



# MARULENG MUNICIPALITY

## BUDGET AND TREASURY OFFICE REQUEST FOR FORMAL WRITTEN QUOTATIONS

Maruleng Municipality is hereby inviting prospective Service Providers to quote on the following:

Bid No.	Description	Compulsory Site Inspection	Evaluation
RFQ/MLM/SCM/07/2025	Appointment of a appointment of service provider to conduct Quality Assurance Assessment Review (QAR) for the Internal Audit.	Not applicable	<ul style="list-style-type: none"><li>Administrative compliance</li><li>Functionality</li><li>Price and Specific goals</li></ul>

**Closing Date** : 08 November 2024 at 11:00 am  
**Contact person** : MC Malomane  
**Contact Number** : 015 590 1650  
**Email Address** : malomanec@maruleng.go.za

### Instructions dealing with the depositing of quotations:

Specifications, and bidding documents must be obtained at the Maruleng Municipality and Website and be returned in a sealed envelope clearly marked with the **bid number, description** and **closing date**. Deposit it in the RFQ Box situated at the Entrance of Supply Chain Department (**Inside the building**), Municipal Building, 65 springbok Street. Hoedspruit.

### Terms and Conditions relating to tendering:

- The Maruleng Municipality's Supply Chain Management Policy and Preferential Procurement Policy shall apply;
- Bids must only be submitted on the bid documentation (MBD 1, MBD 4, MBD 6.1, MBD 8 and MBD 9) provided by the Maruleng Municipality.
- Please make use of table 1 in MBD 6.1 to claim points for specific goals. Non completion thereof will be interpreted to mean that specific points are not claimed.
- Points claimed on disability must be substantiated through the submission of relevant medical documentation issued by a qualified medical practitioner.
- The municipality reserves the right to require of a bidder, either before a quotation is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the municipality.
- Emailed, faxed and late quotations will not be considered;
- Quotations submitted are to be hold good for the period of 30 working days;
- Bidders must attach an original/certified copy of the BBBEE Certificate issued by the verification agencies or professionals who are accredited by South African National Accreditation Systems ("SANAS"). Exempted Micro-Enterprises (EMEs) and Qualifying Small Enterprises (QSEs) must attach sworn affidavit declaring the BBBEE status.
- 80/20 Preferential Pointing System will be used to evaluate the quotes;
- The following documents must be attached to the quotations / proposals:
  - Company registration documents**
  - A copy of SARS pin number Certificate**
  - MAAA – National Treasury Central Supplier Database registration reference number**
  - Certified copies of directors ID**
  - B-BBEE Certificate**

- Recent Municipal Statement of account (not older than 3 months) for the **company and all directors** not in arrears for more than **90 days or** lease agreement with a recent rental invoice/statement must be attached. For the companies that operate from the rural areas must submit proof of residence issued by tribal authorities

**FAILURE TO ADHERE TO THESE NOTES WILL RESULT IN THE BIDDER BEING DECLARED AS "NON-RESPONSIVE"**

**ML Muroa**

**Acting Municipal Manager**



# MARULENG MUNICIPALITY

## TERMS OF REFERENCE/ SPECIFICATIONS

### 1. BACKGROUND

- Maruleng Municipality has established an Internal Audit Function in accordance with Section 62 (1) (c) (ii) of the Municipal Finance Management Act, 2003 (Act 56 of 2003 which states that the accounting officer of a municipality is responsible for managing the financial administration of the municipality, and must for this purpose take all reasonable steps to ensure that the municipality has and maintains effective, efficient and transparent systems- of internal audit operating in accordance with any prescribed norms and standards
- According to IIA Standard 1312, External assessments of the Internal Audit function must be conducted at least once every five years by a qualified, independent reviewer or review team from outside the organization.
- Maruleng Municipality requires the services of a competent and independent external reviewer(s) to evaluate compliance with *Standards*, the use of successful practices, and the efficiency and effectiveness of the Internal Audit (IA) activity.
- The service provider will be required to conduct the quality assessment in line with the latest Institute of Internal Auditors Framework of External Quality Assessment Activities.
- The approved service provider(s) must have the capacity, functional skills and experience, to provide the services required.

### 2. TERMS OF REFERENCE

The basic objectives that should be achieved in this Quality Assessment contract are:

- a) Assess the efficiency and effectiveness of the Internal Audit (IA) activity in light of its charter, the expectations of the Audit Committee (oversight body), executive management, and the CAE. Consider the IA activity's current needs and objectives, as well as the future direction and goals in relation to Maruleng Municipality. Appraise the risk to the Maruleng Municipality, if IA activity is performing at less than effective level or is not in conformance to one or more of the IIA Standards.
- b) Provide an opinion on the IA activity's conformance to the spirit and intent of the IIA Standards.
- c) Identify opportunities and offer ideas and counsel to the CAE and staff for improving their performance and that of the IA activity, raising the value added to management and the Audit Committee.

### **3. SCOPE OF WORK**

- a) The scope of the external Quality Assessment (QA) should go beyond just determining whether the IA activity conforms to the IIA Standards and its own charter, plans, policies and procedures. The approach should encompass the role and relationship of the IA activity in the Maruleng Municipality's governance process and the processes adopted for managing the internal audit practice and resources.
- b) The scope includes the following key elements of professional Internal Audit Practice:
  - i. The expectations of the IA activity expressed by the oversight group, executive management, and its management of operational and support units.
  - ii. The Maruleng Municipality's control environment and the CAE's practice environment.
  - iii. The focus on evaluating enterprise risk, assessing organizational controls, and including aspects of the governance process in audit plans to assure that audit activities add value to Maruleng Municipality.
  - iv. The integration of internal auditing into the Maruleng Municipality's governance process, including the attendant relationships and communications between and among the key groups involved in that process and aligning audit objectives and plans with the strategic objectives of Maruleng Municipality as a whole.
  - v. The IIA Standards.
  - vi. The mix of knowledge, experience, and discipline among the staff, including staff focus on process improvement and value-added activities.
  - vii. The tools and techniques employed by Maruleng Municipality, with emphasis on the use of technology.
- c) The elements should be applied with considerable flexibility, and bearing in mind all other elements of governance and management control. The most important consideration is to ensure that, while the reviewers bring their independence and objectivity to the work, the external QA is tailored to the particular needs and desires of the CAE, Senior Management, and the Audit Committee.
- d) Maruleng Municipality comprises of Council, EXCO (Executive Committee) the Accounting Officer, the Chief Financial Officer (CFO), and a number of senior and operational management. The Internal Audit unit is headed by a CAE. There is also a Risk Management Unit headed by a by the Risk Officer (RO).

### **4. COMPETENCY, KNOWLEDGE AND SKILLS AND ABILITIES REQUIRED**

Company profile should include:

- a) Skills and expertise.
- b) Capacity and continuity to deliver the services including the number of full-time employees employed at the time of the RFP (Request for Proposal); and a breakdown in terms of race and gender at the top and middle management levels.
- c) Brief curriculum vitae of senior staff assigned to the assignment
- d) Value added services to be provided to Maruleng Municipality including an indication of experience in Government (including Local government) environment in conducting audits of a similar nature.
- e) Broad Based Black Economic Empowerment.

## **5. SPECIAL CONDITIONS**

- a) Proposals should include a CV of QA reviews experience and copies of QAR certificates for all reviewers should be attached to the proposal.
- b) Maruleng Municipality reserves the right to reject an award of a specific category where responses are found to be insubstantial by the evaluating panel.
- c) Maruleng Municipality reserves the right to award the contract to one or more service providers.
- d) In terms of the Supply Chain Management Policy, preference points will be given to service provider(s) who have offices in Limpopo. Proof of local offices must be submitted. Proof of relevant experience/track record is essential.
- e) The successful service provider(s) must sign a Service Level Agreement (SLA) with Maruleng Municipality within 7days of being awarded the bid.

## **6. OUTPUTS, TIMING AND REPORTING**

- a) Summary of Issues, Recommendations, and Closing Conference:
  - i. Issues should be brought to the attention of the CAE as they come up throughout the QA and discussed as appropriate. The closing conference should hold no surprises but should be regarded as an opportunity to summarise and formalize the views of the QA team and the CAE.
  - ii. The QA team should prepare a written summary of issues that require attention and of the successful practices, observations, and recommendations for those attending the closing conference.

- iii. No conclusions or recommendations should be included in the final QA report that were not presented or discussed at the closing conference.
- b) Reporting:
- i. After the closing conference, the service provider is to prepare a draft report with recommendations and send it to the CAE for response.
  - ii. The final report, in conjunction with the CAE's response or action plan, should be addressed to the CAE with copies included to be distributed to the Chairperson of the Audit Committee and the Accounting Officer (Municipal Manager). The Service Provider will be expected to discuss the final report with the Audit Committee.
- c) The successful service provider(s) must be in a position to commence work within one week (7 days) of the awarding of the contract.
- d) Timing of reviews will be mutually agreed upon between the Internal Audit Unit, other stake holders and service provider(s).
- e) When deadlines are set, it will be expected of the successful service provider(s) to deliver the required services in a set timeframe, provided that these instructions are issued timeously. It will be expected of the successful service provider not to exceed eight (8) weeks in the conduct of and reporting on their review for the financial year.
- f) The successful bidder(s) will be expected to provide the QAR services to Maruleng Municipality upon signing of contract.

## 7. MANDATORY CRITERIA

### a. First stage: Returnable Documents

To be responsive, bidders must submit a valid offer, which complies with the specifications along with the required compulsory documents before or on the closing date and time of bid. **Failure to submit the following documents will invalidate the bid. It is emphasised that duly completed and signed, original Bid document must be submitted to avoid disqualification:**

Please indicate <b>YES</b> or <b>NO</b> ✓ Place a Tick in the appropriate column		<b>YES</b>	<b>NO</b>
The bidder must provide a valid membership with a Institute of Internal Auditors (IIA)			
<b>Signed Letter of Resolution authorizing a person to sign the bid</b>			

<p><b>documents.</b></p> <ul style="list-style-type: none"> <li>• In the case of a <b>ONE PERSON CONCERN / SOLE PROPRIETORSHIP</b> submitting a tender, this shall be clearly stated on the company letter head.</li> <li>• In the case of a <b>COMPANY</b> submitting a tender, include a copy of a resolution by its board of directors authorizing a director or other official of the company to sign the documents on behalf of the company.</li> <li>• In the case of a <b>CLOSED CORPORATION</b> submitting a tender, include a copy of a resolution by its members authorizing a member or other official of the corporation to sign the documents on each member's behalf.</li> </ul> <p>In the case of <b>PARTNERSHIP</b> submitting a tender, all the partners shall sign the documents, unless one partner or a group of partners has been authorized to sign on behalf of each partner, in which case proof of such authorization shall be included in the Tender.</p>		
Fully completed and signed Bidder's Disclosure ( Standard Bidding Document (MBD4)		
<p>All bidders must be registered with the <b>Central Supplier Database (CSD)</b> failure to do so will be automatically disqualified.</p> <p>It is the responsibility of the bidder to ensure that the following key information is in order to avoid any disqualification during the bid evaluations:</p> <ul style="list-style-type: none"> <li>• Tax compliance status</li> <li>• The Business registration status</li> </ul>		
<p>Please indicate <b>YES</b> or <b>NO</b></p> <p>✓ Place a Tick in the appropriate column</p>	<b>YES</b>	<b>NO</b>
<ul style="list-style-type: none"> <li>• Bid restrictions and defaulters status</li> <li>• Bank Account information</li> <li>• Identification number and the service of the state status</li> </ul>		
<p><b>Failure to submit or adhere to the above will lead to automatic disqualification</b></p> <p>Bidder must have a minimum of five (5) years or more relevant experience in providing external quality assurance assessment reviews and internal audit services.</p>		
Signed Financial proposal		

**Note: All bidders who do not comply with the items listed above will be disqualified**

**8. Second stage: Functionality evaluation as per Terms of Reference**

- 8.1. Bids will be evaluated strictly according to the bid evaluation criteria stipulated in the terms of reference.
- 8.2. Bidders must as part of their bid documents, submit supportive documentation for all technical requirements as indicated hereunder. The panel responsible for scoring for the respective bids will

evaluate and score all bids based on the submissions and the information provided.

## 9. Evaluation criteria

Criteria	Weight	Score	Final points awarder	
Experience and Capacity				
Bidder must have a minimum of five (5) years or more relevant experience in providing external quality assurance assessment reviews and internal audit services. Bidder must provide detailed profile of rendering the required services	30			
Measure of Experience:				
Eleven (11) years and above				30
6-10 years				20
5 years	10			
Experience of project team				
All project members including team leader should have a qualification in internal audit or related field.	25			
The project leader must be accredited with Institute of Internal Auditors as a quality assurance reviewer. Detailed CV of team leader and members with certified qualifications:				
Measurement of Qualifications:				
All project members have relevant qualification and accreditation				25
Most project members have qualification and Accreditation				20
Some project members have qualification and accreditation				15
None project members have qualification and Accreditation	0			
Understanding of the scope of work				



<p>Knowledge and understanding of the scope of work. A detailed methodology and proposed plan for the scope of work to be provided- it should include: work plan, timelines, approach to be implemented and motivations, resources to be used.</p> <p><b>Measurement of understanding of the scope of work:</b></p>		30		
Bidder demonstrates an exceptional understanding of the scope of work	30			
Bidder demonstrates a above average understanding of the work	20			
Bidder demonstrates an average understanding of the work	10			
Bidder demonstrates a below average understanding of the work	5			
<b>References</b>				
<p>Three traceable references for similar work done to be provided. The bidder must provide at least three (3) valid reference letters as proof to have successfully completed projects in conducting external quality assurance assessment reviews. Letters will only be considered valid if they meet the following criteria: on official client letterhead- where similar work was done, not older than 3 years- signed by the referees and dated</p> <p><b>Measurement of References:</b></p>		10		
Three traceable references	10			
Two traceable references	7.5			

One traceable reference	5			
No traceable references	0			
Offices in Limpopo Province	5			
<b>Total Points Awarded</b>	100			

## 9. BIDDING PROCESS

## 10. EVALUATION OF BIDS PROCEDURE

- 10.1. Proposals will be evaluated at different stages; **the first stage** would be general validity in terms of the compulsory requirements stated above under returnable documents.
- 10.2. Bids, which fail in general to meet the compulsory returnable requirements, will be rejected and will not be evaluated further.
- 10.3. The **second stage** will be the consideration of functionality. Requirements are set which will assist Maruleng Municipality to assess the capacity and experience of the service providers.
- 10.4. The minimum threshold of 70% for functionality must be met in order for bid offers to continue to the next stage of evaluation. Only bids that achieved the minimum qualifying score for functionality will be evaluated. Bids that fail to achieve a minimum of 70% for functionality will be disqualified and will not be evaluated further.
- 10.5. The **third stage** of evaluation will be according to the preference points claimed for specific goals and price (refer also to MBD 6.1) and the Preferential Procurement Regulations, 2022 (80/20 preference point system). Bids will be evaluated in terms of 80/20 Preference Points System.

## 11. COSTING

- a) Fees must be quoted at an hourly rate for the different levels of proposed resources to be utilized. A total cost must also be indicated on the quotation.
- b) All fees quoted must be inclusive of VAT.
- c) The total fee quoted must be further broken down to reflect:
  - i. Fees for QA planning, performance and reporting;
  - ii. Disbursements (All-inclusive rates per hour including administration costs like traveling, accommodation, etc.).
- d) The fees for QA planning, performance, and reporting must include a schedule which will reflect the number of persons who will be taking part in the engagement, their roles/positions; their hourly rates; hours to be spent, and eventually the total cost per person.



# MARULENG MUNICIPALITY

MBD 1

## PART A INVITATION TO BID

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

BID NUMBER:	RFQMLM/SCM/072025	CLOSING DATE:	08 NOVEMBER 2024	CLOSING TIME:	11H00
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DESCRIPTION	APPOINTMENT OF A APPOINTMENT OF SERVICE PROVIDER TO CONDUCT QUALITY ASSURANCE ASSESSMENT REVIEW (QAR) FOR THE INTERNAL AUDIT
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**THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).**

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS 65 SPRINGBOK STREET HOEDSPRUIT 1380 AT BUDGET AND TREASURY OFFICE


### 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:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		<input type="checkbox"/> Yes <input type="checkbox"/> No

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

ARE YOU THE ACCREDITED REPRESENTATIVE <b>IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR <b>THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3 ]
<b>TOTAL NUMBER OF ITEMS OFFERED</b>		<b>TOTAL BID PRICE</b>	<b>R</b>
<b>SIGNATURE OF BIDDER</b>	.....	<b>DATE</b>	
<b>CAPACITY UNDER WHICH THIS BID IS SIGNED</b>			
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
DEPARTMENT	SCM	DEPARTMENT	BUDGET & TREASURY
CONTACT PERSON	K PHIRI	CONTACT PERSON	ML SOMO
TELEPHONE NUMBER	015 590 1650	TELEPHONE NUMBER	015 590 1650
FACSIMILE NUMBER	-	FACSIMILE NUMBER	
E-MAIL ADDRESS	<a href="mailto:malomanec@maruleng.gov.za">malomanec@maruleng.gov.za</a>	E-MAIL ADDRESS	<a href="mailto:leslysomo69@gmail.com">leslysomo69@gmail.com</a>

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</b>
1.3. 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.
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
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 <a href="http://WWW.SARS.GOV.ZA">WWW.SARS.GOV.ZA</a> .
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.
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>
3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? NO <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/></span>
3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES</span>

☐ 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:

.....



# MARULENG MUNICIPALITY

## DECLARATION ON STATE OF MUNICIPAL ACCOUNTS

A Any bid will be rejected if:

Any municipal rates and taxes or municipal service charges owed by the bidder or any of the directors to the municipality or a municipal entity, or to any other municipality or municipal entity, are in arrears for more than three months.

B Bid Information

- i. Name of bidder .....
- ii. Registration Number .....
- iii. Municipality where business is situated.....
- iv. Municipal account number for rates .....
- v. Municipal account number for water and electricity .....
- vi. Names of all directors, their ID numbers and municipal account number.
  1. ....
  2. ....
  3. ....
  4. ....
  5. ....
  6. ....
  7. ....

C Documents to be attached.

- i. A copy of municipal account mentioned in B (iv) & (v) (Not older than 3 months)
- ii. A copy of municipal accounts of all directors mentioned in B (vi) (Not older than 3 months)
- iii. Proof of directors

I/We declare that the abovementioned information is true and correct and that the following documents are attached to this form: .....

\_\_\_\_\_  
**Bidder's Signature**

\_\_\_\_\_  
**Date**

## **CLEARANCE CERTIFICATE FOR MUNICIPAL ACCOUNTS**

Section 38 (d) (i) of Municipal Supply Chain Regulations requires that the municipality must reject a bidder whose municipal services, rates and taxes are in arrears for more than 90 days.

The purpose of this form is to obtain proof that municipal services, rates and taxes of the service provider and director(s) are not in arrears for more than 90 days, with the relevant municipality / landlord in the municipal area where the director(s) resides and service provider conduct the business.

<b>TO BE COMPLETED BY THE RELEVANT MUNICIPALITY</b>	
Name of the Municipality:	
Property Physical Address:	
Registered Name:	
Official's Name: _____ Signature : _____ Date: _____	<div>Municipality Stamp Here</div>
<b>Please circle whether the account is in arrears or up-to-date</b>	
Rates and taxes : Up-to-date / in arrears for more than (90 Days) 3 months	
Water: Up-to-date / in arrears for more than (90 Days) 3 months	
Electricity: Up-to-date / in arrears for more than (90 Days) 3 months	
Refuse : Up-to-date / in arrears for more than (90 Days) 3 months	
Other services : Up-to-date / in arrears for more than (90 Days) 3 months	



# MARULENG MUNICIPALITY

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, 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 director's 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**



# MARULENG MUNICIPALITY

## SUPPLY CHAIN MANAGEMENT

MBD 6.1

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

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

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

#### 1. GENERAL CONDITIONS

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

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

#### 1.2 Applicable Preference Point System

a) The applicable preference point system for this quotation is the **80/20** preference point system.

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

(a) Price; and

(b) Specific Goals.

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

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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

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

#### 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in

legislation;

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

### 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

#### 3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

##### 3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender

documents, stipulate in the case of—

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

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

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

**Table 1: Specific goals for the RFQ 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 bidders: The bidders must indicate how they claim points for each preference point system.)**

The specific goals allocated points in terms of this bid	Number of points allocated (80/20 system)	Number of points claimed (80/20 system) (To be completed by the bidder)
Black ownership	6	
Women	3	
People living with disability	2	
EME or QSE	2	
Youth	2	
Enterprises located in Limpopo Province – Within Limpopo Province = 2 Within Mopani District = 4 Within Maruleng Municipality = 5	5	
<b>Total</b>	<b>20</b>	

#### DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number: .....

#### 4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points

claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

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

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

### 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. wilfully 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.

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"/>

4.3.1	If so, furnish particulars:
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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 IS 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





# MARULENG MUNICIPALITY

**MBD 9**

## **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.**



# MARULENG MUNICIPALITY

MBD 9

## 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.
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

**<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.**

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder