completeness and notify the Employer of any discrepancy or omission.
<b>C.2.4</b>	<b>Confidentiality and Copyright of Documents</b> Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the Employer only for the purpose of preparing and submitting a tender offer in response to the invitation.
<b>C.2.6</b>	<b>Acknowledge Addenda</b> Acknowledge receipt of addenda to the tender documents, which the Employer may issue, and if necessary, apply for an extension to the closing time stated in the tender data, in order to take the addenda into account.
<b>C.2.7</b>	<b>Seek Clarification</b> The arrangements and venue for the compulsory Clarification Meeting are:  <b>Venue:</b> Moretele Local Municipality, Municipal Hall, 4065 B, Mathibestad, Makapanstad 0404.  <b>Date:</b> <b>01 August 2024 at 13:00 Hours</b>  <b>Contact Person:</b> Masello Ramathe <b>Tel:</b> 076 246 7309 <b>Fax:</b> (086) 687 3678 <b>Email:</b> actovia.ramathe@gmail.com
<b>C.2.8</b>	<b>Insurance</b> Be aware that the extent of insurance to be provided by the Employer (if any) might not be for the full cover required in terms of the conditions of contract identified in the contract data. The tenderer is advised to seek qualified advice regarding insurance.
<b>C.2.9</b>	<b>Pricing the Tender Offer</b>
<b>C.2.9.3</b>	This contract shall not be subject to Contract Price Adjustments, foreign fluctuations, etc and all rates and prices shall remain fixed, final and binding for the full duration of this contract.
<b>C.2.11</b>	<b>Alterations to Documents</b> Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the Employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations (refer to the standard condition of Tender).
<b>C.2.12</b>	<b>Alternative Tender Offers</b> No alternative tender offers will be considered
<b>C.2.13</b>	<b>Submitting a tender offer</b>
<b>C.2.13.1</b>	Submit one tender offer only as a single tendering entity to provide the whole of the works identified in the contract data and described in the scope of works, unless stated otherwise in the tender data
<b>C.2.13.2</b>	Return all returnable documents to the Employer after completing them in their entirety, either electronically (if they were issued in electronic format) or by writing legibly in non-erasable ink.

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

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<b>C.2.13.3</b>	Submit the parts of the tender offer communicated on paper as an original plus the number of copies stated in the tender data, with an English translation of any documentation in a language other than English, and the parts communicated electronically in the same format as they were issued by the Employer.
<b>C.2.13.4</b>	Sign the original and all copies of the tender offer where required in terms of the tender data. The Employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint ventures shall state which of the signatories is the lead partner whom the Employer shall hold liable for the purpose of the tender offer.
<b>C.2.13.5</b>	Tender offers shall be submitted as original only. The package shall state on the outside the Employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address. Under no circumstances whatsoever may the tender forms be retyped or redrafted. Photocopies of the original tender documentation may be used, but an original signature must appear on such photocopies.
<b>C.2.13.6</b>	<p>Bidders are requested to deliver the submission in one envelope. The Employer's address for delivery of tender offers and identification details to be shown on the tender offer package is:</p> <p><b>Title to appear on envelope one (1):</b></p> <p><b>“BID NUMBER: MLM/W13/S/24-25 – BASIC SANITATION WARD 13, MORETELE MUNICIPALITY</b></p> <p>This envelope must contain the returnable SCM Documentations, Relevant Annexures and Appendixes. This envelope must contain printed copies of all the pages in this document, duly completed and signed, inclusive of the pricing schedules (bill of quantities), which must be submitted in one envelope as detailed below.</p> <p>For identification purposes, bidders are requested to ensure that the envelopes containing the company's bids are clearly marked and are easily identifiable by the company's logo or name.</p> <p>The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:</p> <p><b>Location of Tender Box:</b> Moretele Local Municipality  <b>Physical Address:</b> 4065 B, Mathibestad, Makapanstad 0404.  <b>Identification Details:</b> Tender No. MLM/W13/S/24-25</p>
<b>C.2.13.7</b>	Seal the original tender offer in an outer package that states on the outside only the Employer's address and identification details as stated in the tender data. A two-envelope system will <b>not be followed</b> .
<b>C.2.13.8</b>	Accept that the Employer will not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and marked as stated.
<b>C.2.13.9</b>	Accept that tender offers submitted by facsimile or e-mail and late tenders will be rejected by the Employer.
<b>C.2.14</b>	<p><b>Information and data to be completed in all respects</b></p> <p>Accept that tender offers, which do not provide all the data or information requested completely and, in the form, required, may be regarded by the Employer as <b>non-responsive</b>.</p>
<b>C.2.15</b>	<p><b>Closing time</b></p> <p>The closing time for submission of Tender Offers is:</p>

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

Clause Number	Data / Wording
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	<p><b>12:00 08 August 2024</b></p> <p>The Moretele Local Municipality is not obliged to accept the lowest or any tender and reserves the right to accept any tender in whole or in part.</p>
<b>C.2.16</b>	The tender offer validity period is <b>ninety (90) days</b> from the closing time for the submission of tenders.
<b>C.2.18.2</b>	Over and above the information resources stipulated in the evaluation criteria, the Tenderer shall, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the labour-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements.
<b>C.2.19 I</b>	<p><b>Inspections, tests, and analysis</b></p> <p>Provide access during working hours to premises for inspections, tests and analysis as provided for in the tender data.</p>
<b>C.2.20</b>	<p><b>Submit securities, bonds, and policies</b></p> <p>If requested, submit for the Employer's acceptance before formation of the contract, all securities, bonds, guarantees, policies, and certificates of insurance required in terms of the conditions of contract identified in the contract data.</p>
<b>C.2.23</b>	<p>The Tenderer is required to submit his/her tender with all documents and schedules listed under T2.1 and T2.2</p> <p>The certificates as required in the Returnable Schedules and Forms must be provided with the tender for each party to a consortium / joint venture.</p>
<b>C.2.24</b>	<p><b>Canvassing and obtaining of additional information by tenderers</b></p> <p>The Tenderer shall not make any attempt either directly or indirectly to canvass any of the Employer's officials or the Employer's agent in respect of his tender, after the opening of the tenders but prior to the Employer arriving at a decision thereon.</p> <p>The Tenderer shall not make any attempt to obtain particulars of any relevant information, other than that disclosed at the opening of tenders.</p>
<b>C.2.25</b>	<p><b>Prohibitions on awards to persons in service of the state</b></p> <p>The Employer is prohibited to award a tender to a person -</p> <ol style="list-style-type: none"> <li>a. who is in the service of the state; or</li> <li>b. if that person is not a natural person, of which any director, manager, principal shareholder or</li> <li>c. stakeholder is a person in the service of the state; or</li> <li>d. a person who is an advisor or consultant contracted with the Municipality.</li> </ol> <p><b>In the service of the state means to be -</b></p> <ol style="list-style-type: none"> <li>a. a member of:- <ol style="list-style-type: none"> <li>I. any municipal council;</li> <li>II. any provincial legislature; or</li> <li>III. the National Assembly or the National Council of Provinces;</li> </ol> </li> <li>b. a member of the board of directors of any municipal entity;</li> <li>c. an official of any municipality or municipal entity;</li> <li>d. an employee of any national or provincial department;</li> <li>e. provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);</li> <li>f. a member of the accounting authority of any national or provincial public entity; or</li> <li>g. An employee of Parliament or a provincial legislature.</li> </ol>

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

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	In order to give effect to the above, the questionnaire for the declaration of interests in the tender of persons in service of state in part T2 of this procurement document must be completed.
<b>C.3</b>	<b>The Employer’s undertakings</b>
<b>C.3.1</b>	<b>Respond to requests from the tenderer</b> The Employer will respond to requests for clarification received up to three (3) working days before the tender closing time
<b>C.3.2</b>	<b>Issue Addenda</b> Addenda will be issued until five (5) working days before the tender closing time.
<b>C.3.5</b>	The time and location for the opening of the tender offers are: Time: <b>12:00 on the 08 August 2024</b>  Location / Venue: Revenue Unit at the Finance Department of Moretele Local Municipality, 4065 B, Mathibestad, Makapanstad 0404
<b>C.3.9</b>	
<b>C.3.9.1</b>	Check the highest ranked tenders or tenderers with the highest number of tender evaluation points after the evaluation of tender offers in accordance with C.3 for:  a. the gross misplacement of the decimal point in any unit rate; b. omissions made in completing the pricing schedule or bills of quantities; or c. arithmetic errors in line-item totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules of prices; or the summation of the prices.
	The arithmetical errors shall be corrected in the following manner: a. Where there is a discrepancy between the amounts in words and amounts in figures, the amount in words shall govern. b. If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate shall be corrected. c. Where there is an error in the total of the prices either as a result of other Corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall govern and the tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices.  The Tender Offer will be rejected if the tenderer does not correct or accept the Correction of the arithmetical error in the manner described above
<b>C.3.11</b>	<b>Functionality, Price and Preference</b> The purpose of the evaluation is to ensure and promote compliance with the Constitution, specifically Section 217, which provides that when organs of state contract for goods or services, they must do so in accordance with a system which is fair, equitable, transparent, competitive and cost-effective. The evaluation of bids will be undertaken in 4 <b>Stages/ Phases</b> .
<b>C.3.12</b>	The procedure for the evaluation of responsive tenders is Functionality, Financial offer, Preference and Objective criteria) as explained in the CIDB’s Standard for Uniformity in Construction Procurement August 2019 (clause 4.3.1).  Breakdown points for Functionality points are outlined below. The procedure for the evaluation of responsive tenders is detailed as follows:

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

Clause Number	Data / Wording
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	<p><b>Phase One:</b> Responsiveness to the eligibility criteria, bid and mandatory requirements and rules. Tenderers that do not meet the compliance requirements stipulated above will be disqualified from further evaluation.</p> <p><b>Phase Two:</b> Tenderers must meet the minimum requirements outlined in the functionality criteria and score the at least the minimum functionality points to be considered for further evaluation. Tenderers which do not meet minimum functionality points of 70 will then be rejected.</p> <p><b>Phase Three:</b> Bidders passing all stages above will thereafter be evaluated on PPPFA (80/20 or 90/10).</p> <p><b>Phase Four:</b> Objective criteria and Risk analysis</p>
	<p><b>PHASE ONE: RESPONSIVENESS TO THE ELIGIBILITY CRITERIA, BID AND MANDATORY REQUIREMENTS AND RULES:</b></p> <p>Tenderers’ proposals must meet the following minimum requirements and supporting documents must be submitted with the completed bid document in a sealed envelope in the bid box at the closing date and time. Failure to comply will automatically eliminate the bid for further consideration:</p> <ol style="list-style-type: none"> <li>1. Tender Document (This Document must be submitted in its original format)</li> <li>2. Tenders which are late, incomplete, unsigned or submitted by facsimile or electronically, will not be accepted.</li> <li>3. Tenderer must be registered with cidb in the correct grading and class of works as per the tender notice and requirements and the status on cidb must be active during award stage. It is the responsibility of the tenderer to keep the status on CIDB active throughout bidding process (i.e from advert till award stage).</li> <li>4. Tenderer must be a legal entity or partnership or joint venture or consortia.</li> <li>5. Form of offer and Acceptance (fully completed and signed)</li> <li>6. MBD 4- Declaration of Interest (fully completed and signed)</li> <li>7. MBD 5-Declaration for procurement above R10 million (all applicable taxes included) - (fully completed and signed)</li> <li>8. MBD 8- Declaration of Bidder’s past Supply Chain Management Practices. (Completed and signed)</li> <li>9. MBD 9- Certificate of Independent Bid Determination. (Completed and signed)</li> <li>10. Compulsory Enterprise Questionnaire (Completed and signed)</li> <li>11. If the offer (any of the items quoted for) is “Vat Inclusive”, the VAT registration number of service provider must be indicated. Bidders are not entitled to claim the VAT if they are not VAT registered.</li> <li>12. Certificate of Authority for Joint Ventures (if applicable). In the case of a joint venture, a signed JV agreement stating the share interest or percentage of each partner should also be made available to the department by the JV. <b>CIDB</b> regulations and prescripts apply.</li> <li>13. Resolution to Sign (if applicable) must be completed and furnished with the tender.</li> <li>14. Attendance of compulsory briefing meeting (where applicable)</li> <li>15. Only one offer per item per bidder is allowed and alternative offers will not be considered. If more than one offer per item is received, none of the offers will be considered. Tenderers are also not allowed to submit a bid/ quotation whilst they are in agreement with other tenderers in the form of joint ventures or consortiums.</li> <li>16. Bidder (Company or director/partner or sole propriety) must attach proof of municipal rates on municipality letterhead which are not older than 90 days. If the statement of municipal rates is not in the name of the bidder, an affidavit from SAPS must be attached. or Letter of traditional authority not older than 90 days</li> </ol>

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Employer

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Witness 1

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Witness 2

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Contractor

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Clause Number	Data / Wording
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	<p>for the bidder. OR In case of a lease agreement, a signed lease agreement by both parties(lessor &amp; lessee), an affidavit indicating that the bidder and/or the director does not have municipal account and that the municipal services, rates and taxes are paid by the property owner must be attached. The tenderer will be rejected if it has failed to pay municipal rates and taxes or municipal service charges and such rates, taxes and charges (where they are applicable) are in arrears for more than three months.</p> <p>17. If the tenderer is required by law to prepare annual financial statements for auditing, it must submit its audited annual financial statements— (aa) for the past three years; or (bb) since their establishment if established during the past three years.</p> <p><b>Other Conditions of bid (Non eliminating, unless expressly mentioned in the document):</b></p> <ol style="list-style-type: none"> <li>1. MBD 1 form</li> <li>2. The bidder must be registered on the Central Supplier Database (CSD) prior the award.</li> <li>3. All tenderer’s tax matters must be in order prior award. Bidders’ tax matters will be verified through CSD.</li> <li>4. The bidder must complete section 1.3.1.2 of the Preference Points Form to claim points on Specific goals. Non completion of the schedule / form will result in a bidder losing preferential points.</li> </ol> <p><b>PHASE TWO: TENDER WHO PASS STAGE 1 WILL THEN BE EVALUATED ON FUNCTIONALITY CRITERIA, AS OUTLINED BELOW:</b></p> <ol style="list-style-type: none"> <li>1. The tender will be expected to submit substantial information (valid copies and detailed information as ordered) in order to claim points for each of the criteria or sub criteria set.</li> <li>2. The tenderer must demonstrate to the satisfaction of the Employer that it has sufficient skill and capacity to execute the works.</li> <li>3. The form or the evaluation criteria and maximum score in respect of each of the criteria listed in 5.11.9.</li> <li>4. A Tender scoring an average score below <b>70 points</b> in Functionality will be considered as DISQUALIFIED from evaluation and will be discarded from any further evaluation.</li> <li>5. Non-submission or poorly completed schedule or incomplete information will result in a tenderer losing points on Functionality. CVs which do not substantially detail relevant experience will also lead to a bidder losing points on Functionality, It is the responsibility of the tenderer to ensure that all copies are clear and certified when the conditions require them to be so.</li> <li>6. No second chance will be given to a tenderer to submit some information after tender closure on this stage of evaluation i.e. functionality.</li> </ol> <p><b>PHASE THREE: EVALUATION POINTS ON PRICE AND SPECIFIED GOALS</b></p> <p>The 80/20 preference point system shall be applied for the purposes of this bid as per the requirements of the <i>Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000)</i>.</p>

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	<b>Criteria</b>			<b>Points</b>																																			
	Points on Price			80																																			
	Specified Goals			20																																			
	<b>Total</b>			<b>100</b>																																			
	<p>The 80/20 preference point system for acquisition of services, works or goods up to Rand value of R50 million:</p> <p>(a) The following formula must be used to calculate the points for price in respect of tenders (including price quotation) with a Rand value equal to, or above R 2001.00 and up to Rand value of R 50 000 000 (all applicable taxes included):</p> <p>The financial offer will be scored using the following formula:  <math display="block">A = (1 - \frac{P - P_m}{P_m})</math> </p> <p>The value of value of <math>W_1</math> is:</p> <ol style="list-style-type: none"> <li>90 where the financial value inclusive of VAT of all responsive tenders received have a value in excess of R50 000 000 or</li> <li>80 where the financial value inclusive of VAT of one or more responsive tender offers have a value that equals or is less than R 50 000 000.</li> </ol> <p>The table below must be used to calculate the score out of 20 for Specified Goals</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d3d3d3;">The specific goals allocated points in terms of this tender</th> <th style="background-color: #ff0000; color: white;">Number of points allocated (90/10 system) (To be completed by the organ of state)</th> <th style="background-color: #ff0000; color: white;">Number of points allocated (80/20 system) (To be completed by the organ of state)</th> <th style="background-color: #d3d3d3;">Number of points claimed (90/10 system) (To be completed by the tenderer)</th> <th style="background-color: #d3d3d3;">Number of points claimed (80/20 system) (To be completed by the tenderer)</th> </tr> </thead> <tbody> <tr> <td>HDI's (Who had no franchise on national elections before the 1983 and 1993 constitution) /black ownership</td> <td style="text-align: center;">--</td> <td style="text-align: center;">5</td> <td style="text-align: center;">--</td> <td></td> </tr> <tr> <td>Points for 51% Women's Equity</td> <td style="text-align: center;">--</td> <td style="text-align: center;">5</td> <td style="text-align: center;">--</td> <td></td> </tr> <tr> <td>Points for black person with Disability</td> <td style="text-align: center;">--</td> <td style="text-align: center;">2.5</td> <td style="text-align: center;">--</td> <td></td> </tr> <tr> <td>Points for 51% owned Youth firm</td> <td style="text-align: center;">--</td> <td style="text-align: center;">5</td> <td style="text-align: center;">--</td> <td></td> </tr> <tr> <td>Points for Locality (Contractors domiciled in the North West Province)</td> <td style="text-align: center;">--</td> <td style="text-align: center;">2.5</td> <td style="text-align: center;">--</td> <td></td> </tr> <tr> <td><b>Form not completed or submitted</b></td> <td style="text-align: center;">--</td> <td style="text-align: center;">0</td> <td style="text-align: center;">--</td> <td></td> </tr> </tbody> </table> <p><b>NOTE:</b>  <b>The tenderer must submit a CSD number, CIPC documents indicating share ownership or directorship of the company or a comprehensive CSD report which must indicate the names of the owners, their gender, race, age, whether</b></p>				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)	HDI's (Who had no franchise on national elections before the 1983 and 1993 constitution) /black ownership	--	5	--		Points for 51% Women's Equity	--	5	--		Points for black person with Disability	--	2.5	--		Points for 51% owned Youth firm	--	5	--		Points for Locality (Contractors domiciled in the North West Province)	--	2.5	--		<b>Form not completed or submitted</b>	--	0	--	
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Witness 2

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Contractor

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Witness 2

Clause Number	Data / Wording
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<p><b>C.3.11.9</b></p>	<p>All proposals will be evaluated in terms of functionality with a maximum of 100 functionality points. All proposals meeting minimum scores of <b>70 points</b> will be considered for the next final evaluation stage whereby proposals will be evaluated in terms of Price and Preference.</p> <p>The score for functionality will be calculated using the following formula:</p> $W_Q = W_2 \times \frac{S_o}{M_s}$ <p>Where:</p>

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	<p><b>W<sub>2</sub></b> = is the percentage score given for quality and equals <b>100</b>  <b>S<sub>o</sub></b> = is the maximum possible score for quality allocated to the submission under consideration  <b>M<sub>s</sub></b> = is the maximum possible score for quality in respect to the submission</p> <p>The quality will comprise scores for the following based on criteria indicated in the respective tender returnable schedules:</p>				
Evaluation Criteria		Scoring System		Maximum Score	Tenderer Score
1.	<p>The tenderer shall attach evidence of implemented traceable projects.</p> <p>(i) Tenderers to provide appointment letters, and  (ii) Correlating completion certificates  (iii) Signed and stamped reference letters on a template provided by Moretele Local Municipality. Refer to "Form I" in T2.2.  (iv) Complete project experience. Refer to "Form F" in T2.2.</p> <p><b>Note: Completed reference forms shall be verified with the employer/client. Failure to submit the signed and stamped reference letter will result in zero points being allocated for the claimed project.</b></p>				
1.1	<b>Company/ Entity's work experience in Basic Sanitation related Projects</b>	<b>Similar Tender Experience</b>	<b>30</b>	<b>30%</b>	
		Over 5 similar projects	30		
		3 - 5 similar projects	20		
		1 - 2 similar projects	10		
		No attachments	0		
1.2	<b>Basic Sanitation related Projects</b>	<b>Related Tender Experience</b>	<b>10</b>	<b>10%</b>	
		Over 5 similar projects	10		
		3 - 5 similar projects	5		
		1 - 2 similar projects	2		
		No attachments	0		
2.	<b>Financial References</b> (Demonstrate financial capacity to execute the projects, by attaching a letter from the bank with their rating)	<b>2.1 Bank Rating</b>	<b>5</b>	<b>10%</b>	
		Bank rating of "A&B"	5		
		Bank rating of "C"	3		
		Bank rating of "D"	2		
		Bank rating of "E" & below	1		
		Bank Rating Letter not attached	0		
		<b>2.2 Audited Financial Statement</b>	<b>5</b>		
3.	<b>Key Personnel</b>	<b>3.1 Contract Manager</b>	<b>15</b>	<b>30%</b>	

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Experience and qualification of Key Staff  Note: Name/s of various employees occupying the positions below must be stated; certified copies (not older than 3 months) of qualifications must be attached in order to qualify for points.	a. BScEng/ BTechEng Civil Eng b. 5-10 years of relevant experience	15		
	a. NDipEng/ NTD Civil Eng b. 5-10 years of relevant experience	10		
	a. Certificate in Civil Engineering and b. 5-10 years relevant experience	5		
	<b>3.2 Site Agent</b>	<b>10</b>		
	a. NQF Level 5 Certificate/ N6 b. 5 years of relevant experience	10		
	a. NQF Level 5 Certificate/ N6 b. 3 years of relevant experience	5		
	<b>3.3 Site Foreman</b>	<b>5</b>		
	a. NQF level 5 b. 5 years of relevant experience	5		
a. NQF level 3 b. 3 years of relevant experience	3			

Evaluation Criteria		Scoring System		Maximum Score	Tenderer Score
4.	Availability of Plant and Equipment necessary for construction	<b>Plant and Equipment</b>	<b>20</b>	<b>20%</b>	
		a. TLB, Tipper Trucks, Roller, Compactors- own	20		
		b. TLB, Tipper Trucks, Roller Compactors – Lease Agreement in place	10		
		c. TLB, Tipper Trucks, Roller, Compactors– letter of intent to hire – no agreement	5		
		No attachments	0		
<b>Note:</b> These plants and equipment can be owned or rented. Attach proof of ownership or intention to lease if renting (attach intention to lease letter and proof of ownership for the plants and equipment from the leaser). <b>Tenderers are to submit ownership proof in the name of the company/ director to claim for full (100%) points or a Lease agreement to claim for half (50%) points.</b>					
<b>TOTAL EVALUATION POINTS SCORE FOR QUALITY, TENDERERS WITH A SCORE OF LESS THAN 70% WILL BE REJECTED AS NON-RESPONSIVE</b>				<b>100%</b>	

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<p><b>C.3.13.1</b></p>	<p>The legal requirements for acceptance of the tender offer are:</p> <ol style="list-style-type: none"> <li><b>Tender Defaulters Register</b> - the Tenderer or any of its principals is <u>not</u> listed on the register of Tender 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.</li> <li><b>Abuse of the SCM System</b> - the Tenderer has <u>not</u> abused the Employer's Supply Chain Management System and has <u>not</u> been given a written notice to the effect that he has failed to perform on any previous contract.</li> <li><b>Declaration</b> - the Tenderer has indicated and declared whether or not a spouse, child or parent of the Tenderer is in the service of the State.</li> <li><b>Fraud and Corruption</b> - the Employer is satisfied that the Tenderer or any of his principals have <u>not influenced</u> the tender offer and acceptance by the following criteria: <ol style="list-style-type: none"> <li>having offered, promised or given a bribe or other gift or remuneration to any person in connection with the obtaining of this Contract;</li> <li>having acted in a fraudulent or corrupt manner in obtaining this Contract;</li> <li>having approached an officer or employee of the Employer or the Employer's Agent with the object of influencing the award of a Contract in the Tenderer's favour;</li> <li>having entered into any agreement or arrangement, whether legally binding or not, with any other person, firm or company to refrain from Tendering for this Contract or as to the amount of the Tender to be submitted by either party;</li> <li>having disclosed to any other person, firm or company other than the Employer, the exact or approximate amount of his proposed Tender.</li> </ol> </li> </ol> <p>The Employer may, in addition to using any other legal remedies, repudiate the Tender offer and acceptance and declare the Contract invalid should it have been concluded already.</p>																								
<p><b>C.3.18</b></p>	<p>The number of paper copies of the signed contract to be provided by the Employer is <b>one (1)</b>.</p>																								

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**T2: RETURNABLE DOCUMENTS**

**T2.1 LIST OF RETURNABLE DOCUMENTS**

The following documents are to be completed and returned as they constitute the tender. Whilst many of the returnable are required for the purpose of evaluating the tenders, some will form part of the subsequent contract, as they form the basis of the tender offer. For this reason, it is very important that tenderers return all information requested.

**T2.2 RETURNABLE SCHEDULES REQUIRED FOR TENDER RESPONSIVENESS AND FOR TENDER EVALUATION PURPOSES**

A	Certificate of Attendance at Clarification Meeting.....	T23
B	Record of Addenda to Tender Documents .....	T24
C	Certificate of Authority (On Company Letterhead) .....	T25
D	Compulsory Enterprise Questionnaire.....	T30
E	Plant and Equipment .....	T31
F	Experience of Tenderer (Schedule of Work Satisfactorily Carried out by Tenderer) .	T32
G	Proposed Subcontractors .....	T33
H	Key Personnel (Schedule) .....	T34
I	Evaluation Schedule: Experience on Previous Project References).....	T35
J	Deviations and Qualifications .....	T41
K	Contractor's Health and Safety Declaration.....	T42
L	Tenderer's BEE Verification Certificate .....	T44
M	Schedule of Alternative Tenders.....	T45
N	Tender's Participation in Job Creation Using Local Labour.....	T46
O	Tenderer's Banking Details and Rating .....	T47
P	Municipal Account for The Business / Directors Not Owing for More Than 90 Days or Municipal Account from Private Provider or Statement of Account from Landlord with Valid Lease Agreement. ....	T48
Q	CIDB Registration Certificate.....	T49
R	Proof of Registration of Bidder and Certified ID Copies of Owners/Directors/Shareholders	T50
S	Compliant CSD Summary Report .....	T51
T	Letter of Good Standing with the Compensation for Occupational Injuries and Diseases	T52
U	MBD 4: Declaration of Interest .....	T53
V	MBD 5: Declaration for Procurement Above R10 Million (Vat Included).....	T56
W	MBD 6.1 Preference Points Claim Form in Terms of The Preferential Procurement Regulations 2022.....	T57
X	MBD 7.2: Contract Form – Rendering Services .....	T61
Y	MBD 8: Declaration of Bidder's Past Supply Chain Management Practices .....	T63
Z	MBD 9: Certificate of Independent Bid Determination .....	T65
AA	Preliminary Construction Programme (and Monthly Cashflow).....	C53

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

NOTE: The Tenderer is required to complete each and every schedule and form listed above to the best of his ability as the evaluation of tenders and the eventual contract will be based on the information provided by the Tenderer. Failure of a Tenderer to complete the schedules and forms to the satisfaction of the Employer may lead to rejection on the grounds that the tender is not responsive.

**T2.3 SUMMARISED DOCUMENTS REQUIRED FOR TENDER RESPONSIVENESS (Mandatory) (Mandatory)**

1. Municipal account for the business and directors not in arrears for more than 90 days or municipal account from private provider or statement of account from the landlord with the valid lease agreement.
2. Company registration certificate
3. Valid CIDB Registration confirmation
4. Completed and signed Form of Offer and Acceptance
5. Certified ID Copies of Owners/Directors/Shareholders
6. All pages signed, initialled, and completed.
7. Compliant CSD summary report
8. Authority for Signatory on company letterhead
09. Letter of Good Standing with the Compensation for Occupational Injuries and Diseases
10. Joint venture (JV) agreement if applicable
11. Compulsory Enterprise questionnaires (MBD Forms)
12. Compulsory briefing certificate
13. Letter of intent from a registered financial institution as guarantor in the amount of 10% for surety

**NB. Failure to adhere to the above conditions will lead to automatic disqualification.**

---

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

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**A. CERTIFICATE OF ATTENDANCE AT CLARIFICATION MEETING**

This is to certify that (*Tenderer*) .....

of (*address*) .....

.....

was represented by the person(s) named below at the compulsory clarification meeting held for all Tenderers **Moretele Local Municipality, 4065 B, Mathibestad, Makapanstad 0404. (Refer to the Clarification Meeting Venue Plan in Section T1.1)**

I / We acknowledge that the purpose of the meeting was to acquaint myself/ourselves with the site of the works and/or matters incidental to doing the work specified in the tender documents in order for me/us to take account of everything necessary when compiling our rates and prices included in the tender.

**Particulars of the person attending the meeting:**

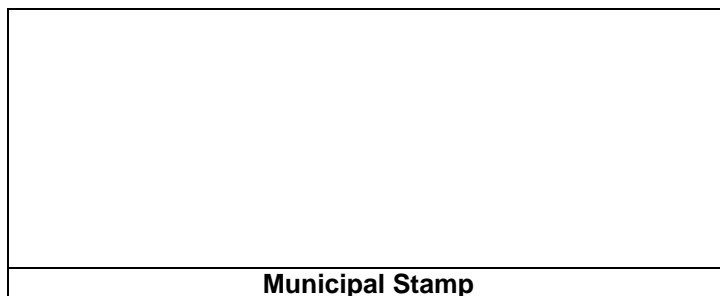
Name: ..... Signature: .....

Capacity: .....

**Attendance of the above person at the meeting is confirmed by the Employer's Agent, namely:**

Name: ..... Signature: .....

Capacity: ..... Date and Time: .....



---

Employer	Witness 1	Witness 2	Contractor	Witness 1	Witness 2

**B. RECORD OF ADDENDA TO TENDER DOCUMENTS**

The undersigned confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:

	Date	Title or Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

***Please attach all Addenda to this page***

SIGNATURE: .....

DATE: .....

*(Of person authorised to sign on behalf of the Tenderer)*

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**C. CERTIFICATE OF AUTHORITY**

The Tenderer must indicate the enterprise status by ticking the appropriate box hereunder.

(I) SOLE PROPRIETOR	(II) CLOSE CORPORATION	(III) PARTNERSHIP	(IV) COMPANY	(V) JOINT VENTURE

The Tenderer must complete the relevant certificate/s set out hereafter or must provide a certificate authorising the signatory on behalf of the enterprise(s).

**(I) CERTIFICATE FOR SOLE PROPRIETOR**

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

**Specimen Signature of Sole Owner:** .....

**Date:** .....

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**(II) CERTIFICATE FOR CLOSE CORPORATION**

I / We, the undersigned, being the key members in the business trading as.....  
 ..... Hereby authorise Mr/Ms .....  
 acting in the capacity of ....., to sign all documents in  
 connection with the tender for Contract No. .... and any contract resulting  
 from it on our behalf.

**Signatures of Members:**

NAME	ADDRESS	SIGNATURE	DATE

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

**Specimen Signature of Signatory:** .....

**Date:** .....

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**(III) CERTIFICATE FOR PARTNERSHIP**

We, the undersigned, being the key partners in the business trading as .....

.....

hereby authorise Mr/Ms .....

acting in the capacity of ....., to sign all documents in connection with the

tender for Contract No. .... 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.*

**Specimen Signature of Signatory:** .....

**Date:** .....

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**(IV) 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/Ms ....., 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.

**Signature of Chairman:** .....

**Specimen Signature of Signatory:** .....

**Date:** .....

---

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**(V) CERTIFICATE FOR JOINT VENTURE**

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorize

Mr/Ms.....authorized signatory of the company,.....

acting in the capacity of lead partner, to sign all documents in connection with the tender offer for Contract No MLM/W13/S/24-25

.....and any contract resulting from it, on our behalf.

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

<b>NAME OF FIRM</b>	<b>ADDRESS</b>	<b>AUTHORIZING SIGNATURE NAME AND CAPACITY</b>
<b>Lead Partner</b>		

**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.*

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**D. COMPULSORY ENTERPRISE QUESTIONNAIRE**

The following particulars must be furnished:

The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted.			
<b>Section 1: Name of enterprise:</b>			
<b>Section 2: VAT registration number, if any:</b>			
<b>Section 3: CIDB registration number, if any:</b>			
<b>Section 4: CSD number:</b>			
<b>Section 5: Particulars of sole proprietors and partners in partnerships:</b>			
<b>Name*</b>	<b>Identity number*</b>	<b>Personal income tax number*</b>	
* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners			
<b>Section 6: Particulars of companies and close corporations</b>			
Company registration number:			
Close corporation number:			
Tax reference number:			
<b>Section 7: SBD4 issued by National Treasury must be completed for each tender and be attached as a tender requirement.</b>			
<b>Section 8: SBD 6 issued by National Treasury must be completed for each tender and be attached as a tender requirement.</b>			
<b>Section 9: SBD8 issued by National Treasury must be completed for each tender and be attached as a tender requirement.</b>			
<b>Section 10: SBD9 issued by National Treasury must be completed for each tender and be attached as a tender requirement.</b>			
The undersigned, who warrants that he / she is duly authorized to do so on behalf of the enterprise:			
i) authorizes the Employer to verify the tenderers tax clearance status from the South African Revenue Services that it is 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 Tender 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 exercises, 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 tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and			
v) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.			
Signed		Date	
Name		Position	
<i>Enterprise Name</i>			

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**E. PLANT AND EQUIPMENT**

The following are lists of major items of relevant equipment that I / we presently own or lease and will have available for this contract if my / our tender is accepted.

**(a) Details of major plant and equipment owned by me / us and immediately available for this contract:**

DESCRIPTION ( <i>type, size, capacity, etc.</i> )	QUANTITY	YEAR OF MANUFACTURE

**Attach additional pages if more space is required**

**(b) Details of major plant and equipment that will be hired or acquired for this contract if my / our tender is accepted:**

DESCRIPTION ( <i>type, size, capacity, etc.</i> )	QUANTITY	HOW ACQUIRED	
		HIRE/BUY	SOURCE

**Attach additional pages if more space is required**

The Tenderer undertakes to bring onto site without additional cost to the Employer any additional plant not listed but which may be necessary to complete the contract within the specified contract period.

SIGNATURE: .....

DATE: .....

*(of person authorised to sign on behalf of the Tenderer)*

\_\_\_\_\_  
Employer

\_\_\_\_\_  
Witness 1

\_\_\_\_\_  
Witness 2

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Witness 1

\_\_\_\_\_  
Witness 2





**H. KEY PERSONNEL**

The Tenderer must insert in the spaces provided below a list of the key personnel to be employed in the construction of the Works together with a resumé of their experience with particular reference to the construction of similar Works.

The Tenderer shall attach the curriculum vitae of the listed key personnel to the next page.

DESIGNATION	NAMES	PROJECT TYPE	VALUE OF WORK	YEAR COMPLETED
Contract Manager. Proof of registration with BScEng or BTechEng,				
Qualified Site Agent or Supervisor with NQF 5 in Civil Eng – Road construction				
Qualified Foreman with NQF 3 in Civil Eng – Road construction				
Safety / SHEQ Officer. Proof of Safety Health and Environmental Qualification and experience				
Qualified and experienced Surveyor Technologist or Technician. – road construction				

**Attach additional pages if more space is required**

SIGNATURE: .....  
*(of person authorised to sign on behalf of the Tenderer)*

DATE: .....

\_\_\_\_\_  
Employer

\_\_\_\_\_  
Witness 1

\_\_\_\_\_  
Witness 2

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Witness 1

\_\_\_\_\_  
Witness 2



**I. EVALUATION SCHEDULE: EXPERIENCE ON PREVIOUS PROJECT REFERENCES**

**FORM 1. EXPERIENCE ON PREVIOUS PROJECT REFERENCES: FOR RECOMMENDATION PURPOSES**

The following is to be completed by the Client and are to be supported in each case accompanied by a (i) Signed Appointment Letter; (ii) Completion Certificate (iii) Signed and Stamped Reference (in the form issued to the tenderer)

**PROJECT NAME 1:** .....

**Type of Project, e.g.:** (Municipal infrastructure, such as Roads, Water, Sanitation, etc.)

Name of Client: .....

Name of the Contractor: .....

Tender Amount (VAT included) .....

Name of Project and Description: .....

Contract Duration: .....

**RATE SERVICE PROVIDER ON THEIR OVERALL PERFORMANCE**

DESCRIPTION	SCORE	TICK APPROPRIATE SCORING
Very Good	5	
Good	4	
Fair	3	
Poor	2	
Not Acceptable	0	

Any other remarks considered necessary to assist in the evaluation of the Service Provider?.....  
 .....  
 .....

Client Contact Person: ..... Telephone: .....

I hereby declare that to the best of my knowledge, the information completed above is true and correct and I understand that I will be held responsible for any misrepresentation.

Client Signature:..... Date:.....

**CLIENT STAMP**

Employer	Witness 1	Witness 2	Contractor	Witness 1	Witness 2

**FORM 2. EXPERIENCE ON PREVIOUS PROJECT REFERENCES: FOR RECOMMENDATION PURPOSES**

The following is to be completed by the Client and are to be supported in each case accompanied by a (i) Signed Appointment Letter; (ii) Completion Certificate (iii) Signed and Stamped Reference (in the form issued to the tenderer)

**PROJECT NAME 2:** .....

**Type of Project, e.g.:** (Municipal infrastructure, such as Roads, Water, Sanitation, etc.)

Name of Client: .....

Name of the Contractor: .....

Tender Amount (VAT included) .....

Name of Project and Description: .....

Contract Duration: .....

**RATE SERVICE PROVIDER ON THEIR OVERALL PERFORMANCE**

DESCRIPTION	SCORE	TICK APPROPRIATE SCORING
Very Good	5	
Good	4	
Fair	3	
Poor	2	
Not Acceptable	0	

Any other remarks considered necessary to assist in the evaluation of the Service Provider?.....  
 .....  
 .....

Client Contact Person: ..... Telephone: .....

I hereby declare that to the best of my knowledge, the information completed above is true and correct and I understand that I will be held responsible for any misrepresentation.

Client Signature:..... Date:.....

**CLIENT STAMP**

Employer	Witness 1	Witness 2	Contractor	Witness 1	Witness 2

**FORM 3. EXPERIENCE ON PREVIOUS PROJECT REFERENCES: FOR RECOMMENDATION PURPOSES**

The following is to be completed by the Client and are to be supported in each case accompanied by a (i) Signed Appointment Letter; (ii) Completion Certificate (iii) Signed and Stamped Reference (in the form issued to the tenderer)

**PROJECT NAME 3:** .....

**Type of Project, e.g.:** (Municipal infrastructure, such as Roads, Water, Sanitation, etc.)

Name of Client: .....

Name of the Contractor: .....

Tender Amount (VAT included) .....

Name of Project and Description: .....

Contract Duration: .....

**RATE SERVICE PROVIDER ON THEIR OVERALL PERFORMANCE**

DESCRIPTION	SCORE	TICK APPROPRIATE SCORING
Very Good	5	
Good	4	
Fair	3	
Poor	2	
Not Acceptable	0	

Any other remarks considered necessary to assist in the evaluation of the Service Provider?.....  
 .....  
 .....

Client Contact Person: ..... Telephone: .....

I hereby declare that to the best of my knowledge, the information completed above is true and correct and I understand that I will be held responsible for any misrepresentation.

Client Signature:..... Date:.....

**CLIENT STAMP**

Employer	Witness 1	Witness 2	Contractor	Witness 1	Witness 2

**FORM 4. EXPERIENCE ON PREVIOUS PROJECT REFERENCES: FOR RECOMMENDATION PURPOSES**

The following is to be completed by the Client and are to be supported in each case accompanied by a (i) Signed Appointment Letter; (ii) Completion Certificate (iii) Signed and Stamped Reference (in the form issued to the tenderer)

**PROJECT NAME 4:** .....

**Type of Project, e.g.:** (Municipal infrastructure, such as Roads, Water, Sanitation, etc.)

Name of Client: .....

Name of the Contractor: .....

Tender Amount (VAT included) .....

Name of Project and Description: .....

Contract Duration: .....

**RATE SERVICE PROVIDER ON THEIR OVERALL PERFORMANCE**

DESCRIPTION	SCORE	TICK APPROPRIATE SCORING
Very Good	5	
Good	4	
Fair	3	
Poor	2	
Not Acceptable	0	

Any other remarks considered necessary to assist in the evaluation of the Service Provider?.....  
 .....  
 .....

Client Contact Person: ..... Telephone: .....

I hereby declare that to the best of my knowledge, the information completed above is true and correct and I understand that I will be held responsible for any misrepresentation.

Client Signature:..... Date:.....

**CLIENT STAMP**

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**FORM 5. EXPERIENCE ON PREVIOUS PROJECT REFERENCES: FOR RECOMMENDATION PURPOSES**

The following is to be completed by the Client and are to be supported in each case accompanied by a (i) Signed Appointment Letter; (ii) Completion Certificate (iii) Signed and Stamped Reference (in the form issued to the tenderer)

**PROJECT NAME 5:** .....

**Type of Project, e.g.:** (Municipal infrastructure, such as Roads, Water, Sanitation, etc.)

Name of Client: .....

Name of the Contractor: .....

Tender Amount (VAT included) .....

Name of Project and Description: .....

Contract Duration: .....

**RATE SERVICE PROVIDER ON THEIR OVERALL PERFORMANCE**

DESCRIPTION	SCORE	TICK APPROPRIATE SCORING
Very Good	5	
Good	4	
Fair	3	
Poor	2	
Not Acceptable	0	

Any other remarks considered necessary to assist in the evaluation of the Service Provider?.....  
 .....  
 .....

Client Contact Person: ..... Telephone: .....

I hereby declare that to the best of my knowledge, the information completed above is true and correct and I understand that I will be held responsible for any misrepresentation.

Client Signature:..... Date:.....

**CLIENT STAMP**

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**FORM 6. EXPERIENCE ON PREVIOUS PROJECT REFERENCES: FOR RECOMMENDATION PURPOSES**

The following is to be completed by the Client and are to be supported in each case accompanied by a (i) Signed Appointment Letter; (ii) Completion Certificate (iii) Signed and Stamped Reference (in the form issued to the tenderer)

**PROJECT NAME 6:** .....

**Type of Project, e.g.:** (Municipal infrastructure, such as Roads, Water, Sanitation, etc.)

Name of Client: .....

Name of the Contractor: .....

Tender Amount (VAT included) .....

Name of Project and Description: .....

Contract Duration: .....

**RATE SERVICE PROVIDER ON THEIR OVERALL PERFORMANCE**

DESCRIPTION	SCORE	TICK APPROPRIATE SCORING
Very Good	5	
Good	4	
Fair	3	
Poor	2	
Not Acceptable	0	

Any other remarks considered necessary to assist in the evaluation of the Service Provider?.....  
 .....  
 .....

Client Contact Person: ..... Telephone: .....

I hereby declare that to the best of my knowledge, the information completed above is true and correct and I understand that I will be held responsible for any misrepresentation.

Client Signature:..... Date:.....

**CLIENT STAMP**

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2



**K. CONTRACTOR'S HEALTH AND SAFETY DECLARATION**

In terms of Clause 5(1)(h) of the OHS Act 1993 Construction Regulations 2014 (referred to as "the Regulations" hereafter), a Contractor may only be appointed to perform construction work if the Employer is satisfied that the Contractor has the necessary competencies and resources to carry out the work safely in accordance with the Occupational Health and Safety Act No 85 of 1993 and the OHS Act 1993 Construction Regulations 2014.

To that effect a person duly authorised by the Tenderer must complete and sign the declaration hereafter in detail.

**Declaration by Tenderer**

1. I the undersigned hereby declare and confirm that I am fully conversant with the Occupational Health and Safety Act No 85 of 1993 (as amended by the Occupational Health and Safety Amendment Act No 181 of 1993), and the OHS Act 1993 Construction Regulations 2014.
2. I hereby declare that my company has the competence and the necessary resources to safely carry out the construction work under this contract in compliance with the Construction Regulations and the Employer's Health and Safety Specifications.
3. I propose to achieve compliance with the Regulations by one of the following:
  - (a) From my own competent resources as detailed in 4(a) hereafter: ..... **\*Yes / No**
  - (b) From my own resources still to be appointed or trained until competency is achieved, as detailed in 4(b) hereafter: ..... **\*Yes / No**
  - (c) From outside sources by appointment of competent specialist subcontractors as detailed in 4(c) hereafter: ..... **\*Yes / No**

(\* = delete whatever is not applicable)

4. Details of resources I propose:

*Note: Competent resources shall include safety personnel such as the construction manager, construction health and safety officer and construction supervisor as defined in Regulation 8, and competent persons as defined in the OHS Act 1993 Construction Regulations 2014, as applicable to this contract.*

- (a) Details of the competent and qualified key persons from my company's own resources, who will form part of the contract team:

NAMES OF COMPETENT PERSONS	POSITIONS TO BE FILLED BY COMPETENT PERSONS

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

---

(b) Details of training of persons from my company's own resources (or to be hired) who still have to be trained to achieve the necessary competency:

(i) By whom will training be provided? .....

(ii) When will training be undertaken? .....

(iii) List the positions to be filled by persons to be trained or hired: .....

.....

.....

(c) Details of competent resources to be appointed as subcontractors if competent persons cannot be supplied from own company:

Name of proposed subcontractor: .....

Qualifications or details of competency of the subcontractor: .....

.....

.....

5. I hereby undertake, if my tender is accepted, to provide, before commencement of the works under the contract, a suitable, sufficiently documented and coherent site specific Health and Safety Plan in accordance with Regulation 7(1)(a) of the Construction Regulations, which plan shall be subject to approval by the Employer.

6. I confirm that copies of my company's approved Health and Safety Plan, the Employer's Health and Safety Specifications as well as the OHS Act 1993 Construction Regulations 2014 will be provided on site and will at all times be available for inspection by the Contractor's personnel, the Employer's personnel, the Engineer, visitors, and officials and inspectors of the Department of Labour.

7. I hereby confirm that adequate provision has been made in my tendered rates and prices in the schedule of quantities to cover the cost of all resources, actions, training and all health and safety measures envisaged in the OHS Act 1993 Construction Regulations 2014, and that I will be liable for any penalties that may be applied in terms of the said Regulations (Regulation 33) for failure on the Contractor's part to comply with the provisions of the Act and the Regulations.

8. I agree that my failure to complete and execute this declaration to the satisfaction of the Employer will mean that I am unable to comply with the requirements of the OHS Act 1993 Construction Regulations 2014 and accept that my tender will be prejudiced and may be rejected at the discretion of the Employer.

SIGNATURE: .....

DATE: .....

*(of person authorised to sign on behalf of the Tenderer)*

---

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

## **L. TENDERER'S BEE VERIFICATION CERTIFICATE**

Notes to tenderer:

1. The tenderer shall attach to this form a valid original or original certified copy of the BBBEE verification certificate issued by SANAS in accordance with the Construction Sector Codes of Practice promulgated in Gazette 32305 on 5 June 2009 subject to such certificate having been issued before 17 February 2016, alternatively submit the B-BBEE verification certificate issued in accordance with the revised Notice of Clarification published in Notice 444 of 2015 of Government Gazette No.38799 on 15 May 2015 by the Department of Trade and Industry.
2. A Sworn Affidavit signed and stamped by commissioner of oath
3. In the event of a joint venture (JV), a consolidated B-BBEE verification certificate in the name of the JV shall be attached.
4. The attached verification certificate and the associated assessment report shall identify:
  - a. The name and domicilium citandi et executandi of the tenderer.
  - b. The registration and VAT number of the tenderer.
  - c. The dates of granting of the B-BBEE score and the period of validity.
  - d. The expiry date of the verification certificate.
  - e. A unique identification number.
  - f. The standard and/or normative document, including the issue and/or revision used to evaluate the tenderer.
  - g. The name and/or mark/logo of the B-BBEE verification agency or registered auditor.
  - h. The category (Generic, QSE, Exempt) in which the tenderer has been measured.
  - i. The B-BBEE status level.
  - j. The South African National Accreditation System (SANAS) or Independent Regulatory Board of Auditors (IRBA) logo on the verification certificate once verification agencies have been accredited.
  - k. The B-BBEE procurement recognition level.
  - l. The score achieved per B-BBEE element.
  - m. The % black shareholding.
  - n. The % black women shareholding.
  - o. The % black persons with disabilities
  - p. The value added status of the tenderer.
5. The Employer will not be responsible to acquire data that it needs for its own reporting systems and which may not form part of a verification agency's standard certificate format

The tenderer, at its own cost, must acquire any missing specified data listed in 3 above from its selected verification agency or registered auditor and have it recorded on the certificate. Alternatively, such missing data must be supplied separately, but certified as correct by the same verification agency or registered auditor and also attached to this form. Failure to abide by this requirement will result in such tenderer scoring zero preference.

---

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

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2



**N. TENDERER'S PARTICIPATION IN JOB CREATION USING LOCAL LABOUR**

The Contractor shall be required to participate in job creation (employment of local labour) by executing various portions of the Works using local labour, recruited through a process as agreed with Moretele Local Municipality Project Manager, from within the local community in the vicinity of the project.

The creation of one job shall mean the employment, for any period of time, of one unskilled labourer from the local community who is a South African Citizen with his/her own unique South African identity document. Proof of citizenship may be audited during the contract period.

The Tenderer shall note the requirements for Job Creation Reporting for EPWP as set out by Government. Requirements of the Expanded Public Works Programme (EPWP) of the project specifications.

The minimum number of jobs to be created using local unskilled labour shall be as set out in the table below.

In order for an offer to be considered responsive, the Tenderer shall complete the table below by indicating the minimum number of jobs that he/she intends to create in terms of job creation participation during the contract period, and this number shall not be less than the minimum stated in the table.

**TENDERER'S DECLARATION WITH RESPECT TO PARTICIPATION IN JOB CREATION USING LOCAL LABOUR:**

I/We hereby tender to participate in job creation through the employment of local labour by creating the following number of jobs using unskilled labour recruited from the local community:

<b>Labour category</b>	<b>Minimum number of jobs to be created</b>	<b>Tenderer's number of jobs to be created</b>
Unskilled labour	10	

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the Tenderer, confirms that he/she understands the conditions for such participation and confirms that the tender satisfies the conditions for participation in job creation through the employment of local labour.

Name: .....

Duly authorized to sign on behalf of: .....

SIGNATURE: .....

DATE: .....

*(Of person authorised to sign on behalf of the Tenderer)*

---

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**O. TENDERER'S BANKING DETAILS**

The tenderer shall attach to this form a letter from the bank at which he declares he conducts his account. The contents of the bank's letter shall include the information requested in (a) to (e) below, and shall in addition state the credit rating that the bank accords the tenderer for the business envisaged by this tender. Failure to provide the required letter with the tender submission may render the tenderer's offer unresponsive in terms of subclause F.3.8 of the Conditions of Tender.

In addition to attaching the aforementioned letter from the bank, the tenderer shall also on this Form N complete the banking details required in (a) to (e) below.

In the event that the tenderer is a joint venture enterprise, details for all the members of the joint venture shall similarly be provided and attached to this Form N.

- (a) Name of account holder: .....
- (b) Account number: .....
- (c) Bank name: .....
- (d) Branch number:.....
- (e) Bank rating (include confirmation from bank or financial institution): .....
- (f) Bank and branch contact details: .....
- .....
- .....
- .....
- .....
- .....

SIGNATURE: .....

DATE: .....

*(of person authorised to sign on behalf of the Tenderer)*

---

Employer	Witness 1	Witness 2	Contractor	Witness 1	Witness 2

**P. MUNICIPAL ACCOUNT FOR THE BUSINESS AND DIRECTOR (S) NOT OWING FOR MORE THAN 90 DAYS OR MUNICIPAL ACCOUNT OF FROM PRIVATE PROVIDER OR STATEMENT OF ACCOUNT FROM THE LANDLORDS WITH VALID LEASE AGREEMENT**

Submit the following:

Up to date Municipal Account not older than three (3) months and not over three (3) months in arrears for the Entity / Proof that acknowledgements or arrangements have been made to settle arrears / Affidavit stating why an up-to-date municipal account cannot be submitted/ statement of account from the landlords with a valid lease agreement.

Up to date Municipal Account not older than three (3) months and not over three (3) months in arrears for the Director (s) or Member (s) / Proof that acknowledgements or arrangements have been made to settle arrears / Affidavit stating why an up-to-date municipal account cannot be submitted/ statement of account from the landlords with a valid lease agreement.

---

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**Q. CONTRACTOR'S CERTIFICATE OF REGISTRATION WITH CIDB**

Attached hereto is my/ our Contractor's Certificate of Registration with CIDB. My failure to submit the certificate with my/our tender document will lead to the conclusion that I am/we are not registered with the CIDB and therefore not eligible to tender.

---

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**R. PROOF OF REGISTRATION OF THE BIDDER**

- Natural persons - certified copy of ID document/ passport
- Partnership - a copy of Partnership Agreement plus IDs of all partners
- Company- certified CM29
- Company - certified CM29 and certified copy of ID document/ passport
- Close Corporation- Certified copy of CK1 and/or CK2C and certified copy of ID document/ passport
- Trust- letter of appointment from the Master of the High Court of SA and deed of trust
- JV/Consortium- JV/Consortium Agreement plus CIPC and/or certified copies of ID documents of all JV/Consortium partners

---

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**S. CSD SUMMARY REPORT**

(Important note to Tenderer: Proof of Compliant Central Supplier Data Base registration (CSD) on tender closing date must be attached)

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Employer	Witness 1	Witness 2	Contractor	Witness 1	Witness 2

**T. LETTER OF GOOD STANDING WITH THE COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES**

(Important note to Tenderer: Certificates of good standing with the Compensation Commissioner must be inserted here)

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

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**U. MBD 4: DECLARATION OF INTEREST**

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

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

3.2 Identity Number: .....

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

3.4 Company Registration Number: .....

3.5 Tax Reference Number:.....

3.6 VAT Registration Number: .....

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

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

3.8.1 If yes, furnish particulars. ....

.....

<sup>1</sup>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.

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

---

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

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

3.9.1 If yes, furnish particulars.....  
.....

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

3.10.1 If yes, furnish particulars.  
.....  
.....

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

3.11.1 If yes, furnish particulars  
.....  
.....

**3.**

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

3.12.1 If yes, furnish particulars.  
.....  
.....

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

3.13.1 If yes, furnish particulars.  
.....  
.....

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

3.14.1 If yes, furnish particulars:  
.....  
.....

---

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

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

Full Name	Identity Number	State Employee Number

.....  
Signature

.....  
Date

.....  
Name of Bidder

.....  
Capacity of Signatory

---

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**V. MBD5: 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**

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, provider 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 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 the particulars **YES / NO**

.....  
.....

SIGNATURE: .....

DATE: .....

---

Employer	Witness 1	Witness 2	Contractor	Witness 1	Witness 2

(of person authorised to sign on behalf of the Tenderer)

**W. 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

1.2 **To be completed by the organ of state**

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) Either the 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>	80
<b>SPECIFIC GOALS</b>	20
<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 gals 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**

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

- (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:

<b>80/20</b>	or	<b>90/10</b>
$Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$	or	$Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$

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:

<b>80/20</b>	or	<b>90/10</b>
$Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$	or	$Ps = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest acceptable tender

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**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)
HDIs (Who had no franchise on national elections before the 1983 and 1993 constitution) / black ownership	--	5	--	
Points for 51% Women's Equity	--	5	--	
Points for black person with Disability	--	2.5	--	
Points for 51% owned Youth firm	--	5	--	
Points for Locality (Contractors domiciled in the North West Province)	--	2.5	--	

**DECLARATION WITH REGARD TO COMPANY/FIRM**

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

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

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

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

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

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

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....

.....

.....

.....  
Employer

**X. MBD 7.2: 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)**

1. I hereby undertake to render services described in the attached bidding documents to **Moretele Local Municipality** in accordance with the requirements and task directives/proposals specifications stipulated in **Bid Number MLM/W13/S/24-25** 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.
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;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Filled in task directive/proposal;
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
    - 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 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.
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 .....

<b>WITNESSES</b>	
1	.....
2	.....
DATE: .....	

---

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Employer	Witness 1	Witness 2	Contractor	Witness 1	Witness 2

NAME OF FIRM .....

DATE .....

**CONTRACT FORM - RENDERING OF 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 rendering  
 of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. 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	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

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

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

**WITNESSES**

1 .....

2 .....

DATE: .....

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

**Y. MBD 8: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
  - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
  - b. been convicted for fraud or corruption during the past five years;
  - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?  (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).  <b>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</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>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</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"/>

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

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**

Employer	Witness 1	Witness 2	Contractor	Witness 1	Witness 2

---

**Z. MBD9: CERTIFICATE OF INDEPENDENT BID DETERMINATION**

1. This Standard 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. Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
4. This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
5. In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

---

Employer

Witness 1

Witness 2

Contractor

Witness 1

Witness 2

---

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying tender:

**MLM/W13/S/24-25  
BASIC SANITATION WARD 13**

.....  
**(Tender Number and Description)**

in response to the invitation for the tender made by:

**Moretele Local Municipality**

.....  
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 Tenderer)**

I have read and I understand the contents of this Certificate;  
I understand that the accompanying tender will be disqualified if this Certificate is found not to be true and complete in every respect;  
I am authorized by the tenderer to sign this Certificate, and to submit the accompanying tender, on behalf of the tenderer;  
Each person whose signature appears on the accompanying tender has been authorized by the tenderer to determine the terms of and to sign the tender, on behalf of the tenderer.

For the purposes of this Certificate and the accompanying tender, I understand that the word "competitor" shall include any individual or organization, other than the tenderer, whether or not affiliated with the tenderer, who:

- (a) has been requested to submit a tender in response to this tender invitation;
- (b) could potentially submit a tender in response to this tender invitation, based on their qualifications, abilities or experience; and
- (c) provides the same goods and services as the tenderer and/or is in the same line of business as the tenderer.

The tenderer has arrived at the accompanying tender independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium will not be construed as collusive tendering.

In particular, without limiting the generality of the preceding paragraphs above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

- (a) prices;
- (b) geographical area where the products or services will be rendered (market allocation);
- (c) methods, factors or formulas used to calculate prices;
- (d) the intention or decision to submit or not submit a tender;
- (e) the submission of a tender which does not meet the specifications and conditions of the tender;

or

- (f) tendering with the intention not to win the tender.

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 tender invitation relates.

The terms of the accompanying tender have not been, and will not be, disclosed by the tenderer, directly or indirectly, to any competitor, prior to the date and time of the official tender opening and of the awarding of the contract.

I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to tenders and contracts, tenders 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

\_\_\_\_\_  
Employer

\_\_\_\_\_  
Witness 1

\_\_\_\_\_  
Witness 2

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Witness 1

\_\_\_\_\_  
Witness 2

Authority (NPA) for criminal investigation and/or such tenderers 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

.....  
Full name of Signatory

.....  
Capacity of Signatory

---

Employer	Witness 1	Witness 2	Contractor	Witness 1	Witness 2