



MARULENG LOCAL MUNICIPALITY RFQ NUMBER: RFQ/MLM/SCM/16/2026

**RFQ DESCRIPTION: APPOINTMENT OF A TRAINING PROVIDER FOR TRAINING OF SCM BIDS COMMITTEES AND OTHER ROLE PLAYERS IN SCM PROCESSES**

ISSUED BY: **SUPPLY CHAIN MANAGEMENT OFFICE  
MARULENG MUNICIPALITY  
P O BOX 627  
HOEDSPRUIT  
1380**

NAME OF BIDDER	
CONTACT NUMBER	
TOTAL BID PRICE	
CSD NUMBER	



# 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/16/2026	Appointment of a Training Provider Training of SCM Bids Committees and Other Role Players In SCM Processes	Not applicable	<ul style="list-style-type: none"><li>▪ Administrative compliance</li><li>▪ Functionality</li><li>▪ Price and Specific goals</li></ul>

**Closing Date** : 13 February 2026 at 11:00 am

**Contact person** : SE Raphela

**Contact Number** 015 590 1650

**Email Address** : raphelae@maruleng.gov.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 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 valid for the period of 30 working days.
- 80/20 Preferential Pointing System will be used to evaluate the quotes.
- The following documents must be attached to the quotations / proposals, and they will form part of administrative compliance during Evaluation of the bids
  - 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"**

**MR. ML MUROA**  
Acting Municipal Manager



# MARULENG MUNICIPALITY

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## TERMS OF REFERENCES: TRAINING OF SCM BIDS COMMITTEES AND OTHER ROLE PLAYERS IN SCM PROCESSES

Experienced service providers are invited to submit quotations for the training of SCM bids committees and other role players in SCM processes.

### **Purpose**

To build the capacity of bid committee members who serve on bid specification committee, bid evaluation committee, and Bid adjudication committee as well as Supply Chain Management practitioners who are responsible for support functions of the Bid Committee system. The program is aligned to the basic values and principles governing public administration as contained in the Constitution of the Republic of South Africa 1996, in that it promotes a high standard of professional ethics, the efficient, economic, and effective use of resources and accountability.

### **Project outcomes**

1. By the end of this course participants should be able to:
  - Understand the elements of the Supply Chain Management model which applies to the bid committee system to establish the Supply Chain Management context.
  - Understand the regulatory framework that governs Supply Chain Management within the public service to demonstrate an understanding of how each legislation and/or prescript regulates the decision making of bid committees.
  - Know the ethical conduct for Supply Chain Management practitioners within the local government sector and how these impacts on bid committee member behavior.
  - Compile tender documentation and bid invitation for a specific commodity, according to SCM Regulations, PPPFA and other regulatory framework to ensure that the process is fair, cost effective, competitive, transparent and equitable

- Evaluate bids and compile a written submission to the Bid Adjudication Committee recommending the award of the bid to a provider according to bid specification criteria to ensure fairness and compliance and ensure that value for money is attained.
- Consider for the adjudication of bids, the written submissions from the Evaluation Committee for fairness, correctness and compliance against predetermined bid criteria or for the drawing up of a resolution to the relevant authorities for the award of the bid to a provider.
- Link the procurement process to the new SCM regulations and other relevant prescripts such as Construction Industry Development Board (CIDB Best Practices)
- Understanding procurement process for projects procured by another organ of state and the implementation of regulation 32
- Understanding the implementation of Specific Goals
- Implement the prescribed procurement procedures relating to the invitation and acceptance of price quotations
- Identify and adhere to the procedures for advertising bids or quotations
- Determine the bid procedures for appointing consultants
- Fully understand functions of bid committees
- Understand critical issues to consider when developing specifications
- Understand critical issues to consider when evaluating bids
- Understand critical issues to consider when awarding bids
- Link the bidding process to the latest case laws occurred between the organs of state and bidders.

#### **Training Content**

- Relevant legislation and regulations (detailed discussions of the MFMA, SCM regulations and Preferential Procurement Regulations of 2022)
- MBD forms and goals
- Calculations of points
- Practical exercises and/or case studies
- Ethical code of conduct
- Types of consultant and differences between bids, RFQs and RFIs
- Evaluation criteria, weights and values
- Price and functionality
- Formulae and calculation of points
- Compilation of evaluation panels
- Developing and compiling score sheets
- Calculation of points and conversion to preference point systems
- Practical exercises and/or case studies
- Joint ventures/consortia: differences and similarities
- Administration process during Bid Adjudication Committee meetings (composition and appointment of members, duties of various office bearers/observers/consultants)
- Meeting procedures and conduct of members
- Administration process during Bid Adjudication Committee meetings (composition and appointment of members, duties of various office bearers/observers/consultants)
- Meeting procedures and conduct of members
- Compilation of bid documentation such that documentation should be legally and technically correct and should assign risk in an appropriate manner in line with SCM Regulations of the MFMA, Supply Chain Management: A Guide for Accounting Officers of Municipalities and Municipal Entities Section 4.5.2 & 4.5.3.

2. The qualification and competence of the facilitator to provide the service should be a Finance-related qualification at NQF Level 7 with proven relevant experience in a similar field or higher
3. The successful bidder shall Develop terms of reference for all bid committees in line with Maruleng Local Municipality Policy, SCM regulations & Code of Conduct.
4. Certificate of attendance will be required on all delegates that attended the training.
5. Venue and meals will be provided by the municipality for the duration of the training.
6. The bidder must present skills transfer plan on the methodology, which must be incorporated into the contract.
7. The professional team will report directly to Project Manager and submit reports in writing.
8. Project Costs & Payment Milestones
  - The service provider shall determine the total cost of the project and submit quotation
  - It is the responsibility of the municipality to ensure that invoices are paid within 30 days.

#### **Duration of the project**

1. Training period should be between 3 to 4 days
2. Number of participants to be trained is twenty-five (25) officials

**SCM enquiries** should be directed to Mr. Raphela SE at **072 472 1239/015 590 1650** or email to **raphelae@Maruleng.gov.za** between the hours of 7H00 and 16H00.

## Evaluation criteria

### Stage1-administrative compliance

- Bidders will be adjudicated in accordance with the Municipality Supply Chain Management Policy and in terms of Preferential Procurement Policy Framework Act new regulations of 2022 and will be based on the 80/20 points system.
- Quotations will be valid for a period of 30 days
- Submit a company registration certificate (C.K document).
- Bidders must submit a Tax Compliance status document with Pin issued by South African Revenue Services (SARS).
- Submit all director's certified ID copies as reflecting on the company registration document.
- Submit proof of registration summary on Central Supplier Database (CSD).
- 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.
- Unit Standard for Supply chain management
- Unit standard for Bid committees
- All certified documents must not be older than three (03) months.
- All other pre-requisites as detailed in the bid documents shall apply.
- Failure to complete all the supplementary information will result in bidder being deemed non-responsive.

### Stage2- Functionality

National Treasury circular No. 53 of MFMA Act No. 56 of 2003 will apply.

Bidders to note that a minimum threshold of **70 points** MUST be scored to proceed to the further evaluation in terms of pricing and specific goals

CRITERION	MAXIMUM TO BE AWARDED
Experience  Proof of appointment letter/ purchase orders and their associated reference letters for training in the public sector and/or municipal environment (10 points per project with a maximum of 5 projects)	
<b>Maximum points 50</b>	<b>50</b>
Expertise (Key personnel/Facilitator)  1. The Qualification and competence of the facilitator to provide the service should be a Finance related qualification at NQF Level 7 = 10 points 2. Proven experience for projects of similar nature (facilitator) • 5 points per project completed	  <b>50</b>
<b>Maximum points 50</b>	

.....  
Signature

.....  
Date

4

.....  
Capacity

.....  
Name of Bidder



# 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/16/2026	CLOSING DATE:	13 FEBRUARY 2026	CLOSING TIME:	11H00
DESCRIPTION	APPOINTMENT OF A TRAINING PROVIDER FOR TRAINING OF SCM BIDS COMMITTEES AND OTHER ROLE PLAYERS IN SCM PROCESSES				

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 IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSURE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]	
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE	R	
SIGNATURE OF BIDDER	.....		DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION	MAY BE	
DEPARTMENT	SCM	DEPARTMENT	CORPORATE SERVICES		

CONTACT PERSON	SE Raphela	CONTACT PERSON	J Mafologela
TELEPHONE NUMBER	015 590 1650	TELEPHONE NUMBER	015 590 1650
FACSIMILE NUMBER	-	FACSIMILE NUMBER	

**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-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
- 2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHR 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

## DECLARATION ON STATE OF MUNICIPAL ACCOUNTS

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.

**TO BE COMPLETED BY THE RELEVANT MUNICIPALITY**

Name of the Municipality:

Property Physical Address:

Registered Name:

Official's Name: \_\_\_\_\_

Municipality Stamp Here

Signature : \_\_\_\_\_

Date: \_\_\_\_\_

**Please 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



# MARULENG MUNICIPALITY

## DECLARATION OF INTEREST

MBD 4

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 constitution 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 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 State service 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
<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

**"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.

- (a) "price" means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (b) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (c) "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
- (d) "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:

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

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

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: 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 proprietor
- 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:** .....

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# MARULENG MUNICIPALITY

## MBD 8

### DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
  - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
  - b. been convicted for fraud or corruption during the past five years;
  - c. 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 *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:
  - 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 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 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. 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.

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Signature

.....  
Date

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Position

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Name of Bidder