

MALUTI-A-PHOFUNG MUNICIPALITY



NOTICE NUMBER: 09/2025

BID NUMBER: SCM/BID11/2024/2025

APPOINTMENT OF A PANEL OF PROFESSIONAL CONSULTANTS WHO WILL ASSIST MALUTI-A-PHOFUNG LOCAL MUNICIPALITY WITH INFRASTRUCTURE PROJECTS FOR A PERIOD OF THREE (03) YEARS

CLOSING DATE: 20th MARCH 2025 AT 10H00

PREPARED FOR:

MALUTI-A-PHOFUNG MUNICIPALITY

PRIVATE BAG X 805

WITSIESHOEK

9870

TEL: (058) 718 3879

CONTACT PERSON: Dr S. Nhlapo

E-MAIL: mvelitas27@gmail.com

PREPARED BY:

**SUPPLY CHAIN MANAGEMENT
UNIT**

**MALUTI-A-PHOFUNG
MUNICIPALITY**

PRIVATE BAG X 805

WITSIESHOEK

9870

TEL: (058) 718 3878/70

NAME OF BIDDER: _____

BID AMOUNT EXCL/INCL VAT: _____

CSD NUMBER: _____

NOTE: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.

MALUTI-A-PHOFUNG MUNICIPALITY



NOTICE NUMBER: 09/2025
BID NO. SCM/BID11/2024/25

APPOINTMENT OF A PANEL OF PROFESSIONAL CONSULTANTS WHO WILL ASSIST MALUTI-A-PHOFUNG LOCAL MUNICIPALITY WITH INFRASTRUCTURE PROJECTS FOR A PERIOD OF THREE (03) YEARS

Maluti-a-Phofung Municipality hereby invite bids for Appointment of a Panel of Professional Consultants who will assist Maluti-A-Phofung Local Municipality with Infrastructure Projects for a Period of Three (03) Years

Requirements:

- Bidders must submit Copy of Company Registration Certificate (CRC) Reflecting Active Members (Except for Sole Traders and Partnership).
- Bidders must be registered with Central Supplier Database (CSD), CSD number must be provided. Bidders are required submit their unique personal identification Number (Pin) issued by SARS to enable the Municipality to view the taxpayer's profile and tax Status. In Bids where consortia/ joint ventures/ sub-contractors are involved, each party must submit a separate Tax Compliance Status (TCS) Certificate/Pin/CSD Number
- Company registration certificate reflecting active members (Except for some traders and partnerships) must be attached.
- All supplementary forms including municipal rates and taxes clearance certificate form contained in the bid documents must be completed in full or (submit a proof that the municipal rates and taxes are not in arrears for more than three months)
- In Bids where consortia/ joint ventures/ sub-contractors are involved, each party must submit a separate Tax Compliance Status (TCS) Certificate/Pin/CSD Number.
- Bidder must submit Company Profile.
- Sealed Bids should clearly indicate: **APPOINTMENT OF A PANEL OF PROFESSIONAL CONSULTANTS WHO WILL ASSIST MALUTI-A-PHOFUNG LOCAL MUNICIPALITY WITH INFRASTRUCTURE PROJECTS FOR A PERIOD OF THREE (03) YEARS (SCM/BID11/2024/25)**

Closing date:

20th March 2025 at 10h00

Bid Box:

Bid Box No. "B"
Maluti-a-Phofung Municipality
Seting Business Centre
C/O Moremoholo & Motloun streets
Phuthaditjhaba

Supply chain enquiries: M. Motsau (058)718 3863/ (058) 718 3863 – mastokim@map.fs.gov.za
palesal@map.fs.gov.za

Technical Enquiries: S. Nhlapo (058) 718 3879 – mvelitas27@gmail.com

Please note:

1. **No bids will be accepted from persons in the service of the state.**
2. Bid documents will be obtainable as from Wednesday **the 19th of February 2025** after **10h00** from the cashiers point, Phuthaditjhaba offices upon payment of a **R 244.32** non-refundable fee (cash or bank guaranteed in favour of Maluti-a-Phofung Municipality) or alternatively the tender document may be download from e-tender portal at no extra charge.
3. No electronic copies, telegraphics, telefaxes and late Bids will be accepted.
4. Municipality is not bound to accept the lowest Bid.
5. Municipality reserve the right not to award the bid.
6. Municipal Supply chain management policy and Preferential Procurement Policy Framework Act No 5 of 2000 (80/20 preferential points allocation system in line with revised Procurement Regulations of 2022 by using the balance scorecard methodology) will be applied.
7. Only one submission for this bid will be considered from the bidder.
8. Failure to comply with the above mentioned conditions may invalidate your bid.
9. Should you not receive any correspondence from us within 120 days regard your bid as unsuccessful.
10. Communication will be limited to the successful bidder.

MM MOFOKENG
MUNICIPAL MANAGER



EVALUATION CRITERION

1. Price = 80

2. Specific goals

Local Based = 5 points

- Malutu-A-Phofung Local Municipality = 5 points
- Thabo Mofutsanyane District =3 points
- Free State = 2 points
- Other Provinces = 0 point

Historically Disadvantaged person = 5 points

Gender (woman Owned Enterprise) = 5 points

Youth = 5 points

HISTORICALLY DISADVANTAGED PERSONS = 10 POINTS	DOCUMENTATION REQUIRED FROM THE BIDDER TO VALIDATE THEIR CLAIM FOR POINTS
Unfair discrimination on a basis of race and disability. Any person who had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa and discriminated on a basis of disability. Persons with disabilities are people who have a long term or recurring impairment, including sensory which substantially limits their prospects of entry into or advancement in employment.	• Company registration documents • Identification Documents • Doctor's report or a completed EEA1 form by a medical doctor confirming impairments
LOCATION BASED = 10 POINTS	DOCUMENTATION REQUIRED FROM THE BIDDER TO VALIDATE THEIR CLAIM FOR POINTS
Within the boundaries of the Maluti A Phofung Municipality = 10 Points Within the boundaries of Thabo Mofutsanyana = 8 Points District Within the boundaries of the Free State = 5 Points Other Provinces = 2 Points	• Official Municipal Rates Statement • Lease Agreement • Affidavit for rural entities

GENDER	DOCUMENTATION REQUIRED FROM THE BIDDER TO VALIDATE THEIR CLAIM FOR POINTS
Woman owned enterprises	• Company registration documents • Identification Document
YOUTH ENTERPRISES	DOCUMENTATION REQUIRED FROM THE BIDDER TO VALIDATE THEIR CLAIM FOR POINTS
Enterprises owned by persons younger than 35 years	• Company registration documents • Identification Document

3. FUNCTIONALITY

1.	Qualifications and Experience of key personel	75	
2.	Reputation in the industry	25	
	Total	100	

POINTS ALLOCATION IN TERMS OF FUNCTIONALITY

Evaluation Factor ID	Evaluation Factor Description	Evaluation factor scoring	Evaluation Factor Weight
1) Qualifications of key personel Curriculum Vitae with a copy of certified qualifications and	Project Director		75
	BSC/ B.Tech and Prof reg	30	
	BSC/ T.Tech (Candidate)	25	
	BSC/ B.Tech	15	

PR registration (to serve as evidence)	Project Manager\ Residential Engineer		
	BSC/ B.Tech and Prof reg	25	
	BSC/ T.Tech (Candidate)	20	
	B.Tech/ N.Dipolma	15	
	Assistant Project		
	BSC/ B.Tech and Prof reg	20	
2) Reputation in the industry Referees report of performance on previously completed project management activities in capital infrastructure projects Reference letter will only be considered valid if they meet the following criteria: • Have clients letterhead, • reference certificate must be of similar project • Must contain contact details , signature and be dated by he authorised personnel	3 positive reference letter	10	25
	5 positive reference letters	15	
	5+ positive reference letters	25	
Total			100

NB: Bidders need to provide proof of projects completed. Bidders must take note that if a service provider fails to submit any subsection, this will automatically lead to disqualification. Bidders who score 70 % and above will be further be evaluated.

Please note:

TOTAL	100
PRICE	80
SPECIFIC GOALS	20

SPECIFICATION

Appointment of a Panel of **Nine (09)** Professional Consultants being procured:

1. Professional Service provider in Electrification: **2 x Electrical Engineering**
 - 1 x Heavy Current and
 - 1 light Current.
2. Professional Service provider in Sanitation: **2 x Network reticulation**
3. Professional Service Provider in Water: **2 x Network reticulation.**
4. Professional Service Provider in Roads and Pedestrian Bridge;
 - Civil Engineer and
 - Structural Engineer
5. Professional Service Provider Building Environment: **1 x Quantity Surveyor.**

Note: must be taken that the professional fees are determined by the Engineering Council of South Africa on an annual basis. It is also requested that the attached evaluation criteria and specific goals be considered. The normal supply chain management regulations will be adhere to.

(USE EXTRA SHEETS IF NECESSARY)

Mark the categories that your firm wishes to apply for placing on the panel. Please mark the relevant blocks in the table below with an X

CATEGORY	X	Years of Experience
WATER ENGINEERING:		
Water and Network reticulation		
Sanitation and Network reticulation		
CIVIL ENGINEERING AND BUILDING ENVIRONMENT		
Structural/Pedestrian Bridge design		
Quantity Surveyor / Construction Management		
ELECTRICAL ENGINEERING		
Electricity (Low Voltage Projects)		
Electricity (High Voltage Projects)		

The category of expertise applied for above must be substantially supported with documentary proof as follows:

Furnish names, qualifications and expertise of the individuals in the company in the table below:

Names and Qualifications of Partners, Directors and Associates (only list Ones in this office)	Expertise	Total years off Experience	Year with Firm
Names and Qualifications of Registered Professional staff other than those Listed above. (Only list the ones	Expertise	Total Experience	Years with Firm

In this office)			

Previous experience:

Please provide the following information concerning the partners/directors, in the spaces provided below, and in a separate annexure attached to this form, giving complete details, including a CV, indicating for which of the categories applied for, they are responsible: The types of projects handled, stating the involvement in each project: (i.e. Design, leader, supervision, assisted in design, etc.): and date completed. Similar information must also be provided, in abbreviated form, for other senior staff members in the categories applied for.

Names and qualifications of all professionals/ Directors/ Partners in the firm	Total experience	Years with firm

Personnel:

State the total number of employees involved with the categories applied for: (i.e. Civil Engineers, Civil Engineering technicians etc.)

Occupation	Field of expertise	Number
ENGINEERS:		
Electrical		
Water		
Road		
Building		
TECHNICIANS		
Electrical		
Water		
Road		
Building		

Electrical		
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Ownership of the Firm (please provide copy of original certificate of shareholding with stamp from registrar of companies)

Name	Position occupied in firm	Identity Number	Citizenship	Date of Ownership

SECTION B: SPECIALISATION/EXPERTISE

It is the intention of Maluti-A-Phofung Local Municipality to split the Consultants' Panel into various specialized fields for which the firm may claim expertise and experiences. When considering a firm for appointment to a project, only those registered in that category will be short-listed. The following Fields of Specialization are those, which are of interest to, and in use by Maluti-A-Phofung Municipality. Should you have specialized knowledge and expertise which, you feel, will be useful to Maluti-A-Phofung Local Municipality, you are welcome to draw our attention to this with an addendum to the application form. It is a condition of registration that at least one of the principals (Directors, Partners or Associates) shall have the necessary expertise, and will supervise the running of the project. Please be advised that the references will be checked. The Principal with the necessary expertise must be in the employment of the firm/company.

1. ROADS AND PEDESTRIAN BRIDGE SPECIALIZATION

Does this office claim this expertise? (Tick)

Yes	No
-----	----

If Yes, Give the name of the Principal(s) who claims this expertise:.....

REFERENCES FOR BRIDGE SPECIALIZATION (Minimum 3)

PROJECT	VALUE	CONTACT	PHONE

2. ELECTRICITY (LOW AND HIGH VOLTAGE PROJECTS):

Clear and definite knowledge in high and low voltage projects coupled with hands-on experience and proof of previous involvement is a necessity/requirement to claim this expertise.

PROJECT	VALUE (Mill)	CONTACT	PHONE

Does this office claim this expertise? (Tick)

Yes	No
-----	----

If Yes, Give the name of the Principal/s who claim this expertise?.....

.....

3. WATER AND NETWORK RETICULATION:

Clear and definite knowledge in water and sewer reticulation coupled with hands-on experience and proof of previous involvement is a necessity/requirement to claim this expertise.

Clear and definite knowledge in high and medium voltage projects coupled with hands-on experience and proof of previous involvement is a necessity/requirement to claim this expertise.

PROJECT	VALUE (Mill)	CONTACT	PHONE

Does this office claim this expertise? (Tick)

Yes	No
-----	----

If Yes, Give the name of the Principal/s who claim this expertise?.....

.....

4. SANITATION AND NETWORK RETICULATION

Clear and definite knowledge in sanitation and network reticulation coupled with hands-on experience and proof of previous involvement is a necessity/requirement to claim this expertise.

PROJECT	VALUE (Mill)	CONTACT	PHONE

Does this office claim this expertise? (Tick)

Yes	No
-----	----

If Yes, Give the name of the Principal/s who claim this expertise?.....

.....

5. BUILDING ENVIRONMENT

Clear and definite knowledge in sanitation and network reticulation coupled with hands-on experience and proof of previous involvement is a necessity/requirement to claim this expertise.

PROJECT	VALUE (Mill)	CONTACT	PHONE

Does this office claim this expertise? (Tick)

Yes	No
-----	----

If Yes, Give the name of the Principal/s who claim this expertise?.....

.....

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF MALUTI-A-PHOFUNG LOCAL MUNICIPALITY					
BID NUMBER:	SCM/BID11/2024/2025	CLOSING DATE:	20 MARCH 2025	CLOSING TIME:	10H00
DESCRIPTION	APPOINTMENT OF A PANEL OF PROFESSIONAL CONSULTANTS WHO WILL ASSIST MALUTI-A-PHOFUNG LOCAL MUNICIPALITY WITH INFRASTRUCTURE PROJECTS FOR A PERIOD OF THREE (03) YEARS				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:

MALUTI-A-PHOFUNG LOCAL MUNICIPALITY
CNR MOREMOHOLO & MOTLOUNG STREETS
SETSING BUSINESS CENTRE
PHUTHADITJHABA
9870
BID BOX "B"

SUPPLIER INFORMATION							
NAME OF BIDDER							
POSTAL ADDRESS							
STREET ADDRESS							
TELEPHONE NUMBER		CODE		NUMBER			
CELLPHONE NUMBER							
FACSIMILE NUMBER		CODE		NUMBER			
E-MAIL ADDRESS							
VAT REGISTRATION NUMBER							
TAX COMPLIANCE STATUS		TCS PIN:		OR	CSD No:		
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?		☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?		☐ Yes ☐ No [IF YES, ANSWER PART B:3]	
TOTAL NUMBER OF ITEMS OFFERED				TOTAL BID PRICE		R	
SIGNATURE OF BIDDER				DATE			
CAPACITY UNDER WHICH THIS BID IS SIGNED							
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:				TECHNICAL INFORMATION MAY BE DIRECTED TO:			
DEPARTMENT		SCM		TECHNICAL ENQUIRY		INFRASTRUCTURE	
CONTACT PERSON		MISS M. MOTSAU OR MISS P. LITSIBANE		CONTACT PERSON		Dr S. Nhlapo	
TELEPHONE NUMBER		058 718 3878/70		TELEPHONE NUMBER		058 718 3879	
E-MAIL ADDRESS		mastoki@map.fs.gov.za palesal@map.fs.gov.za		E-MAIL ADDRESS		mvelitas@gmail.com	

PART B

TERMS AND CONDITIONS FOR BIDDING

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

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

TAX CLEARANCE REQUIREMENTS

IT IS A CONDITION OF BIDDING THAT -

1. The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.
2. The attached form “Application for Tax Clearance Certificate (in respect of bidders)”, must be completed in all respects and submitted to the Receiver of Revenue where the bidder is registered for tax purposes. The Receiver of Revenue will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of twelve (12) months from date of issue. This Tax Clearance Certificate must be submitted in the original together with the bid. Failure to submit the original and valid Tax Clearance Certificate may invalidate the bid.
3. In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificates are available at any Receiver’s Office.

MBD2/ Application for tax Certificate...

**APPLICATION FOR TAX CLEARANCE CERTIFICATE
(IN RESPECT OF BIDDERS)**

1. Name of taxpayer / bidder:

2. Trade name:

3. Identification number:

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

4. Company / Close Corporation registration number:

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

5. Income tax reference number:

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

6. VAT registration number (if applicable):

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

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

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

Signature of contact person requiring Tax Clearance Certificate:.....
.....

Name:

Telephone number: Code:..... Number:

Address:
.....
.....

DATE: 20____ / ____ / ____

PLEASE NOTE THAT THE COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE (SARS) WILL NOT EXERCISE HIS DISCRETIONARY POWERS IN FAVOUR OF ANY PERSON WITH REGARD TO ANY INTEREST, PENALTIES AND / OR ADDITIONAL TAX LEVIABLE DUE TO THE LATE- OR UNDERPAYMENT OF TAXES, DUTIES OR LEVIES OR THE RENDITION RETURNS BY ANY PERSON AS A RESULT OF ANY SYSTEM NOT BEING YEAR 2000 COMPLIANT.

DECLARATION OF INTEREST

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

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

3.2 Identity Number:

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

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

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

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

3.8.1 If yes, furnish particulars.

.....

¹MSCM Regulations: “in the service of the state” means to be –

(a) a member of –

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

(b) a member of the board of directors of any municipal entity;

(c) an official of any municipality or municipal entity;

(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);

(e) a member of the accounting authority of any national or provincial public entity; or

(f) an employee of Parliament or a provincial legislature.

Shareholder” means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

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

3.9.1 If yes, furnish particulars.....

.....

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

3.10.1 If yes, furnish particulars.

.....

.....

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

3.11.1 If yes, furnish particulars

.....

.....

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

3.12.1 If yes, furnish particulars.

.....

.....

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

3.13.1 If yes, furnish particulars.

.....

.....

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

3.14.1 If yes, furnish particulars:

.....

.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

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

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

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

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

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

1.2

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

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) Specific goals

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

1.5

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and Specific Goals must not exceed	100

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

- 1.7 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

The words in this policy shall bear a meaning as prescribed and/or ascribed by applicable legislation, and in the event of a conflict, the meaning attached thereto by National Legislation shall prevail:

- (a) “Act” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).
- (b) “Black people” as defined in the Broad-Based Black Economic Empowerment Act, 2003 (Act No 53 of 2003), is a generic term which means Africans, Coloured and Indians.
- (c) “Tender” means a written offer or bid in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services or goods.
- (d) “price” means an amount of money tendered for good or services, and includes all applicable taxes less all unconditional discounts;
- (e) “rand value” means the total estimated value of a contract in rand, calculated at the time of bid tender invitation, and includes all applicable taxes and
- (f) “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 auction.

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1 POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

$P_{\min}$ = Price of lowest acceptable bid

4. POINTS AWARDED FOR SPECIFICATION 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 allocated (90/10 system) (To be completed by the tenderer)	Number of points allocated (80/20 system) (To be completed by the tenderer)
Historically Disadvantaged = 05 Points		05		
Locality =05 Points • Maluti a Phofung = 05 points • Thabo Mofutsanyana = 03 points • Free State = 02 points • Other Provinces = 0 points		5		
Rural Based = 5 Points		5		
Youth Enterprise = 05 Points		5		
Total Points Allocated		20		

DECLARATION WITH REGARD TO COMPANY/FIRM

4.1 Name of company/firm:.....

4.2 VAT registration number:.....

4.3 Company registration number:.....

4.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

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): _____ Date: _____

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes ☐	No ☐

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 ☐	No ☐
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes ☐	No ☐
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 ☐	No ☐
4.7.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)
CERTIFY THAT THE INFORMATION FURNISHED ON THIS
DECLARATION FORM TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE
TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.

- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of:_____that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid;or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Maluti-a-Phofung Municipality



Setsing Business Centre
C/o Moremoholo & Motlounj Streets
Phuthaditjhaba
9866

Private Bag X805
Witsieshoek
9870
Tel: 058 718 3700
Fax: 058 713 0459

Enquiries: Supply Chain Management Unit

MUNICIPAL SERVICES, RATES AND TAXES CLEARANCE CERTIFICATE FOR SUPPLY CHAIN MANAGEMENT PURPOSE

The purpose of this form is to obtain prove that municipal services, rates and taxes of the service provider are not more than three months in arrears with the relevant municipality / landlord in the municipal area where the service provider conduct his / her business. **This form is to be completed only if the service provider's rates and taxes are not in arrears for more than three months.**

PART A – to be completed by the relevant municipality in the case where the service provider is the registered owner of the site / owner pays for municipal services / tenant pays for municipal services

OR

PART B – to be completed by the landlord in the case where the service provider is renting the premises / rental paid by tenant include municipal services.

PART A (TO BE COMPLETED BY THE RELEVANT MUNICIPALITY)

Name of the Municipality:

Property Physical Address:

Registered Name:

Official's Name: _____

Municipality Stamp Here

Signature : _____

Date: _____

Please tick whether in arrears or up-to-date

Rates and taxes : Up-to-date / in arrears for more than 3 months

Water: Up-to-date / in arrears for more than 3 months

Electricity:	Up-to-date	/	in arrears for more than 3 months
Refuse :	Up-to-date	/	in arrears for more than 3 months
Other services:	Up-to-date	/	in arrears for more than 3 months

PART B (TO BE COMPLETED BY THE LANDLORD)

Name of the Landlord:

Property Physical Address:

Landlord Signature:

Date: _____

**Landlord's business stamp here Or an Affidavit from SAPS
Lease Agreement (Compulsory)**

Please tick whether up-to-date or in arrears

Rental:	Up-to-date	/	in arrears for more than 3 months
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Municipal services:	Up-to-date	/	in arrears for more than 3 months
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NB: In the event that company is operating on leased premises and the address is not the same as the Company registration both lease agreement and landlord statement of account (not in arrears for more than three months) must be attached.

: If the company address or operate in rural settlement the service provider should attach their electricity purchase pattern. Electricity purchase pattern can be validated once the company purchase electricity in three (03) consecutive months.

: In the event the landlord does not have a business stamp an affidavit from SAPS AND lease Agreement must be attached.