



# Municipality **Siyancuma**

## Munisipaliteit

13 Charl Cilliers Street  
Civic Centre  
P.O BOX 27

DOUGLAS – 8730  
Tel. 053 298 1810  
Fax. 053 298 3141

E-MAIL: [douglas@siyancuma.gov.za](mailto:douglas@siyancuma.gov.za)

2 Moffat Street  
Municipal Offices

GRIEKWASTAD – 8365  
Tel. 053 343 0019  
Fax. 053 343 0333

Groenstraat  
Municipal Offices

CAMPBELL – 8360  
Tel. 053 297 9043  
Fax. 053 297 9043

CPA Building  
Schmidsdrift

SCHMIDSDRIFT – 8300  
Cell. 078 120 7334

website: [www.siyancuma.gov.za](http://www.siyancuma.gov.za)

Reference :  
Verwysings : Supply Chain Management

Date : 03 OCTOBER 2025

Enquiries : J MARWANE 0823319681  
Navrae : C STEENKAMP

Dear Sir/madam

### RE-ADVERTISE OF RFQ 02/25.26 SUPPLY AND DELIVER OF LAPTOPS

**You are invited to submit a quotation for supply and delivery of**  
**15 X Laptops**  
**15 X LAPTOP BACK PACK**

**The quotation must be hand or courier delivered in the tender box to our**  
**offices in Douglas before 12H00, THURSDAY 09 October 2025**  
**No emailed, faxed and late documents will be accepted**

#### ❖ MINIMUM SPECIFICATIONS FOR THE LAPTOPS

| Quantity | Description                                                                     |
|----------|---------------------------------------------------------------------------------|
| 10       | 10th Gen Intel Core i5-10510U CPU (8M Cache, 1.80 GHz, up to 4.80 GHz, 4 cores) |
|          | 8GB DDR4 2666MHz RAM (1 x 8GB, 1 slot free, 32GB Max)                           |
|          | 1TB M.2 NVMe PCIe Solid State Drive                                             |
|          | 15.6-inch Full HD LED IPS Display (1920 x 1080)                                 |
|          | Intel UHD Graphics                                                              |
|          | Windows 11 Pro 64-Bit                                                           |
|          |                                                                                 |
|          |                                                                                 |
| 5        | 10th Gen Intel Core i7-10510U CPU (8M Cache, 1.80 GHz, up to 4.80 GHz, 4 cores) |
|          | 16GB DDR4 2666MHz RAM (1 x 8GB, 1 slot free, 32GB Max)                          |
|          | 1TB M.2 NVMe PCIe Solid State Drive                                             |
|          | 15.6-inch Full HD LED IPS Display (1920 x 1080)                                 |
|          | Intel UHD Graphics                                                              |
|          | Windows 11 Pro 64-Bit                                                           |
| 15       | LAPTOP BACKPACK                                                                 |



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NB: Please ensure that you adhere to the following attached specification, as you will be disqualified if not attached to your response together with your quotation.

**The following terms and conditions will apply.**

**NB:**

- All quotes must clearly show the 15% Value added tax
- Bidders are required to state whether the Price is firm or Non-firm
- Quotation should be Stamped and signed.
- Bidders will be evaluated based on the evaluation criteria and bid who does not meet the minimum requirements will not be evaluated further.

### **Evaluation Criteria**

#### **Stage 1A: Mandatory administration compliance**

##### **Mandatory requirements**

Procurement will be evaluated for the Mandatory Administrative Compliance Evaluation.

- ❖ All MBDs must be read, fully completed, signed where applicable, and submitted.
  - MBD 1: Invitation to bid
  - MBD 4: Bidders Disclosure
  - MBD 6.1: Preference points claim form in terms of the PPR 2022
  - MBD 8 Declaration of bidder's past scm practices
  - MBD 9 Certificate of independent bid determination
  - Submission of CSD summary report
  - Tax clearance certificate
  - Priced Quotation - it must be on the letterhead of the company
  - Copy of current municipal account not older than 3 months or copy of Lease agreement from the relevant authority.

If a bidder does not meet the requirements stated above the bid will be disqualified and not considered for further evaluation

#### **Stage 2: Price and Specific Goals: 80/20 Preference points system**

Only bidders who have complied with all the requirements will be considered for the price and specific goals evaluation. The bids will be evaluated according to the 80/20 preference point system which is applicable to bids with a Rand value equal to, or above R 2001 and up to a Rand value of R 50 million (all applicable taxes included), where a maximum of 80 points will be allocated for price and maximum of 20 for a specific goal in terms of the requirements of the Preferential Procurement Policy Framework Act (Act 5 of 2000), Preferential Procurement Regulations 5 of 2000 Preferential Procurement Policy, 2022.

Bidders must complete the MBD 6.1 Preference points claim form in terms of the PPR 2022.

**The maximum points for this tender are allocated as follows**

|                                                  | Number of points allocated (80/20 system) |
|--------------------------------------------------|-------------------------------------------|
| <b>Price</b>                                     | <b>80</b>                                 |
| <b>Specific goal</b>                             | <b>20</b>                                 |
| <b>Total points for Price and SPECIFIC GOALS</b> | <b>100</b>                                |

**Table for specific Goal** - For points to be allocated for locality, ownership, the bidders will be required to submit proof of documentation as evidence which may be in the form of the following:

| Goals 1: Ownership as a specific Goal                                                 | Number of points allocated |
|---------------------------------------------------------------------------------------|----------------------------|
| Within the boundaries of Northern Cape                                                | 4                          |
| Within the boundaries of siyancuma local municipality registered as a levy duty payer | 6                          |
| 1.2 Enterprises which is owned by woman                                               | 5                          |
| 1.3 Enterprises which is owned by youth                                               | 2                          |
| 1.2 Enterprises which is owned by people with disability                              | 3                          |
| <b>TOTAL POINTS FOR SPECIFIC GOALS</b>                                                | <b>20</b>                  |

Yours faithfully

  
**MR MADODA VILAKAZI**  
**MUNICIPAL MANAGER**

**INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SIYANCUMA MUNICIPALITY

BID NUMBER: RFQ 02/2025

CLOSING DATE: 09/10/2025

CLOSING TIME: 12H00

**REQUEST FOR FORMAL WRITTEN PRICE QUOTATION SUPPLY AND DELIVER OF LAPTOPS & BACKPACKS**

**The successful bidder will be required to fill in and sign Written Contract Forms (MBD 7).**

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

SIYANCUMA MUNICIPALITY  
POBOX 27  
DOUGLAS  
8730

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

The bid box is generally open between 07H30 – 16H30, Mondays to Fridays.

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

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

**NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (as defined in Regulation 1 of the Local Government: Municipal Supply Chain Management Regulations)**

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

NAME OF BIDDER : .....

POSTAL ADDRESS : .....

STREET ADDRESS : .....

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

CELLPHONE NUMBER: .....

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

E-MAIL ADDRESS : .....

VAT REGISTRATION NUMBER : .....

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

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (MBD 6.1) YES/NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY? :

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

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN NATIONAL ACCREDITATION SYSTEM (SANAS) ☐

A REGISTERED AUDITOR ☐

(Tick applicable box)

**(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)**

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

YES/NO  
(IF YES ENCLOSE PROOF)

SIGNATURE OF BIDDER : .....

DATE : .....

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

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

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

**Municipality / Municipal Entity:** Siyancuma Municipality

**Department:** Supply Chain Management

**Contact Person:** C STEENKAMP / P VAN STADEN ( SUPPLY CHAIN MANAGEMENT )  
J MARWANE 0823319681 ( COOPERATE SERVICE )

**Tel:** 053 2981810

**Fax:** 053 298 3141

## 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, shareholder<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.

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 tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

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

## **1. GENERAL CONDITIONS**

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

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

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

*(delete whichever is not applicable for this tender).*

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

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

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

**1.4 To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

|                                                  | POINTS     |
|--------------------------------------------------|------------|
| PRICE                                            |            |
| SPECIFIC GOALS                                   |            |
| <b>Total points for Price and SPECIFIC GOALS</b> | <b>100</b> |

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

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

## 2. DEFINITIONS

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

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

$$Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right) \quad \text{or} \quad Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

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:

$$P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right) \text{ or } P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

$P_s$  = Points scored for price of tender under consideration  
 $P_t$  = Price of tender under consideration  
 $P_{max}$  = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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:

## PROCUREMENT POLICY SCHEDULE (80/20)

### Definitions

- "Historically Disadvantaged Individual" (HDI) is defined as a South African citizen –

- 1) who, due to the apartheid policy that was in place, had no voting rights in the national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No. 100 of 1983) or the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993) ("the Interim Constitution"), and/or
- 2) who is a woman, and/or
- 3) who has a disability

With the understanding that any person who received South African citizenship on or before the introduction of the Interim Constitution, will not be deemed to be HDI.

- "A woman" refers to a female person who is a South African citizen.
- "Disability" refers to a person with a permanent physical disability, mental disability, awareness disability, which leads to confinement or disability, or the inability to perform bodily functions in the manner or within the capacity of a normal person.

~~"HDI equity ownership" refers to the percentage of a partnership or business that is owned by individuals, or in the case of a company, the percentage of shares which is owned by individuals who are actively involved in the management decisions and day to day operational activities of the company or business and who exercises control in the business in relation to their ownership at the close of tender. Where individuals are not actively involved in the management and day to day operational activities of the business and who does not exercise control in relation to the percentage of their ownership, Equity ownership points cannot be awarded.~~

Tenderers will be awarded points on the following basis:

|                                  |                  |
|----------------------------------|------------------|
| 1. Tender Price                  | 80 points        |
| 2. Black                         | 3 points         |
| 3. Women – Equity ownership      | 5 points         |
| 4. Disability – Equity ownership | 2 points         |
| 5. Local nature of enterprise    | <u>10 points</u> |
| TOTAL                            | 100 points       |

Calculations will be done to two decimal points.

## 1 Tender Price

The calculation is based on the following formula:

$$P_s = 80 \times \left[ 1 - \frac{P_t - P_{min}}{P_t - P_{min}} \right]$$

where

$P_s$  = Points awarded for price of tender under consideration  
 $P_t$  = Rand value of tender under consideration  
 $P_{min}$  = Rand value of lowest accepted tender

## 2 Black Ownership

A maximum of 3 points will be awarded to a Tenderer who did not have voting rights according to the definition of an HDI and/or who is using a subcontractor who is such a person.

Black ownership for black will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day to day activities of the company or enterprise.

% of Enterprise owned by persons who did not having voting rights %  
(carry over to 6.1)

Thus, points awarded:  $3 \times \frac{\text{KK \%}}{100} =$

Proof of ownership must be attached in the form of

- 1) certified declaration
- 2) a certified copy of the founding documentation of the company with which the ownership is listed

## 3 Women - Equity Ownership

A maximum of 1 point will be awarded to a Tenderer who is a woman and/or who is using a subcontractor that is a woman.

Equity ownership for women will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day to day management of the company or enterprise.

% of Enterprise owned by women %

(carry over to 6.2)

Thus, points awarded:  $5 \times \frac{\text{KK \%}}{100} =$

Proof of ownership must be attached in the form of

- 1) certified declaration
- 2) a certified copy of the founding documentation of the company with which the ownership is listed
- 3) a certified copy of the ID-document (s) of the woman(en)

#### 4 Disability – Equity Ownership

A maximum of 1 point will be awarded to a Tenderer who is disabled and/or who is using a disabled subcontractor.

Equity ownership for disability will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day to day activities of the company or enterprise.

% of Enterprise owned by disabled person(s) %  
(carry over to 6.3)

Thus points awarded:  $2 \times \frac{\text{KK \%}}{100} =$

Proof of ownership must be attached in the form of

- 1) certified declaration
- 2) a certified copy of the founding documentation of the enterprise with which the ownership is listed
- 3) a certified declaration from your medical doctor certifying the degree of disability

#### 5 Local Nature of Enterprise

A maximum of 10 points will be awarded to a Tenderer who has an active office in the following areas:

- a) Within the boundaries of Northern Cape?

YES - 4 points  
NO - 0 points

- 1) Within the boundaries of the Siyancuma Local Municipality registered as a levy duty payer?

YES - 6 points  
NO - 0 points

**TOTAL POINTS AWARDED FOR LOCAL NATURE  
OF ENTERPRISE**

(Carry over  
to 6.4)

In order to be eligible for these points, an active office is defined as an office where staff can be contacted and where your business is run from. The following needs to be attached in order to proof this:

- 2) physical address of company
- 3) registration number of enterprise
- 4) registration number awarded and location of office of local authority where levys are paid

**6 SUMMARY OF TOTAL POINTS AWARDED IN SUB SECTIONS 2 TO 5**

Sec 2. Black Ownership

Sec 3. Women -- Equity Ownership

Sec 4. Disability -- Equity Ownership

Sec 5. Local Nature of Enterprise

**Total Points Awarded for Clauses 2 to 5**

## 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?                                                                                                                                                                                                                                                                                                | <input type="checkbox"/> | <input type="checkbox"/> |
|       | (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).<br><br>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. |                          |                          |
| 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)?<br>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.                                                                                 | <input type="checkbox"/> | <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?                                                                                                                                                                                                                                                                                                 | <input type="checkbox"/> | <input type="checkbox"/> |

|             |                                                                                                                                                                                                                                        |                          |                          |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| 4.3.1       | If so, furnish particulars:                                                                                                                                                                                                            |                          |                          |
| <b>Item</b> | <b>Question</b>                                                                                                                                                                                                                        | <b>Yes</b>               | <b>No</b>                |
| 4.4         | Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months? | <input type="checkbox"/> | <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?                         | <input type="checkbox"/> | <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**

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)<br>(To be completed by the organ of state) | Number of points allocated (80/20 system)<br>(To be completed by the organ of state) | Number of points claimed (90/10 system)<br>(To be completed by the tenderer) | Number of points claimed (80/20 system)<br>(To be completed by the tenderer) |
|-------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------------------------------------------------------------------|------------------------------------------------------------------------------|
|                                                             |                                                                                      |                                                                                      |                                                                              |                                                                              |
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#### DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

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

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

# CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: \_\_\_\_\_ that:  
(Name of Bidder)

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

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

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

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