REQUEST FOR QUOTATIONS

LEKWA LOCAL MUNICIPALITY

Written price quotations are hereby invited from prospective suppliers. Quotation documents with specifications will be available from the 14th of December 2023, free at the SCM Office (Stores) or Lekwa Local Municipality website

RFQ No.	RFQ Description	Compulsory briefing date time	CIDB GRADING	Briefing Venue	Closing date & time
LLMSCM 2023/2024-090	SUPPLY & INSTALLATION OF TWO URINALS AT OLD VOLSKAL BANK (MARIKANA OFFICES).	20 DECEMBER 2023 @ 10:00	1 SO	LEKWA LOCAL MUNICIPALITY,1 MINNAAR STREET,STANDERTON.	21-DEC-23 @ 12H00

Lekwa Local Municipality subscribes to the PPPFA of 2022 and the 80/20 principle will be the criteria used for this bid. Specified goals will be allocated as follows

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Verification Documents
Previously disadvantaged individuals	4	CSD
Women	4	CSD
Disabled	4	CSD
Youth	4	CSD
Locality	4	Municipal account

Completed quotations documents in a sealed envelope clearly marked "THE DESCRIPTION AND RFQ NO", are to be submitted in the tender box situated in Records Office at Lekwa Local Municipality Main Building, before **CLOSING DATE AND TIME AS SPECIFIED ABOVE**. No faxed, emailed and/or late submissions will be accepted. The quotation validity period is 30 days. All enquiries must be addressed to the relevant personnel as stated below.

All enquiries regarding the quotation administration must be directed to supply chain management office to Mr M Masuku, 072 327 0891, mmasuku@lekwalm.gov.za

NOTE: Lekwa Local Municipality does not bind itself to accept the lowest or any quotation and reserves the right to accept any quotation in whole or part. Quotations documents will also be evaluated based on the requested documents, experience, capacity and references. If you don't hear from us after the expiry of the validity period please accept that your quotation was unsuccessful. Please note that it is a requisite of the municipality that all suppliers must be

registered on the CSD and database of the municipality therefore all bidders who are not registered on the database system must ensure that their bids are accompanied by the database forms.

……

MR MJ LAMOLA
MUNICIPAL MANAGER
NOTICE NO: 14 DEC 2023

LEKWA LOCAL MUNICIPALITY

REQUEST FOR QUOTATION

(In terms of the Supply Chain Management Regulations (Government Gazette 27636 of 30 May 2005)

RFQ NO: *LLMSCM 2023/2024-090*

RFQ DESCRIPTION:SUPPLY & INSTALLATION OF TWO URINALS AT OLD VOLSKAL BANK (MARIKANA OFFICES).

NAME OF COMPANY: _____

Trading as _____

QUOTATION PRICE (VAT INCLUSIVE) R_____

ADDRESS: _____

NB: Tenders must be properly received and deposited in the tender box on or before the closing date and before the closing time. No late tender offers will be accepted under any circumstances. Tender offers must be submitted in a sealed envelope properly marked in terms of the tender number and tender description as indicated above. If the tender offer is too large to fit into the abovementioned tender box, please inquire at the public counter opposite the tender box for assistance.

Do not dismember this Tender document (do not take it apart) and all other documents of the submission must be attached to the pages provided for in this tender document.
COMPULSORY BRIEFING: LEKWA LOCAL MUNICIPALITY,1 MINNAAR STREET,STANDERTON.

BRIEFING DATE & TIME: 20 DECEMBER 2023 @ 10:00

CLOSING DATE: 21 DECEMBER 2023

CLOSING TIME: 12H00

TENDER BOX: MAIN BUILDING (RECORDS OFFICE)

INVITATION TO QUOTE

SUPPLY & INSTALLATION OF TWO URINALS AT OLD VOLSKAL BANK (MARIKANA OFFICES).
QUOTATION NO: *LLMSCM 2023/2024-090*

Bids are hereby invited for the Appointment of a Service Provider for the **SUPPLY & INSTALLATION OF TWO URINALS AT OLD VOLSKAL BANK (MARIKANA OFFICES) for LEKWA LOCAL MUNICIPALITY.**

Bids documents with detailed bid specifications and detailed information are obtainable at the Supply Chain Management Office hours 08h00 to 15h00.

Sealed Bids clearly marked **"LLMSCM 2023/2024-090 SUPPLY & INSTALLATION OF TWO URINALS AT OLD VOLSKAL BANK (MARIKANA OFFICES)"** must be placed in the tender box situated at the offices of the **LEKWA LOCAL MUNICIPALITY, CNR MBONANI MAYISELA & Dr BEYERS NAUDE STREET** on or before **21 DECEMBER 2023 @ 12h00**

The LEKWA LOCAL MUNICIPALITY does not bind itself to accept the lowest or any bid and the Municipality reserves the right to accept the whole or part of any bid and further reserves the right to appoint or not to appoint if it so wishes to.

Quotations will be adjudicated according to the LEKWA LOCAL MUNICIPALITY's Supply Chain Management Policy, the Preferential Procurement Policy Framework Act (Act 5 of 2005) and the Preferential Procurement Regulations 2022 as well as the Broad Based Black Economic Empowerment Act (Act 53 of 2003). The tender quotations will be evaluated on the 80/20 Points system as prescribed by the Preferential Procurement Regulations, 2022

NB: BIDS WHICH ARE LATE, INCOMPLETE, UNSIGNED, COMPLETED BY PENCIL, SENT BY TELEGRAPH, FASCIMALE, ELECTRONICALLY (FAX), OR E-MAIL AND WITHOUT THE COMPULSORY REQUIREMENTS SHALL BE DISQUALIFIED.

Queries can be directed to:
Technical: T.J. Khumalo tkhumalo@lekwalm.gov.za
Supply Chain: Mr M Masuku, 072 327 0891, mmasuku@lekwalm.gov.za

VERY IMPORTANT NOTICE ON DISQUALIFICATIONS:

QUOTATION CONDITIONS

A bid not complying with the peremptory requirements stated hereunder will be regarded as not being an "Acceptable bid", and as such will be rejected.

"Acceptable bid" means any bid which, in all respects, complies with the conditions of bid and specifications as set out in the bid documents, including conditions as specified in the Preferential Procurement Policy Framework Act (Act 5 of 2000) and related legislation as published in Government Gazette number 22549, dated 10 August 2001, in terms of which provision is made for this policy.

1. If any pages have been removed from the bid document, and have therefore not been submitted, or a copy of the original bid document has been submitted.
2. If the bid document is completed using a pencil. Only ink must be used to complete the bid document.
3. THE BID HAS NOT BEEN PROPERLY SIGNED BY A PARTY HAVING THE AUTHORITY TO DO SO ACCORDING TO THE *EXAMPLE* OF "AUTHORITY FOR SIGNATORY"
4. The bidder attempts to influence, or has in fact influenced the evaluation and/or awarding of the contract.
5. The bid has been submitted after the relevant closing date and time.
6. If any bidder who during the last five years has failed to perform satisfactorily on a previous contract with the municipality, municipal entity or any other organ of state after written notice was given to that bidder that performance was unsatisfactory.
7. The accounting officer must ensure that irrespective of the procurement process followed, no award may be given to a person –
   (a) who is in the service of the state, or;
   (b) if that person is not a natural person, of which any director, manager, principal shareholder or stakeholder, is a person in the service of the state; or;
   (c) Who is an advisor or consultant contracted with the municipality in respect of contract that would cause a conflict of interest?
8. Bid offers will be rejected if the bidder or any of his directors is listed on the Register of Bid Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector
9. Bid offers will be rejected if the bidder has abused the LEKWA LOCAL MUNICIPALITY's Supply Chain Management System.
10. Failure to complete and sign the certificate of independent determination or disclosing of wrong information.
11. Prices quoted must be firm (Fixed for the term of the contract) and must be inclusive of VAT (if applicable)
12. All MBD forms together with the related annexures MUST be completed and signed
13. Full Registration Report must be attached as a proof that the bidder is registered with Central Suppliers Database (CSD)
14. A firm delivery period must be indicated
15. No correction pens will be allowed and any cancellation must be signed
16. This bid will be evaluated in terms of the preference point system as prescribed by PPPFA regulations of 2022
    - Where 80/20 is below the transaction value up to R 50 000 000 &
    - Where 90/10 is above the transaction value of R 50 000 000

N.B FAILURE TO ADHERE TO THE ABOVE-MENTIONED CONDITIONS WILL AUTOMATICALLY DISQUALIFY YOUR BID

Failure to submit the above will lead to immediate disqualification

---	---
BIDDER (COMPANY NAME)	**AUTHORISED SIGNATURE**

PART A
INVITATION TO BID (MBD 1)

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (*NAME OF MUNICIPALITY/ MUNICIPAL ENTITY*)					
BID NUMBER:	**LLMSCM 2023/2024-090**	CLOSING DATE:	**21 DECEMBER 2023**	CLOSING TIME:	**12H00**
BRIEFING DATE:	**20 DECEMBER 2023**	BRIEFING TIME:	**10:00**	VENUE:	**LEKWA LOCAL MUNICIPALITY,1 MINNAAR STREET,STANDERTON**
DESCRIPTION	**SUPPLY & INSTALLATION OF TWO URINALS AT VOLSKAL BANK (MARIKANA OFFICES).**				
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					
LEKWA LOCAL MUNICIPALITY,					
CNR MBONANI MAYISELA & Dr BEYERS NAUDE STREET, STANDERTON, 2430					

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		**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 DIRECTED TO:	
DEPARTMENT	SUPPLY CHAIN	CONTACT PERSON	T.J Khumalo
CONTACT PERSON	Mr M Masuku	TELEPHONE NUMBER	
TELEPHONE NUMBER	072 327 0891	E-MAIL ADDRESS	tkhumalo@lekwalm.gov.za
E-MAIL ADDRESS	mmasuku@lekwalm.gov.za		

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 TOGETHER WITH THE BID.
2.6	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOVED, 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 3.1

PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: **ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of Bidder……..……	RFQ Number: LLMSCM 2023/2024-090
Closing Time: 12:00	Closing Date: 21 DECEMBER 2023

OFFER TO BE VALID FOR…30……DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
As per SPECIFICATIONS/ TERMS OF REFERENCES/BOQ page BELOW			

- Required by: …….
- At: …….

  …….

- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s) …….
- Period required for delivery …….
  *Delivery: Firm/Not firm
- Delivery basis …….

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

*Delete if not applicable

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

SPECIFICATIONS/ TERMS OF REFERENCES/BOQ
SUPPLY & INSTALLATIONOF TWO URINALS AT OLD VOLSKAL BANK (MARIKANA)

ITEM	QTY	DESCRIPTION	UNIT PRICE	TOTAL
1.	**2**	URINALS AT OLD VOLSKAL BANK (MARIKANA)		
TOTAL (EX VAT)				
VAT				
TOTAL (INC VAT)				
DELIVERY AND OFF LOADING TO LEKWA LOCAL MUNICIPALITY STORES MUST BE INCLUDED				

CONFIRMATION OF SPECIFICATIONS/ TERMS OF REFERENCES/BOQ

…….. ……..

Authorised Signature **Date**

MBD 4

DECLARATION OF INTEREST

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 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 and/or take an oath declaring his/her interest.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the Bid:

3.1 Full Name:……..

3.2 Identity Number:……..……..

3.3 Company Registration Number:……..……

3.4 Tax Reference Number: ….……..……

3.5 VAT Registration Number:……..……

3.6 Are you presently in the service of the state *YES / NO
* Delete if not applicable

3.6.1 If so, furnish particulars.

……

……..……

3.7 Have you been in the service of the state for the past twelve months *YES / NO
* Delete if not applicable

3.7.1 If so, furnish particulars.

……..……

……..……

3.8 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
* Delete if not applicable

3.8.1 If so, furnish particulars.

……..……

……..……

3.9 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
* Delete if not applicable

3.9.1 If so, furnish particulars

……..……

……..……

* 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.

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

* Delete if not applicable

3.10.1 If so, furnish particulars.

……..……

……..……

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

* Delete if not applicable

3.11.1 If so, furnish particulars.

……..……

……..……

CERTIFICATION

I, THE UNDERSIGNED (NAME) ……..……

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT. I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

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

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

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

a. The applicable preference point system for this tender is the 90/10 preference point system.

b. The applicable preference point system for this tender is the 80/20 preference point system.

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

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

(a) Price; and

(b) Specific Goals.

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

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	**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

"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:

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

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:

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

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

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 tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
PRICE	80	n/a
Previously Disadvantaged Individuals (Certified ID Copy)	4	
Women (Certified ID Copy)	4	
Disabled (Health Record Stating nature of disability)	4	
Youth (Certified ID Copy)	4	
Locality (Attach Proof of Residence) 4 points if business located within Lekwa Local Municipality Jurisdiction	4	

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 SUPPLIER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Municipal Bidding Document must form part of all bids invited
2. This serves as a declaration 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 supplier may be rejected if that bidder or any of its directors have:
   a. abused the municipality'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 as a company or person 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:		
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 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 TO BE 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 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).* Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.

2 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.

3 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.

4 In order to give effect to the above, the attached Certificate of Quotation Determination (MBD 9) must be completed and submitted with the bid:

*** 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 BID DETERMINATION

I, the undersigned, in submitting the accompanying Bid:

LLMSCM 2023/2024-090 SUPPLY & INSTALLATION OF TWO URINALS AT OLD VOLSKAL BANK (MARIKANA OFFICES).

in response to the invitation for the Bid made by:

LEKWA LOCAL MUNICIPALITY

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* will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
(a) prices;
(b) geographical area where product or service will be rendered (market allocation)
(c) methods, factors or formulas used to calculate prices;
(d) the intention or decision to submit or not to submit, a bid;
(e) the submission of a bid which does not meet the specifications and conditions of the bid; or
(f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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

*** 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.**

BID CHECKLIST

Suppliers are to use this checklist to ensure that the Quotation documentation is complete. The supplier is to indicate that the documentation is complete and included in the Quotation document by completing the table below. **Failure to attach or complete the relevant documentation will result in your quotation been disqualified.**

Tick to indicate that the information is included

Item	Description	Yes	No
1.	Is your business registered as an accredited prospective supplier with the Lekwa Local Municipality? If not registered please send an email to above SCM Contact for database form and attach completed form to this document	☐	☐
2.	Is your business registered as an accredited prospective supplier with the Central Supplier Database (CSD)? Attach Full CSD reports	☐	☐
3.	Is your latest Municipality Account (not older than 60 days) or Lease Agreement/Invoice attached? Must be in the name of the company or Directors name. Account should not be in arrears	☐	☐
4.	Did you provide a copy of your company registration?	☐	☐
5.	Did you provide a certified copy of your identity document?	☐	☐
6.	Did you provide valid certificate for CIDB? (not applicable for this RFQ)	☐	☐
7.	Did you provide a copy of your SARS Pin	☐	☐
8.	Is the resolution taken by the Board of Directors/Members/Partners for Authority to sign completed and signed? Remember it should be on the letterhead of the company.	☐	☐
9.	Where applicable, is the resolution taken by the Board of Directors of a Consortium or Joint Venture completed and signed?	☐	☐
10.	Is invitation to Quotation fully completed and signed?(MBD 1)	☐	☐
11.	Is Pricing Schedule completed?(MBD 3.1)	☐	☐
12.	Did you complete and sign the SPECIFICATIONS/TERMS OF REFERENCES/BOQ FORM?	☐	☐
13.	Is the Declaration of Interest completed and signed? (MBD 4)	☐	☐
14.	Is the Preference Points Claim Form in Terms of the Preferential Procurement Regulation 2022 completed and signed? (MBD 6.1)	☐	☐
15.	Did you provide an original and valid B-BBEE status level verification certificate or a certified copy thereof or, if you qualify as an EME, did you provide a verification certificate?	☐	☐
16.	Is the Declaration of Supplier's Past Supply Management Practices completed and signed? (MBD 8)	☐	☐
17.	Is the Certificate of Independent Quotation Determination completed and signed? (MBD 9)	☐	☐
18.	Does the product/service offered conform to the Quotation Specifications?	☐	☐
19.	Is your quotation on your company letterhead attached and signed?	☐	☐
20.	Did you read and understand all pages of the Quotation document?	☐	☐
21.	Did you complete the Quotation documents in black ink?	☐	☐

Signature of bidder **Date**