



VICTOR KHANYE LOCAL MUNICIPALITY

COMPANY NAME:

.....

P O BOX: **CELL:**

CONTACT PERSON..... TEL:

..... **FAX:**

**RFQ: Q10/TECH/2026/2027 APPOINTMENT OF A
SERVICE PROVIDER FOR SUPPLY, DELIVERY AND
OFFLOADING BAGS OF COLD AND HOT ASPHALT**

Procurement Less than R 300 000.00 (Including Vat)
Publication on the Victor Khanye Local Municipality Notice Board/s & Website

Victor Khanye Local Municipality invites suitable service providers to submit quotation on the goods and/or services listed hereunder, on the available RQF form. Please furnish all information as requested and return your quotation document on the date stipulated.

ADVERTISEMENT DATE	21 SEPT 2026
DEPARTMENT	TECHNICAL DEPARTMENT
RFQ NUMBER:	Q10/TECH/2026/2027
DESCRIPTION SERVICES REQUIRED	SUPPLY AND OFFLOADING OF COLD AND HOT ASHPALT
QUOTATION DOCUMENTS	Quotation documents are available at room 33.
SPECIFICATION DOCUMENT:	The quotations specification herein are available from SCM Municipal Offices, Delmas, telephone number 013 6656000. Or can be downloaded from the Municipality's Website
BRIEFING SESSION	NOT APPLICABLE
CLOSING DATE & TIME:	30 SEPT 2026 at 10:00
ENQUIRIES:	Mr.R.Molope at telephone number (083 703 2296) during office hours

Preferential Procurement Policy Framework Act, No. 5 of 2000 and as defined in the bid document, read in conjunction the Preferential Procurement Regulation, 2022 and Supply Chain Management Policy of Victor Khanye Local Municipality will apply in the adjudication process. The evaluation of the acceptable proposals will be conducted in the following two stages: A system that awards points on the basis of 80 points for proposal price and 20 points in respect of targeted goals.

Price should be VAT inclusive. **A Full CSD Report (Not Older than 3 months)**, Certified Identification copy and company registration certificate, MBD1; MBD2; MBD4; MBD6.1; 6.2, 6.3 MBD8 & MBD9 and current municipal account/lease agreement (**for the Company and all Directors**) must be attached. Failure to attach the requested documents will result in a bid being non-responsive.

Quotation duly, endorsed with the project number and description, must be placed in the tender box on or before 30 Sept 2026 at 10:00am at the Municipal Offices, Samuel Road, Delmas or could be posted to the undermentioned address to be received before the closing date and more information can be obtained from the contact person as specified above.

Quotation received after the closing date and time, faxed, completed with pencil or e-mailed will not be considered.

If you do not hear from us within 90 working days after the closing date, please consider your quotation unsuccessful.


TM MASHABELA
MUNICIPAL MANAGER

MUNICIPAL OFFICES
PO Box 6
DELMAS 2210

FORM OF OFFER AND ACCEPTANCE

FORM OF OFFER

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

.....

The tenderer, identified in the offer signature block, has examined the documents listed in the tender data and addenda thereto as listed in the returnable 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 of the obligations and liabilities of the service provider / consultant 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 conditions of contract identified in the contract data.

THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS THE FOLLOWING:

MBD 3.1:

.....

.....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 tender data, whereupon the tenderer becomes the party named as the provider / consultant in the conditions of contract identified in the contract data.

Signature Date

Name

Capacity

Name of organization

Address of organization

Signature of witness Date

Name of witness

***Bidders have to complete the offer total of price in words as well as in figures**

LIST OF REQUIRED DOCUMENTATION FOR MUNICIPAL ACCOUNT COMPLIANCE

(Applicable to all service providers, including partners in a joint venture or consortium)

1. Identification Documents

- Certified copies of identity documents for all members, directors, or shareholders.
(NB: Certification must not be older than six (6) months at the time of tender closing.)

2. Proof of Business Address

- The company's business location will be considered the one on the CIPC registration certificate, unless proof of another active business site is provided.
- ***Acceptable proof of another Business Site includes:***
 - A Company municipal account (not older than three (3) months at the date of the closing of Tender); or
 - A valid lease agreement accompanied by the Municipal Account of the Landlord (NB: Statement of Account must be from the Municipality and NOT the Body Corporate)
 - Where the bidder or business is in a rural, farm or traditional authority area, they must submit proof of address (form or letter from the Ward Councillor/Traditional Authority), stamped and confirmed by the relevant Municipal Revenue Division that the address does not receive municipal services.

3. Proof of Director's Address

- The Director's Address will be considered the one on the CIPC registration certificate, unless proof of another Director's Address is provided.
- ***Acceptable proof of another Director's Address includes:***
 - A Director's municipal account (not older than three (3) months at the date of the closing of Tender); or
 - A valid lease agreement accompanied by the Municipal Account of the Landlord (NB: Statement of Account must be from the Municipality and NOT the Body Corporate)
 - Where the director is in a rural, farm or traditional authority area, they must submit proof of address (form or letter from the Ward Councillor/Traditional Authority), stamped and confirmed by the relevant Municipal Revenue Division that the address does not receive municipal services.

4. Municipal Accounts and Rates Compliance

- The latest municipal account for the Business and ALL Directors, not older than three (3) months at the time of closing of the Tender.
- The bidding entity as well as ALL its directors must submit municipal account that is not more than three (3) months in arrears.
- If the name on the municipal account differs from that of the director, but the address corresponds to the registered business address as per the Company Registration Certificate (CIPC), provide an affidavit confirming the relationship.
- If the business operates from a different address than the one registered on CIPC, provide an affidavit (commissioned by a Commissioner of Oaths) or an active lease agreement indicating the operational address.
- If the business operates from the same address where a director resides, an affidavit (commissioned by a Commissioner of Oaths) must be submitted confirming the shared address.

(NOTE: Certification must not be older than six (6) months at the time of tender closing. Kindly note that this Applies to Affidavits and ALL Documents that require Certification)

MUNICIPAL ACCOUNT COMPLIANCE CHECKLIST

No.	Requirement	Detail / Description	Is the required Document Attached?		
			(Select the applicable option below)		
			YES	NO	NOT APPLICABLE
1	Certified ID copies for all members, directors, or shareholders	Certification not older than six (6) months at the time of tender closing.			
2	Proof of registered business address	CIPC registration certificate indicating business location.			
3	Proof of alternative business site (if different from CIPC)	Company municipal account (not more than 3 months old at the time of Tender closing) or valid lease agreement with active tenant statement.			
4	Proof of director's address (if same as CIPC)	CIPC registration certificate showing director's address.			
5	Proof of director's alternative address	Municipal account (not more than 3 months old at the time of Tender			

		Closing) or valid lease agreement confirming occupancy.			
6	Proof of residence (rural area/ farm / traditional area)	Letter from Ward Councillor/ Traditional Authority, stamped and confirmed by the relevant Municipal Revenue Division that the address does not receive municipal services.			
7	Municipal accounts for business	Latest municipal account (not more than 3 months old at closing date of Tender and not in arrears for more than 3 months).			
8	Municipal accounts for all directors	Latest municipal accounts (not more than 3 months old at Tender closing date and not in arrears for more than 3 months).			
9	Municipal arrears confirmation	Business entity and all directors not more than three (3) months in arrears.			
10	Relationship affidavit (if names differ)	Affidavit confirming relationship between account holder and business address.			
11	Operational address affidavit/lease	If operating from different address than CIPC, provide affidavit or active lease agreement.			
12	Shared address affidavit	If business operates from a director's residence, provide affidavit confirming shared address.			
13	For every Lease Agreement	Provide Municipal Account of the Landlord			
14	Certification validity	All affidavits and certified documents are not older than six (6) months at the time of closing of the Tender.			

PLEASE NOTE THAT THE PRICE CHANGES WITHOUT A SIGNATURE WILL LEAD TO THE DISQUALIFICATION OF THE QUOTATION SUBMITTED.

I HEREBY CONFIRM THAT I HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED REQUIREMENTS.

SIGNATURE _____ NAME & SURNAME _____

CONDITIONS

1. All goods or service purchased will be subject to VKLM SCM Policy and Procedures. A copy of said condition is available from the SCMU office.
2. All purchase will be made through an official order form. Therefore no goods must be delivered or services rendered before an official order has been forwarded to and accepted by the successful Bidder.
3. To participate in the Municipal's Quotation process for the procurement of goods and/or services, vendors must get accredited and be registered on the Central Suppliers Database (CSD). The Municipality is dealing only with the registered and accredited suppliers on its database.
4. All prices quoted must be Inclusive of Value Added Tax (VAT). Suppliers who are not registered for VAT will be treated as Non-VAT Vendors.
5. Prices quoted must include delivery charges and goods must be delivered to the address indicated on the quotation page.
6. All prices submitted must be firm." Firm" PRICES ARE DEEMED to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise.
7. Quantities are given in good faith and without commitment to Victor Khanye Local Municipality. The Municipality reserves the right to increase or reduce the quantity to be in line with the set threshold for quotations prescribed in the SCM Policy.
8. **VKLM supports empowerment of the previously disadvantaged, females, youth, local economic development and SMME's.**
9. **THE VICTOR KHANYE LOCAL MUNICIPALITY DOES NOT TAKE RESPONSIBILITY FOR ANY QUOTATION DEPOSITED IN THE WRONG BOX.**

I herewith confirm that I have read and understood the abovementioned requirements.

SIGNATURE _____NAME&SURNAME_____

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
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, shareholder²):.....

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.

¹MSCM 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.

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.

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

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

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF SPECIFIC GOALS, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- 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 exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the.....system shall be applicable.

Preference points for this bid shall be awarded for: **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, QUOTATIONS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE QUOTATION AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

2. GENERAL CONDITIONS

2.1 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).

2.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

The applicable preference point system for this tender is the 90/10 preference point 2.

DEFINITIONS

- a) 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.

2.3 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.

2.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

2.5 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.

2.6 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.

3. 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 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).

4. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

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

Where Ps = Points scored for price of tender under consideration

4.1

- (c) Price; and

- (d) Specific goals.

1.3.1 The maximum points for this bid are allocated as follows:

POINTS

3. POINTS AWARDED FOR SPECIFIC GOALS

3.1. 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:

3.2. 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)
RACE	6	
GENDER	6	
DISABILITY	6	
YOUTH	2	
The Municipality will utilize the CSD report for the above-mentioned information.		

EVALUATION CRITERIA

The tender shall be evaluated on a 80/20 preferential points system, where 80 points will be allocated in respect of price and 20 points in respect of targeted goals.

POINTS FOR CONTRACTING AN ENTERPRISE OWNED BY HISTORICALLY DISADVANTAGED PERSONS OR INDIVIDUALS		
HISTORICALLY DISADVANTAGED PERSONS OR INDIVIDUALS	POINTS ALLOCATION	SOURCE DOCUMENTS REQUIRED TO CLAIM POINTS
100% black person or people owned enterprise	6	A copy of a Full CSD report not older than 3 months

POINTS FOR CONTRACTING AN ENTERPRISE OWNED BY WOMEN OR MEN		
WOMEN OR MEN	POINTS ALLOCATION	SOURCE DOCUMENTS REQUIRED TO CLAIM POINTS
More than 30% women owned enterprise	6	A copy of a Full CSD report not older than 3 months
Men only owned enterprise	5	

POINTS FOR CONTRACTING AN ENTERPRISE OWNED BY PEOPLE WITH DISABILITY		
PEOPLE WITH DISABILITY	POINTS ALLOCATION	SOURCE DOCUMENTS REQUIRED TO CLAIM POINTS
More than 30% people living with disability shareholding or owned enterprise	6	A copy of a Medical Certificate to confirm disability

POINTS FOR IMPLEMENTING RDP PROGRAMMES		
RDP	POINTS ALLOCATION	SOURCE DOCUMENTS REQUIRED TO CLAIM POINTS
Youth 10%	2	A copy of a Full CSD report not older than 3 months
TOTAL PREFERENCE POINTS TO BE CLAIMED	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

3.3. Name of company/firm.....

3.4. Company registration number:

3.5. 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

1.3.1.1 PRICE

1.3.1.2 SPECIFIC GOALS

Total points for Price and Specific Goals must not exceed 100

1.4

3. ADJUDICATION USING A POINT SYSTEM

3.1 The bidder obtaining the highest number of total points will be awarded the contract.

3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;

3.3 Points scored must be rounded off to the nearest 2 decimal places.

3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for specific goals.

3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for specific goals, the successful bid must be the one scoring the highest score for functionality.

3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots

SIGNATURE(S) OF BIDDER(S)

1.

2.

3.

DATE:.....

ADDRESS:.....

.....

.....

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. willfully 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	<i>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?</i> <u>(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).</u> <u>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.</u>	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:		
Item	Question	Yes	No

4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.7.1	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 Bidde

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ 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 Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

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

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

MBD 9

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 consortium³ 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.

SPECIFICATION

**Supply, Deliver and Offloading of 1000 X 25kg Bags Cold Asphalt and 70 Tons
of Hot Asphalt Mix**

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 Blacksmith (Welding) workshop also need to be equipped with tools to conduct their daily activities. Below is a list of tools:

NB. All this components are highly requested, in order not to hamper service delivery

**FORM C : 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:..... Bid Number:.....

Closing Time:..... Closing Date:.....

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

No.	DESCRIPTION	UNIT	QTY	RATE	AMOUNT
1.	25kg Bags Cold Asphalt	no	1000		
2.	Hot Asphalt Mix	Ton	70		
SUBTOTAL					
ADD 15% VAT					
TOTAL PRICE					

- Does offer comply with specifications? YES/NO
- If not to specification, indicate deviation(s)
- Period required for delivery
*Delivery: Firm/not firm
- Delivery basis (all delivery costs must be Included in the bid price)

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**

- Period required for completion
*Delivery: Firm/not firm

- Delivery basis (all delivery costs must be Included in the bid price)

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.

GENERAL CONDITIONS OF CONTRACT

The General Conditions of Contract is not included in this document and can be downloaded from the following website:

<http://www.treasury.gov.za/legislation/pfma/public%20entities/PFMA%20GCC%20July%202010.pdf>

The Supply Chain Management Policy (SCM) is not included in this document and can be downloaded from the following website:

www.victorkhanyelm.gov.za