HANTAM LOCAL MUNICIPALITY

QUOTATION NUMBER: SCM07/2024

QUOTATION FOR THE SUPPLY AND DELIVERY OF CONCRETE MIXER TO HANTAM MUNICIPALITY

ENQUIRIES: Mr. A. Pieters Hoop Street Calvinia 8190 Tel: (027) 341 8500 / Email: apieters@hantam.gov.za	**Issued by**: The SCM Unit Hantam Municipality
NAME OF BIDDER: …… CSD REGISTRATION NO: MAAA……..	
TOTAL PRICE (INCLUDING VAT)	R
PREFERENCES CLAIMED FOR:	
B- BBEE STATUS LEVEL OF CONTRIBUTOR	
PREFERENCE POINTS CLAIMED	
B- BBEE CERTIFICATES SUBMITTED WITH THE QUOTATION DOCUMENT MUST BE VALID ORIGINAL B-BBEE CERTIFICATES OR VALID CERTIFIED COPIES OF THE B- BBEE CERTIFICATES/ ORIGINAL SWORN AFFIDAVIT.	
FORMAL QUOTATION CLOSING DATE: Friday, 23 February 2024 @ 12:00	

Quotation No.: SCM07/2024
Description: Supply and Delivery of Concrete Mixer to Hantam Municipality.

Quotations are hereby invited for the for **THE SUPPLY AND DELIVERY OF CONCRETE MIXER TO HANTAM MUNICIPALITY**.

Completed quotations clearly marked: **Quotation No. SCM07/2024: Supply and Delivery of Concrete Mixer to Hantam Municipality** must be emailed to the following email address before the closing date and time, apieters@hantam.gov.za , with the following description in the subject line of email **"SCM07/2024: SUPPLY AND DELIVERY OF CONCRETE MIXER TO HANTAM MUNICIPALITY"**.

Closing date: Friday, 23 February 2024
Closing time: 12:00

Late or unmarked quotations will not be considered. No posted quotations or quotations per fax will be accepted.

Quotation documents are available from the Supply Chain Management Unit of Hantam Municipality from Mr. A. M. Pieters at apieters@hantam.gov.za or 027 341 8500.
Quotation documents are available on the website of Hantam Municipality: www.hantam.gov.za.

Quotations will be evaluated in terms of the Preferential Procurement Policy Framework Act (Act 5 of 2000) Regulations 2022; the Hantam Municipality's Supply Chain Management Policy as well as the Hantam Municipality's Preferential Procurement Policy, where 80 points will be scored for price and 20 points for B-BBEE status and Specific Goals.

The Municipality reserves the right to withdraw any invitation to quote and/or to readvertise or to reject any quotation or to accept a part of it. The Municipality is not bound to accept the lowest or any quotation.

A TCS PIN for bidders' tax compliance information must be submitted with the quotation document.

Bidders must be registered on the Central Supplier Database (CSD).

Mr. T. M. Tlhoaele
ACTING MUNICIPAL MANAGER

REQUEST FOR FORMAL QUOTATION

Herewith Hantam Municipality would like to request a quotation for the Supply and Delivery of Concrete Mixer to Hantam Municipality.

The following conditions will apply:

- Bidder must submit a quotation on their company letterhead together with their formal quotation document;
- Prices quoted must be valid for thirty (60) days from closing date;
- A firm delivery period must be indicated;
- Quotations will be evaluated according to Council's Supply Chain Management Policy, and the Preferential Procurement Policy. It is thus compulsory to complete the Preferential Points claim form of the Preferential Procurement Policy in order to qualify for preference points;
- The 80/20-point system will be applicable. Points will also be awarded for *"Locality." A* bidder who fails to submit proof of locality with his/ her quotation will not be disqualified, but will only score 0 points for locality. Proof of locality means:
    - A municipal account in the name of the of the bidder not older than 90 days;
    - A lease agreement where the bidder is the lessee; or
    - An official letter from the bank confirming the registered business address of the tenderer.
- Bidders must be registered as a prospective supplier on National Treasury's Central Supplier Database (CSD). Bidders must submit a copy of their CSD report with the quotation;
- A Valid Tax Clearance Certificate OR certified copy thereof must be submitted with the formal quotation/ a Tax Clearance Pin;
- Certified copy of the B-BBEE certificate/ Original sworn affidavit must accompany your quotation. A bidder failing to submit proof B- BBEE status level of contributor with his/ her quotation or is a non- compliant contributor to B- BBEE will not be disqualified, but will score 0 points for B- BBEE.
- The Municipal Account of the company/ the municipal accounts of the directors of the company must accompany your quotation;

No Quotations will be considered from persons in the **SERVICE OF THE STATE**.

Do not dismember this quotation document (do not take it apart or put documents between pages). All relevant documents must be submitted and attached to the end of this document.

Quotations must be completed in **black ink**. In the event of a mistake having been made on the quotation documents, it must be crossed out in ink and be accompanied by a full signature at each alteration. No correction fluid may be used in this quotation document.

DETAILS OF THE TENDERER:

CLOSING DATE:	23 FEBRUARY 2024	**CLOSING TIME:**	12H00

NAME OF BIDDER:			
NAME OF CONTACT PERSON:			
PHYSICAL ADDRESS:		**POSTAL ADDRESS:**	
TEL NUMBER:			
FAX NUMBER:			
E-MAIL ADDRESS:			
PRICE (INCL. 15% VAT)			
CSD REG NO.:	**MAAA**		

DATE:	
SIGNATORY OF TENDERER:	
CAPACITY UNDER WHICH THIS BID IS SIGNED:	

ENQUIRIES MAY BE DIRECTED TO:	**CONTACT PERSON**	**TEL. NUMBER**
TECHNICAL ENQUIRIES:	Moos Waterboer	027 341 8500
ENQUIRIES REGARDING BID PROCEDURE & COMPLETION OF BID DOCUMENTS:	Allan M. Pieters	027 341 8500

SPECIFICATIONS

LINE	ITEM	DESCRIPTION	QUANTITY
1.	Concrete Mixer	Total Volume of 500L Dimensions (LxWxH): 2155mmX1045mmX1550mm Drum Thickness: 3mm Drum Rotation: 24rpm Wheels: Solid rubber wheels with bearings	2

PRICING SCHEDULE

LINE	DESCRIPTION	QUANTITY	UNIT PRICE (EXCL. VAT)	TOTAL PRICE (EXCL. VAT)
1.	**Concrete Mixer** Total Volume of 500L Dimensions (LxWxH): 2155mmX1045mmX1550mm Drum Thickness: 3mm Drum Rotation: 24rpm Wheels: Solid rubber wheels with bearings	2		
			VAT (15%)	
			TOTAL PRICE (INCL. 15% VAT)	

INVITATION TO BID (MBD 1 PART A)

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE HANTAM MUNICIPALITY					
BID NUMBER:	SCM07/2024	CLOSING DATE:	23 February 2024	CLOSING TIME:	12H00
DESCRIPTION	SUPPLY AND DELIVERY OF CONCRETE MIXER TO HANTAM MUNICIPALITY.				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (FORM OF OFFER AND ACCEPTANCE).					

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

apieters@hantam.gov.za					
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]					
1 ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐Yes ☐No [IF YES ENCLOSE PROOF]		2 ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐Yes ☐No [IF YES, ANSWER PART B:3]	
3 TOTAL NUMBER OF ITEMS OFFERED			4 TOTAL BID PRICE	**R**	
5 SIGNATURE OF BIDDER	……		6 DATE		
7 CAPACITY UNDER WHICH THIS BID IS SIGNED					

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		**TECHNICAL INFORMATION MAY BE DIRECTED TO:**	
DEPARTMENT	**SCM**	CONTACT PERSON	**Mr. Moos Waterboer**
CONTACT PERSON	**Mr Allan Pieters**	TELEPHONE NUMBER	**027 341 8500**
TELEPHONE NUMBER	**(027) 341 8500**	FACSIMILE NUMBER	**027 341 8501**
FACSIMILE NUMBER	**(027) 341 8501**	E-MAIL ADDRESS	mwaterboer@hantam.gov.za
E-MAIL ADDRESS	apieters@hantam.gov.za		

TERMS AND CONDITIONS FOR BIDDING (MBD 1 PART B)

1. BID SUBMISSION:

1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.

1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE**

1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE FIDIC GENERAL CONDITIONS OF CONTRACT AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.

2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.

2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.

2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

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

SIGNATURE OF BIDDER: ……

CAPACITY UNDER WHICH THIS BID IS SIGNED: ……

DATE: ……

MBD 4 - DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state[1].

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[2]):……

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 and their individual identity 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.
……

……..

[1]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.

[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.

3.9. 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.

Full Name of Director / Trustee / Manager / Shareholder	**Relationship**	**Related Party's Name**	**State Organisation**

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

3.11.1 If yes, furnish particulars

……
……

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

3.12.1 If yes, furnish particulars.

……
……

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

3.13.1 If yes, furnish particulars.

Full Name of Director / Trustee / Manager / Shareholder	**Relationship**	**Related Party's Name**	**State Organisation**	**Capacity of Related Party**

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	Capacity in Company

If any information in this declaration change, the municipality should immediately be informed, and a new declaration form must be completed and signed. If found afterwards that any information in this declaration is false, services will be terminated with immediate effect, and the municipality will be forced not to conduct any further business with the relevant bidder.

…….. ……..
Signature **Date**

…….. ……..
Capacity **Name of Bidder (Company)**

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.

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

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 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:

80/20 **or** **90/10**

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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 tables 4.1.1 and 4.1.2 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 4.1.1 – BBBEE Status

B-BBEE Status Level of Contributor	80/20 System	90/10 System
	Contribution to Specific Goals (50%)	Contribution to Specific Goals (50%)
1	10	5
2	9	4.5
3	8	4
4	5	2.5
5	4	2
6	3	1.5
7	2	1
8	1	0.5
Non-compliant contributor	0	0

Table 4.1.2 - Locality

Locality of Tenderer's Offices	Number of Points (80/20 System)	Number of Points (90/10 System)
Within the borders of the Northern Cape	4	2
Within the borders of Hantam Municipality	6	3

5. BID DECLARATION

Bidders who claim points in respect of Specific Goals must complete the following:

B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF TABLE 4.1.1

5.1 Contribution to Specific Goals : ..... = ...(maximum of 10 or 5 points)

(Points claimed in respect of paragraph 5.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

LOCALITY OF TENDERES OFFICES CLAIMED IN TERMS OF TABLE 4.1.2

5.2 Contribution to Specific Goals : ..... = ...(maximum of 10 or 5 points)

6. DECLARATION WITH REGARD TO COMPANY/FIRM

6.1 Name of company/firm…….

6.2 Company registration number: ……..

6.3 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]

6.4 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:

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.

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

Item	Question	Yes	No
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 contracT17	Yes ☐	No ☐
4.7.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME) .....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS ..... DECLARATION FORM TRUE AND CORRECT.
I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

....
Signature Date

....
Position Name of Bidder

MBD 9 - CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This Municipal Bidding Document (MBD) must form part of all bids[1] invited.

2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).[2][2] 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:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

_____
(Bid Number and Description)

in response to the invitation for the bid made by:

_____
(Name of Municipality / Municipal Entity)

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

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

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
   (a) has been requested to submit a bid in response to this bid invitation;
   (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities, or experience; and
   (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium[3] will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
   (a) prices;
   (b) geographical area where product or service will be rendered (market allocation)
   (c) methods, factors, or formulas used to calculate prices;
   (d) the intention or decision to submit or not to submit, a bid;
   (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
   (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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

.....	.....
Signature	Date
.....	.....
Position	Name of Bidder

MUNICIPAL RATES AND SERVICES

HANTAM MUNICIPALITY

CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES

(To be signed in the presence of a Commissioner of Oaths)

I**, the undersigned, in submitting the accompanying bid, declare that I am duly authorised to act on behalf of:**	(name of the enterprise)

hereby acknowledges that according to SCM Regulation 38(1)(d)(i), the Municipality may reject the tender of the tenderer if any municipal rates and taxes or municipal service charges owed by the Tenderer or any of its directors/members/partners to Hantam Municipality, or to any other municipality or municipal entity, are in arrears for more than 3 (three) months.

That to the best of my personal knowledge, neither the firm nor any director/member/partner of said firm is in arrears on any of its municipal accounts with any municipality in the Republic of South Africa, for a period longer than 3 (three) months.

PHYSICAL BUSINESS ADDRESS(ES) OF THE TENDERER	**MUNICIPAL ACCOUNT NUMBER**

FURTHER DETAILS OF THE BIDDER'S Director / Shareholder / Partners, etc.:

Director / Shareholder / partner	**Physical address of the Business**	**Municipal Account number(s)**	**Physical residential address of the Director / shareholder / partner**	**Municipal Account number(s)**

NB: **Please attach** certified copy(ies) of ID document(s)

Therefore, hereby agrees and authorises Hantam Municipality to deduct the full amount outstanding by the Tenderer or any of its directors/members/partners from any payment due to the tenderer; and

I further hereby certify that the information set out in this schedule and/or attachment(s) hereto is true and correct. The Tenderer acknowledges that failure to complete this schedule properly and truthfully may result in the tender being disqualified, and/or in the event that the tenderer is successful, the cancellation of the contract.

NAME (PRINT)		**SIGNATURE**	
CAPACITY		**DATE**	
NAME OF ENTERPRISE			

COMMISSIONER OF OATHS

Signed and sworn to before me at _____, on this

_____day of _____ 20___

by the Deponent, who has acknowledged that he/she knows and understands the contents of this Affidavit, it is true and correct to the best of his/her knowledge and that he/she has no objection to taking the prescribed oath, and that the prescribed oath will be binding on his/her conscience.

COMMISSIONER OF OATHS: -

Position: _____

Address: _____

Tel: _____

Apply official stamp of authority on this page:

FORM OF OFFER AND ACCEPTANCE

1. OFFER FOR FORMAL QUOTATION NO. SCM07/2024

The employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the procurement of:

SUPPLY AND DELIVERY OF CONCRETE MIXER TO HANTAM MUNICIPALITY

The tenderer, identified in the offer signature block, has examined the documents listed in the tender data and addenda thereto as listed in the tender schedules, and by submitting this offer has accepted the conditions of tender.

By the representative of the tenderer, deemed to be duly authorized, signing this part of this form of offer and acceptance, the tenderer offers to perform all the obligations and liabilities of the Service Provider under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the terms and conditions of this quotation document.

The offered total of the prices inclusive of Value-Added Tax is .....

.....

.....

.....

..... Rand (in words);

R……. (In figures)

This offer may be accepted by the employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the tenderer before the end of the period of validity stated in the quotation document, whereupon the tenderer becomes the party named as the contractor in terms of the conditions of contract identified in the quotation document.

Signature(s) ....

Name(s) ....

Capacity ....

for the **Tenderer**
(Name and address of organization)

Name and signature
of witness ..... Date .....

2. ACCEPTANCE OF FORMAL QUOTATION NUMBER SCM07/2024

By signing this part of this form of offer and acceptance, the employer identified below accepts the tenderer's offer. In consideration thereof, the employer shall pay the contractor the amount due in accordance with the conditions of contract identified in the quotation document. Acceptance of the tenderer's offer shall form an agreement between the employer and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

The terms of the contract are contained in

- The quotation documents

The tenderer shall, within two days after receiving an appointment letter and approved purchase order, contact the employer's agent (whose details are given in the contract data) to arrange the delivery of any bonds, guarantees, proof insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfil any of the obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives an appointment letter and approved purchase order. Unless the tenderer (now service provider), within five (5) working days of the date of such receipt, notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

Signature(s) ....

Name(s) ....

Capacity ....

for the **Employer** .....
(Name and address of organization)

Name and signature of witness ..... Date .....