



MARULENG MUNICIPALITY

Bid No.	Description	Closing date & time	Evaluation
RFQ/MLM/SCM/12/2026	Appointment of a Suitably Qualified Service Provider to Conduct Annual External Environmental Compliance Audit for Municipal Landfill Site	26 November 2025 at 11:00 am	- Administrative compliance - Functionality - Price and Specific goals

Contact person : SE Raphela
Contact Number : 015 590 1650
Email Address : raphela@maruleng.go.za

Instructions for Submitting Quotations:

All required documents must be returned in a sealed envelope clearly labelled with the RFQ number, description, and closing date. This envelope must be placed in the Tender Box located at the Supply Chain Department entrance (inside the Municipal Building) at 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;
- Company registration documents**
 - A copy of SARS pin number Certificate**
 - MAAA – National Treasury Central Supplier Database registration reference number**
 - Certified copies of directors ID**
 - 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.



MARULENG MUNICIPALITY

TERMS OF REFERENCE/ SPECIFICATION

APPOINTMENT OF A SUITABLY QUALIFIED SERVICE PROVIDER TO CONDUCT ANNUAL EXTERNAL ENVIRONMENTAL COMPLIANCE AUDIT FOR MUNICIPAL LANDFILL SITE

1. PURPOSE

Maruleng Municipality intends to appoint of an independent external auditor to conduct annual environmental compliance audit for the municipal landfill site. The external auditor will audit/assess compliance of the landfill site to the conditions of the waste management license issued and also interpret all available data and test results regarding the operation of the site and all its impact on the environment.

2. BACKGROUND

The Maruleng landfill is situated on Portion of Farm 194 KT Hoedspruit, approximately 35 km Northwest of Hoedspruit, within Maruleng Local Municipality, Mopani District Municipality, Limpopo Province. The Limpopo Department of Economic Development, Environment and Tourism issued Mopani District Municipality with an operating license referenced 12/4/10-B/10/M1 for the landfill was issued by the provincial Department of Economic Development, Environment & Tourism on 29 April 2010. The landfill site was transferred to the Municipality on 27 June 2023.

3. SCOPE OF WORK

3.1 LANDFILL EXTERNAL AUDIT

A physical site inspection must be undertaken by the external auditor to provide an assessment of the following licence compliance elements:

- (a) Pre-Audit Meetings
 - A pre-audit meeting during which the auditor will advise the auditee (Client) what aspects will be audited, the full scope of the landfill compliance audit and what documentation would be required for review.
- (b) Site Inspections
 - Access control
 - Cover material
 - Compaction
 - Documentation
 - Landfill plant and equipment
 - Operation and maintenance
 - Safety
- (c) Previous Audit Reports
 - Review and identification of repeat audit findings.
 - Review of audit remedial measures implements.
 - Improvement measures noted.

- (d) Audit Report, Key Findings and Recommendations
- A comprehensive report should be compiled after the site inspections and review of all data, relevant reports, and interviews.
 - The landfill compliance audit report must give recommendations on non-compliance identified during the compliance audit.
 - Compliance measure scores out of 100% should be provided as an indication of the level of current compliance with the site license.

4. DELIVERABLES

The following deliverables must be provided among other as a direct output of the above scope of work.

- (a) Project Inception Meeting
- (b) Pre-audit meeting with landfill team
- (c) Review and analysis of all monitoring data and relevant reports
- (d) Preparation of an audit checklist to undertake site investigation
- (e) Landfill site investigation (Site License Conditions)
- (f) Excel scoring matrix to determine the level of license compliance
- (g) Compilation and submission of External Landfill Compliance Audit Report

5. DURATION

The appointment is once off.

6. EVALUATION OF BIDS

6.1 All quotations/proposals received shall be assessed in terms of the Supply Chain Management Regulations, Maruleng Local Municipality Supply Chain Management Policy, the Preferential Procurement Policy Framework Act and any other applicable legislation or regulations.

6.2 The evaluation criteria consist of the following three phases:

(a) Phase 1 – Administrative Compliance

Item	Description	Yes/No
1	Company registration documents	
2	A copy of SARS pin number Certificate	
3	MAAA – National Treasury Central Supplier Database registration reference number	
4	Certified copies of directors ID	
5	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	
6	Completion of MBD forms in the tender document	

(b) Phase 2 – Functionality Evaluation to assess each bidder’s ability to execute the scope of work or contract

Item	Description	Points
1	<u>Company Experience</u> - The company’s relevant experience in providing external environmental auditing and related services in local government: Bidders are required to attach appointment letters and reference letters: - Five (5) or more appointment letters/purchase orders and reference letters – 40 Points - Four (4) appointment letters/purchase orders and reference letters – 30 Points - Three (3) appointment letters/purchase orders and reference letters – 20 Points - Two (2) appointment letters/purchase orders and reference letters – 10 Points - Less than two appointment letters/purchase orders and reference letters – 0 Points	40
2	<u>Qualifications and experience of key personnel</u> (a) Lead Auditor - Bidders must attach a CV & relevant Qualifications (Master of Science in Environmental Management/ Science or higher or any related qualification) and proof of registration with South African Council for Natural Scientific Professions (SACNASP) and Environmental Assessment Practitioners Association of South Africa (EAP) with at least 10 years’ relevant experience – 15 points (b) Environmental Auditor - Bidders must attach a CV & relevant Qualifications (B-Tech in Environmental Management/ Science or higher or any related qualification) with at least 10 years’ relevant experience – 10 points (c) Engineer - Bidders must attach a CV & relevant Qualifications. (Bachelors or B-Tech degree or engineering or higher and must be registered with ECSA with at least 5 years’ relevant experience – 10 points	45
3	<u>Methodology</u> Detailed technical approach is provided that is aligned to the scope of work	15

(c) Phase 3 – Price and specific goals.

Preferential Procurement Policy Framework Act (PPPFA) of 80/20 rule shall apply.

Evaluation Criteria	Points
Price	80
Specific Goals – Points	20
Total Maximum Score	100

7. COMPULSORY BRIEFING SESSION

There will be no compulsory briefing session for the bid.

8. PERIOD OF VALIDITY OF TENDER

The period of validity of quotation shall be 30 days as stated in the tender form and be calculated from the closing date for submission of tenders.



MARULENG MUNICIPALITY

MBD 1 PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE MARULENG LOCAL MUNICIPALITY

BID NUMBER:	RFQMLM/SCM/12/2026	CLOSING DATE:	26 NOVEMBER 2025	CLOSING TIME:	11H00
DESCRIPTION	APPOINTMENT OF A SUITABLY QUALIFIED SERVICE PROVIDER TO CONDUCT ANNUAL EXTERNAL ENVIRONMENTAL COMPLIANCE AUDIT FOR MUNICIPAL LANDFILL SITE				

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]	☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		☐ Yes ☐ No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		COMMISSION	%
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	DEPARTMENT	COMMUNITY SERVICE
CONTACT PERSON	ES RAPHELA	CONTACT PERSON	MOKGADI KAPA
TELEPHONE NUMBER	015 590 1650	TELEPHONE NUMBER	015 590 1650
FACSIMILE NUMBER	-	FACSIMILE NUMBER	
E-MAIL ADDRESS	raphelae@maruleng.gov.za	E-MAIL ADDRESS	

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, 2022. 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-FILEING. 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:



MARULENG MUNICIPALITY

CLEARANCE CERTIFICATE FOR MUNICIPAL ACCOUNTS

1. Regulation 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.
2. The purpose of this form is to obtain proof that municipal services, rates and taxes of the bidder and director(s) are not in arrears for more than 90 days, with the relevant municipality area where the director(s) resides or where the bidder conducts the business. The form must be completed by the relevant municipality in the event that the bidder or its director(s) does/do not receive statement of municipal accounts.

(TO BE COMPLETED BY THE RELEVANT MUNICIPALITY)

Name of the Municipality:

Property Physical Address:

Registered Name:

Official's Name: _____

Signature : _____

Date: _____

Municipality Stamp Here

Please circle whether the account is in arrears or up-to-date

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

N.B: This form must be completed only if the bidder or directors are not receiving municipal statements from their relevant municipality.



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MBD 4: DECLARATION OF INTETREST

1. No bid will be accepted from persons in the service of the state.
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 person connected with or related to persons in service of the states, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
2. 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, shareholder ² etc.)												
3.4.	Company Registration Number												
3.5.	Tax Reference Number												
3.6.	VAT Registration Number												

3.7.	Are you presently in the service of the state?	YES		NO	
3.7.1.	If so, furnish particulars:				
3.8.	Have you been in the service of the state for the past twelve months?	YES		NO	
3.8.1.	If so, furnish particulars:				

3.9.	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	
3.9.1.	If so, furnish particulars:				
3.10.	Are you aware of any relationship (family, friend, other) between a 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	
3.10.1.	If so, furnish particulars:				
3.11.	Are any of the company's directors, managers, principal shareholders or stakeholders in the service of the state?	YES		NO	
3.11.1.	If so, furnish particulars:				
3.12.	Is any spouse, child or parent of the company's directors, managers, principal shareholders or stakeholders in the service of the state?	YES		NO	
3.12.1.	If so, furnish particulars:				
	Name of the spouse/child/parent: ID number of the spouse/child/parent. Relationship to the official..... Designation of the spouse/child/parent: Employer of the spouse/child/parent:				
3.13.	Do you or any of the directors, trustees, managers, principal 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	
3.13.1.	If so, furnish particulars:				

- a. 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);
- b. an executive member of the accounting authority of any national or provincial public entity; or
- c. an employee of Parliament or a provincial legislature.

² “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.

3.14.	Please provide the following information on ALL directors/shareholders/trustees/members below:		
Full Name and Surname	Identity Number	Personal Income Tax Number	Provide State Employee Number

DECLARATION

I, the undersigned (name)

_____, certify

that the information furnished in paragraph 3 above is correct.

I accept that the state may act against me should this declaration prove to be false.

SIGNATURE		DATE	
NAME OF SIGNATORY			
POSITION			
NAME OF COMPANY			



MARULENG MUNICIPALITY

MBD 6.1

This preference form 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

1.4.1 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.

1.4.2 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time

subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

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

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

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

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

Note to 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 (80/20 system)	Number of points claimed (80/20 system) (To be completed by the tenderer)
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	
Total	20	

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.

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

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....



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

1. This Municipal Bidding Document must form part of all bids invited.
2. It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
3. The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - 3.1. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - 3.2. been convicted for fraud or corruption during the past five years;
 - 3.3. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - 3.4. 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).
 - 1.1. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - 1.2. been convicted for fraud or corruption during the past five years;
 - 1.3. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - 1.4. 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 as a company or person prohibited from doing business with the public sector? <i>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the audi alteram partem rule was applied).</i>	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)? <i>(To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).</i>	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:		
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
4.5.1	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:		NAME (PRINT):	
CAPACITY:		DATE:	
NAME OF BIDDER:			



MARULENG MUNICIPALITY

MBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Municipal Bidding Document (MBD) must form part of all bids 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).⁴ Collusive bidding is a per 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:
 - 3.1. take all reasonable steps to prevent such abuse;
 - 3.2. 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
 - 3.3. 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:

CERTIFICATE OF INDEPENDENT BID DETERMINATION:

In response to the invitation for the bid made by:

MARULENG LOCAL MUNICIPALITY

I, the undersigned, in submitting the accompanying bid, hereby make the following statements that I certify to be true and complete in every respect:

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:
 - 5.1.has been requested to submit a bid in response to this bid invitation;
 - 5.2.could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - 5.3.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 consortium⁵ 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:
 - 7.1.prices;
 - 7.2.geographical area where product or service will be rendered (market allocation)
 - 7.3.methods, factors or formulas used to calculate prices;
 - 7.4.the intention or decision to submit or not to submit, a bid;
 - 7.5.the submission of a bid which does not meet the specifications and conditions of the bid; or
 - 7.6.bidding with the intention not to win the bid.
4. 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.
5. 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.
6. 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		NAME (PRINT)	
CAPACITY		DATE	