`

CIDB GRADING 3CE OR HIGHER

DR JS MOROKA LOCAL MUNICIPALITY

PROJECT NO: JSM-O&M-RES-W5/2026

APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B.

TENDER DOCUMENT

ISSUED BY: DR JS MOROKA LOCAL MUNICIPALITY
2601/3 Bongimfundo Street
Siyabuswa
0472

NAME OF TENDERER:……..

CSD NUMBER:……

TAX PIN: ……

EMAIL: ……

CONTACT: ……

BID AMOUNT OFFERED (Excl. Vat)……..

VERY IMPORTANT NOTICE ON DISQUALIFICATIONS:

A bid not complying with the peremptory requirements stated hereunder will be regarded as not **b**eing 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 2022 including any other amendments made thereafter, in terms of which provision is made for this policy.

1. If a tax clearance pin or copy thereof (or in the case of a joint venture, of all the partners in the joint venture) has not been submitted with the bid document on closing date of the bid.
2. Failure to complete and submit all the information as required in the tender document.
3. Failure to complete the schedule of quantities as required including the subcontractors schedule of quantities.
4. Scratching out, writing over or painting out rates, without initialing next to the amended rates or information, affecting the evaluation of the bid.
5. The use of correction fluid (i.e. tippex) or any erasable ink, e.g. pencil.
6. Bidder to submit the latest copy of the Central Supplier Database report (not to be used as a disqualification factor).
7. Bidder to submit the company registration certificate issued by CIPC (not to be used as a disqualification factor).
8. Non-attendance of mandatory/compulsory:
   - Site inspections or;
   - Information/Clarification meetings
9. The Bid has not been properly signed by a party having the authority to do so, according to the *example* of "Authority for Signatory"
10. No authority for signatory submitted – See example, where it is stated that a duly signed and dated original or certified copy of the company's relevant resolution (for each specific bid) of their members or their board of directors on the company letter head, must be submitted.
11. Failure to submit a Letter of Good Standing issued by the Department of Labour in line with the Compensation for Occupational Injuries and Diseases Act (No. 130 of 1993)
12. The bid has been submitted after the relevant closing date and time
13. If any municipal rates and taxes or municipal service charges owed by the bidder or any of its directors to the municipality, or to any other municipality or municipal entity, are in arrears for more than 90 days.
14. 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.
15. 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.

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……

2. ……

Initial: DR. JSMLM

Witness: ……

16. Failure to provide proof of registration with the CIDB, in an appropriate contractor grading designation **(3CE) or Higher**, as required in the bid documentation.
17. 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.
18. Bid offers will be rejected if the bidder has abused the DR. JSMLM's Supply Chain Management System.
19. Failure to attach a copy of a valid signed Joint Venture/Consortium agreement (if applicable) to the bid document.
20. Form of offer not completed and signed by the authorized signatory.
21. Not signing all pages on the space provided
22. Attach CV of Contracts Manager, Site Agent and Safety Officer
23. Certified copies of Qualification of Contracts Manager, Site Agent and Safety Officer.
24. Proof of Foreign Qualification approved from SAQA (if applicable)
25. Proof of employment letter confirming employment on the company letter head (Contracts Manager, Site Agent and Safety Officer)
26. Proof of relevant working experience for the bidder (copies of appointment letter and completion certificate)
27. In case where the bidder fails to prove beyond reasonable doubt that the project will be completed with the amount stated on the form offer. The bidder in the latter case will be given an opportunity to present the facts for risk mitigation purposes.
28. The municipality also reserves the right not to appoint the lowest bidder and to appoint the bid in whole or in parts. The municipality also reserves the right to appoint the bid based on its risk assessment.

NOTE:

IN THIS DOCUMENT AND OTHER DOCUMENTS REFERRED TO BUT NOT ATTACHED, THE FOLLOWING WORDS ARE SYNONYMOUS WITH EACH OTHER.

1. CLIENT, EMPLOYER, DR. JS MOROKA LOCAL MUNICIPALITY (DR. JSMLM).

2. BID, TENDER AND VARIATIONS THEREOF

3. JOINT VENTURE / CONSORTIUM

BIDDER:
Initial: Authorized signatory/ies:
……..

DR. JSMLM
1. ……..….
2. ……

Initial: DR. JSMLM

Witness: ……..……..

DR JS MOROKA LOCAL MUNICIPALITY

DEPARTMENT NAME: TECHNICAL SERVICES

CONTRACT NO: JSM-O&M-RES-W5/2026

APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B.

SUMMARY FOR BID OPENING PURPOSES

NAME OF BIDDING ENTITY: .....…….

.....…….

PHYSICAL STREET ADDRESS:	**POSTAL ADDRESS:**

TELEPHONE NUMBER : .....

FAX NUMBER : .....

E-mail ADDRESS : .....

CONTRACT PRICE: R .....
(Amount brought forward from the Form of Offer and Acceptance) *
…….. .....

…….
Signed by authorized representative of the Bidding Entity……DATE

- Should any discrepancy occur between this figure and that stated in the Form of Offer and Acceptance, the latter shall take precedence and apply.

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……..…. **Initial:** DR. JSMLM

2. ……

Witness: ……..……

DR JS MOROKA LOCAL MUNICIPALITY

DEPARTMENT NAME: TECHNICAL SERVICES

CONTRACT NO: JSM-O&M-RES-W5/2026

APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B.

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C2.2 Bill of quantities

Part C3: Scope of Work
C3 Scope of Work

Part C4 : Additional Relevant Documents
C4.1 Supply Chain Management Policy

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

DR JS MOROKA LOCAL MUNICIPALITY

DEPARTMENT NAME: TECHNICAL SERVICES

CONTRACT NO: JSM-O&M-RES-W5/2026

APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B.

TENDERING PROCEDURES

THE TENDER

Part T1: Tendering Procedures

T1.1 Tender notice and invitation to tender
T1.2 Tender Data

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

T1.1 TENDER NOTICE AND INVITATION TO TENDER

APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B.

Dr JS Moroka Local Municipality invites proposals from suitably qualified SERVICE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA.B. Documents will be obtainable from **27 November 2026** on payment of cash non-refundable document fee of **R1 827,86** per document from the offices of the Dr JS Moroka Local Municipality, 2601/3 Bongimfundo Street, Siyabuswa, 0472. Document can also be downloaded on the eTender portal.

A compulsory site briefing will be held on the **01 December 2026 at Ga-Phahla Community Hall at 10:00 am (Siyabuswa Mpumalanga)**

Tenders are to be completed in black ink and completed in accordance with the conditions and rules contained in the tender documents. The tenders and relevant documents must be sealed in an envelope and externally endorsed **APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B,** and be deposited in the Tender Box, Headquarters, Dr JS Moroka Local Municipality, 2601/3 Bongimfundo Street, Siyabuswa, Mpumalanga not later than **11h00 am** on **10 December 2026**. The tenders will immediately be opened in public. **The Tenders shall remain valid for a period of 90 days from the closing date.** Telegraphic, telephonic, fax, telex e-mail or late tenders will not be accepted. **3CE OR HIGHER CIDB** Grading is required.

Tenders will be evaluated in terms **80/20** criteria of the Supply Chain Management policy of the Dr JS Moroka Local Municipality. The lowest or any tender will not necessarily be accepted and suitably the Dr JS Moroka Local Municipality reserves the right not to consider any tender **not suitably endorsed or comprehensively completed**, as well as the right to accept the tender in whole or part.

Technical enquiries may be directed to the Technical Services Department for the attention of Mr SJL Mothibi at 013-973-1129 and administrative enquiries may be directed to the Supply Chain Management Unit from the Dr JS Moroka Local Municipality at ***013 973 1101***

Ms. M.M MATHEBELA
MUNICIPAL MANAGER
DR JS MOROKA LOCAL MUNICIPALITY

DR. JSMLM

BIDDER:
Initial: Authorized signatory/ies:
……..

1. ……..…. **Initial:** DR. JSMLM

2. ……

Witness: ……..……..

T1.2 TENDER DATA

1.	The Employer is: Dr JS Moroka Local Municipality Private Bag X4012 Siyabuswa 0472
2.	Tender Documents
	Tendering Procedures Tender notice and invitation to tender Tender data **Returnable Documents** List of Returnable Documents **The Contract** **Agreements and Contract data** Forms of Offer and Acceptance Contract Data **Pricing Data** Pricing Instruction Bill of Quantities **Terms of Reference** Terms of Reference **Additional Relevant Documents** Supply Chain Management Policy
3.	**Interpretation** The tender data and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these tender conditions.
4	**Communication.** The Employer's Representative is;

Accounting Officer;	**Procurement Eng.**	**Technical Enquiries.**
MM Mathebela	**AV Masilela**	**SJL Mothibi**
Private Bag X4012	Private Bag X4012	Private Bag X 4012
Siyabuswa	Siyabuswa	Siyabuswa
0472	0472	0472
Tel : 013 973 1101	Tel : 013 973 1101	Tel : 013 973 3541

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

4.1
Attention is drawn to the fact that verbal communication given by the Employer's representative prior to the close of tenders will not be regarded as binding on the employer. Only information issued formally by the employer in writing to the tenders, under the signature of the Accounting Officer will be regarded as amending the tender documents.

5	**Eligibility** Tenderers must meet or employ staff that meet the following criteria: • Employing qualified staff with experience, appropriate certificates for work force used, i.e. academic qualifications, trade test certificates, previous experience, etc. • Meet the requirements of the evaluation criteria as set on 21.2 below.
6	**The Employer's right to accept or reject any tender offer** The employer has the right not to accept the lowest tender and to accept the whole or part of any tender or not to consider any tender not suitably endorsed is fully reserved by the Dr JS Moroka Local Municipality.
7	**Tenderer Obligations**
7.1	The Council retains the right to call for any additional information that it may deem necessary.
7.2	If tendering as a Joint Venture, Joint venture must be constituted by means of a comprehensive and fair, written agreement between the members, which sets out their obligations, rights, risks and rewards. Joint venture members should share at least the following aspects of the joint venture activities in a meaningful and equitable manner: 1. Control 2. Management 3. Operations 4. Risk 5. Profit and Loss
7.3	If a Tenderer , or any person employed by him is found to have either directly or indirectly, promised or given to any person in the employment of Council, any commission, gratuity, gift or other consideration, The Council shall have the right to summarily and without recourse to law and without prejudice to any other legal remedy which it may have in regard to any loss and/ or additional costs or expenses, to disqualify the Tender or cancel the Contract without paying any compensation to the aforesaid Tender or Contract.
7.4	At the request of the Municipal Manager or her/his authorized representative from furnishing her/his with additional information, or with a sample or specimen for testing purposes or otherwise, or from giving a demonstration so as to enable the recommendation to the Council's responsible Committee on the award of the contract be formulated,

BIDDER:
Initial: Authorized signatory/ies:
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DR. JSMLM
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2. ……

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Witness: ……

8	**Insurance** Public Liability Insurance held by Tenderer for a minimum value of **R500,000.00 If Apllicable**
9	**Compensation of tendering** The employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the cost of any testing necessary to demonstrate that aspects of the offer satisfy requirements.
10	**Check documents** The Tenderer should check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.
11	**Confidentiality and Copyright of Documents.** Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.
12	**Submitting tender offer:**
12.1	No Tender document will be considered unless submitted on Council's Official Tender Document
12.2	Return all the returnable documents to the employer after completing them.
12.3	Tenders must be deposited in the tender box clearly marked: CONTRACT NO: ***PROJECT NO: JSM - O & M – RES: W5/2026 APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B.*** **Location of tender Box**: Main Entrance Reception **Physical Address:** DR JS Moroka Local Municipality, 2601/3 Bongimfundo Street, Siyabuswa 0472. Telephonic, telegraphic, telex, facsimile or emailed tenders will not be considered
12.4	All tender received by the DR JS Moroka Local Municipality will remain in the Municipality's possession until after the stipulated closing date and time.
12.5	Accept that a tender submitted to the employer cannot be withdrawn or substituted. No substitute tenders will be considered.
13	**Closing Time:**
13.1	The time and location for opening of the Tender offers are: Closing Time: **11:00 am** Closing Date: **10 December 2026**

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

	Location: Dr JS Moroka Local Municipality 2601/3 Bongimfundo Street Siyabuswa 0472
13.2	After the opening of the tender proposals, no information relating to the clarification, determination of responsiveness, evaluation and comparison of tender proposals and recommendations concerning the award of the tender shall be disclosed to any other tenderer or persons not concerned with such process until the award of the Tender has been announced by the DRJSMLM.
14	**Pricing the tender** State the rates and prices in South African Currency (Rand)
15	**Alterations to the Tender Documents.** **No** alterations may be made to the tender document issued by the employer. Proposals and any other supporting documents must be attached to the back of this tender document
16	**Alternative tender offer.** No alternative tender offers will be considered or accepted Alternative offers may be submitted only if a main tender offer, strictly in accordance with all the requirements of the tender document is also submitted. The alternative tender offer is to be submitted with the main tender offer together with a schedule that compares the requirements of the tender document with the alternative requirements the tenderer proposes.
17	**Tender Offer Validity** The Tender offer validity period is **90 days** from the closing date.
18	**Tender clarification after submission** A tender may be regarded as non-responsive if the tenderer fails to provide clarification requested by the employer within the time for submission stated in the employer's written request.
19	**Tender evaluation points** The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable. Preference points for this bid shall be awarded for: (a) Price; and (b) Specific Goal

BIDDER:
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Witness: ……

The maximum points for this bid are allocated as follows:

	POINTS
PRICE	**80**
SPECIFIC GOALS	**20**
Total points for Price and Specific goals must not exceed	**100**

20	**The additional conditions of Tender are:** 1. Dr JS Moroka Local Municipality may also request that the Tenderer to provide written evidence that his financial, labour and resources are adequate for carrying out the project. 2. The Dr JS Moroka Local Municipality reserves the right to appoint a firm of chartered accountants and auditors and / or execute any other financial investigations on the financial resources of any Tenderer. The Tenderer shall provide all reasonable assistance in such investigations.
21	**Technical adjudication and General Criteria** Tenders will be adjudicated in terms of inter alia: □ Compliance with Tender conditions □ Technical specifications If the Tenderer does not comply with the Tender Conditions, the Tenderer may be rejected. If technical specifications are not met, the Tender may also be rejected. With regard to the above, certain actions or errors are unacceptable and shall be an automatic REJECTION OF THE TENDER, for example □ CK Document. □ CSD Report.
22	Staffing profile Evaluation of the Tenderer's position in terms of: □ Staff will be applicable for this tender.
23	Previous experience □ The procedure for the evaluation of responsive Bids will be on the minimum number of projects specified in this document, in terms of functionality.
24	The tenderer shall provide documentation of company experience of each member of the related projects.

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B.

RETURNABLE DOCUMENTS

Returnable Documents
List of returnable documents

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

DEPARTMENT NAME: TECHNICAL SERVICES

CONTRACT NO: JSM-O&M-RES-W5/2026

APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B.

T2.1 LIST OF RETURNABLE DOCUMENTS

1. Failure to fully complete the **compulsory** returnable documents shall render such a tender offer unresponsive.
2. Tenderers shall note that their signatures appended to each returnable form **represents a declaration that they vouch for the accuracy and correctness of the information provided**, including the information provided by candidates proposed for the specified key positions.
3. Notwithstanding any check or audit conducted by or on behalf of the Employer, the information provided in the returnable documents is accepted in good faith and as justification for entering into a contract with a tenderer. **If subsequently any information is found to be incorrect such discovery shall be taken as wilful misrepresentation by that tenderer to induce the contract**. In such event the Employer has the discretionary right to terminate the contract.

The Tenderer must complete the following returnable Schedules:

Returnable Schedules required for Tender evaluation purposes

COMPULSORY BID DOCUMENTS	
FORM A PART A & B	INVITATION TO BID
FORM B	DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES
FORM C	DECLARATION OF INTEREST
FORM D	AUTHORITY OF SIGNATORY
FORM E	DECLARATION OF GOOD STANDING REGARDING TAX
FORM F	FINANCIAL REFERENCES /TENDERER'S CREDIT RATING AND BANK DETAILS
FORM G	MUNICIPAL UTILITY ACCOUNT
FORM H	PREFERENCE SCHEDULE
FORM I	CERTIFICATE OF INDEPENDENT BID DETERMINATION
FORM J	DECLARATION TENDERER'S LITIGATION HISTORY
FORM K	PROFFESSIONAL INDEMNITY INSURANCE
FORM L	PROOF OF GOOD STANDING WITH COMPENSATION COMMISSIONER
FORM M	PROOF OF MEMBERSHIP WITH PROFESSIONAL BODIES
FORM N	PROPOSED KEY PERSONNEL
FORM O	SCHEDULE OF PREVIOUS EXPERIENCE
FORM P	SCHEDULE OF CURRENT PROJECTS
FORM Q	SCHEDULE OF INFRASTRUCTURE AND RESOURCES
FORM R	SCHEDULE OF PROPOSED SUB CONTRACTOR
FORM S	RECORD OF ADDENDA TO TENDER DOCUMENTS
FORM T	FUNCTIONALITY

BIDDER:
Initial: Authorized signatory/ies:
……..

DR. JSMLM
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Initial: DR. JSMLM

Witness: ……..……..

COMPULSORY BID DOCUMENTS

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (*NAME OF MUNICIPALITY/ MUNICIPAL ENTITY*)					
BID NUMBER:	JSM-O&M-RES: W5/2026	CLOSING DATE:	10 December 2026	CLOSING TIME:	11H00am
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA.B				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED
IN THE BID BOX SITUATED AT *(STREET ADDRESS*

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**	☐Yes ☐No [IF YES, ANSWER PART B:3]	

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

		OFFERED?	
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	SCM (FINANCE)	DEPARTMENT	TEHCNICAL DEPARTMENT
CONTACT PERSON	AV Masilela	CONTACT PERSON	SJL Mothibi
TELEPHONE NUMBER	013 973 1101	TELEPHONE NUMBER	013 973 1101
FACSIMILE NUMBER	N/A	FACSIMILE NUMBER	N/A
E-MAIL ADDRESS	Masilelaa@moroka.gov.za	E-MAIL ADDRESS	Mothibis@moroka.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 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.

BIDDER:
Initial: Authorized signatory/ies:
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DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

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: ……...

FORM A2: COMPULSORY ENTERPRISE QUESTIONNAIRE FOR CONSORTIA OR JOINT VENTURES

In the case of a Joint Venture – Form "A2" needs to be completed

SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

RESOLUTION of a meeting of the duly authorised representatives of the following legal entities who have entered into a consortium/joint venture to jointly bid for the project mentioned below: (*legally correct full names and registration numbers, if applicable, of the Enterprises forming a Consortium/Joint Venture)*

1. _____

_____

2. _____

_____

3. _____

_____

4. _____

_____

5. _____

_____

6. _____

_____

7. _____

_____

8. _____

_____

BIDDER:
Initial: Authorized signatory/ies:
……..

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

Held at _____ (*place)*

On _____ *(date)*

RESOLVED that:

The above-mentioned Enterprises submit a Bid in Consortium/Joint Venture to the Dr JS Moroka Local Municipality in respect of the following project:

_____

Bid / Project Number: _____**{insert number}**

A. Mr/Mrs/Ms:_____

in *his/her Capacity as: _____*(Position in the Enterprise)*
and who will sign as follows:
_____
be, and is hereby, authorised to sign the Bid, and any and all other documents and/or correspondence in connection with and relating to the Bid, as well as to sign any Contract, and any and all documentation, resulting from the award of the Bid to the Enterprises in Consortium/Joint Venture mentioned above.

B. The Enterprises constituting the Consortium/Joint Venture, notwithstanding its composition, shall conduct all business under the name and style of:

_____

C. The Enterprises to the Consortium/Joint Venture accept joint and several liabilities for the due fulfilment of the obligations of the Consortium/Joint Venture deriving from, and in any way connected with, the Contract entered into with the municipality in respect of the project described under item A above.

D. Any of the Enterprises to the Consortium/Joint Venture intending to terminate the consortium/joint venture agreement, for whatever reason, shall give the Department 30 days' written notice of such intention. Notwithstanding such decision to terminate, the Enterprises shall remain jointly and severally liable to the municipality for the due fulfilment of the obligations of the Consortium/Joint Venture as mentioned under item C above.

E. No Enterprise to the Consortium/Joint Venture shall, without the prior written consent of the other Enterprises to the Consortium/Joint Venture and of the municipality, cede any of its rights or assign any of its obligations under the consortium/joint venture agreement in relation to the Contract with the municipality referred to herein.

F. The Enterprises choose as the *domicilium citandi et executandi* of the Consortium/Joint

Venture for all purposes arising from the consortium/joint venture agreement and the Contract with the municipality in respect of the project under item A above:

Physical address: _____

_____

_____

_____ (code)

Postal Address: _____

_____

_____

_____ (code)

Telephone number: _____ (code)

Fax number : _____ (code)

NO	NAME OF ENTITY	NAME OF REPRESENTATIVE	CAPACITY	SIGNATURE
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Note:
*1. * Delete which is not applicable*
*2. **NB**. This resolution must be signed by all the Duly Authorised Representatives of the Legal Entities to the Consortium/Joint Venture submitting this Bid*
3. Should the number of Duly Authorised Representatives of the Legal Entities joining forces in this Bid exceed the space available above, additional names and signatures must be supplied on a separate page
4. Resolutions, duly completed and signed, from the separate Enterprises who participate in this Consortium/Joint Venture must be attached to the Special Resolution.

ATTACH THE FOLLOWING DOCUMENTS HERETO

1. **For Closed Corporations**

   - CK as applicable (Founding Statement)
   - Certified Copies of the ID's of the Directors

2. **For Companies**

   - A copy of the Certificate of Incorporation
   - Certified Copies of the ID's of the Directors, and
   - the shareholders register

3. **For Joint Venture Agreements**

   - Copy of the Joint Venture Agreement between all the parties,
   - as well as the documents in (1) or (2) of each Joint Venture member.

4. **For Partnership**

   - Certified Copies of the ID's of the partners

5. **One-person Business / Sole trader**

   - Certified Copy of ID

6. **Details of Tax Compliance Status from South African Revenue Service**

7. **Duly Signed and dated original or copy of Authority of Signatory on company Letterhead**

8. **B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE (original or a copy issued by an approved body / accredited verification agency as prescribed by the National Treasury and the Department of Trade and Industry) or Sworn Affidavit.**

FORM B: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (MBD8)

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	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:		

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

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 / 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:		

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)……

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN addition TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

……... ……..
Signature Date

……. ……..
Position Name of Bidder

FORM C: DECLARATION OF INTEREST (MBD4)

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, 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: ……

……

SCM 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

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……..…. **Initial:** DR. JSMLM

2. ……

Witness: ……..……

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 director's trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

3.13.1 If yes, furnish particulars: ……..……

……..

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract? **YES / NO**

3.14.1 If yes, furnish particulars: ……..……

……

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……..…..
2. ……

Initial: DR. JSMLM

Witness: ……..……..

4. Full details of directors / trustees / members / shareholders.

FULL NAME	IDENTITY NUMBER	STATE EMPLOYEE NUMBER

DECLARATION

I, the undersigned (name): ……
certify that the information furnished is correct. I accept that the state may act against me in terms of paragraph 23 of the General Conditions of Contract should this declaration prove to be false.

…… ……
Signature Date

…… ……
Capacity Name of Bidder

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

FORM D: AUTHORITY OF SIGNATORY

Details of person responsible for tender process:
Name : _____
Contact number : _____
Office address : _____

Signatories for close corporations and companies shall confirm their authority by filling the top part of this form and attaching to this form a **duly signed and dated original or copy on the Company Letterhead** of the relevant resolution of their members or their board of directors, as the case may be.

PRO-FORMA FOR COMPANIES AND CLOSE CORPORATIONS:

"By resolution of the board of directors passed on *(date)*……..

Mr ……..

has been duly authorized to sign all documents in connection with the Tender for Contract Number

…… and any Contract which may arise there from on

behalf of ……
(BLOCK CAPTIALS)

SIGNED ON BEHALF OF THE COMPANY ……

IN HIS CAPACITY AS ……

DATE ……

FULL NAMES OF SIGNATORY

AS WITNESSES: 1. ……..

2. ……

Pro-Forma

PRO-FORMA FOR JOINT VENTURES: Certificate of Authority for Joint Ventures

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms ……., authorised signatory of the company ……, acting in the capacity of lead partner, to sign all documents in connection with the tender offer an any contract resulting from it on our behalf.

NAME OF FIRM	ADDRESS	DULY AUTHORISED SIGNATORY
		Signature: …….. Name: ……. Designation: ……..
		Signature: …….. Name: ……. Designation: ……..
		Signature: …….. Name: ……. Designation: ……..
		Signature: …….. Name: ……. Designation: ……..

Pro-Forma

ATTACH HERETO THE DULY SIGNED AND DATED ORIGINAL OR A COPY OF AN AUTHORITY OF SIGNATORY SPECIFIC TO THIS TENDER AS PER TENDER NUMBER GIVEN ON A COMPANY LETTERHEAD

FORM E: DECLARATION OF GOOD STANDING REGARDING TAX (MBD 2)

DETAILS OF TAX COMPLIANCE STATUS:

TAXPAYER NAME	
TRADING NAME	
TAX REFERENCE NUMBER (S)	
VAT	
PIN	
EXPIRY DATE	

TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

1. In order to meet these requirement bidders are required to complete in full the attached form TCC 001"Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
4. Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za.
5. Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za .

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

FORM F: FINANCIAL REFERENCES (BANK CONFIRMATION LETTER)

DETAILS OF TENDERERS BANKING INFORMATION

Notes to tenderer:

1. The tenderer shall attach to this form an original letter from the bank not older than three (3) months confirming the bank account and details. Failure to provide the required letter with the tender submission shall render the tenderer's offer unresponsive.
2. The tenderer's banking details as they appear below shall be completed.
3. In the event that the tenderer is a joint venture enterprise, details of all the members of the joint venture shall be similarly provided and attached to this form.

BANK NAME:	
ACCOUNT NAME: *(e.g. ABC Civil Construction cc)*	
ACCOUNT TYPE: *(e.g. Savings, Cheque etc)*	
ACCOUNT NO:	
ADDRESS OF BANK:	
CONTACT PERSON:	
TEL. NO. OF BANK / CONTACT:	
How long has this account been in existence:	0-6 months [ ] 7-12 months [ ] 13-24 months [ ] More than 24 months [ ] (Tick which is appropriate)

Name of Tenderer: …… Date: ……

Signature: ……

Full name of signatory: ……

ATTACH HERETO A STAMPED ORIGINAL OR COPY OF A LETTER FROM THE BANK TO THIS PAGE NOT OLDER THAN THREE (3) MONTHS

FORM G: MUNICIPAL UTILITY ACCOUNT

DECLARATION BY THE TENDERER

I the undersigned _____, has been duly

authorized to sign all documents with the Tender for Contract Number _____on behalf of

_____ hereby make a declaration as follows:
(referred to herein as "the Bidder")

1. I declare that the bidder and /or any of its director(s) / member(s) does not owe the municipality, or any other municipality and/or municipal entity any amount which is in arrears in respect of any municipal rates and taxes or municipal service charges.

2. I understand and accept that in the event that this declaration is proved to be false, the bid shall be rejected forthwith. All other rights of the municipality (including but not limited to the right to claim damages where applicable) shall remain reserved in full.

SIGNED ON BEHALF OF THE COMPANY _____

IN HIS CAPACITY AS _____

DATE _____

FULL NAMES OF SIGNATORY _____

UTILITY ACCOUNT NUMBER	NAME OF MUNICIPALITY	NAME OF OWNER

ATTACH AN ORIGINAL OR A COPY OF A MUNICIPAL UTILITY ACCOUNT (NOT OLDER THAN 90 DAYS

Important: Note the following

- List and attach account(s) registered all in the name(s) of the Director(s) **AND** the Company on the declaration form attached hereto; or

- Attach a copy lease agreement along with the utility account of the Landlord, whereby the company or director is leasing the property.

FORM H: PREFERENCE SCHEDULE (MBD 6.1)

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 Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, 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

1.2 a) 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; or

1.3 Points for this bid shall be awarded for:
(c) Price; and
(d) Specific Goals.

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

	POINTS
PRICE	**80**
SPECIFIC GOALS	**20**
Total points for Price and Specific Goals	**100**

The specific goals based on the IDP for Dr JS Moroka local municipality are as per following.

a) Empowerment of women.
b) Empowerment of youth.
c) Empowerment of previously disadvantaged through Race.
d) BBBEE status level of contribution.
e) Empowerment of business established in the municipal jurisdiction.
f) Military veterans in line with Act no18 of 2011.

For this Projects, specific goals shall be awarded as follows:

a) Empowerment of previously disadvantage through Race (5 points)
b) Empowerment of women (5 points)
c) Military veterans in line with Act no18 of 2011 (5 points)
d) Empowerment of youth (5 points)

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

(a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

(b) "**B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

(d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

(e) **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(f) **"functionality"** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.

(g) **"prices"** includes all applicable taxes less all unconditional discounts;

(h) **"proof of B-BBEE status level of contributor"** means:

1) B-BBEE Status level certificate issued by an authorized body or person;

2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;

3) Any other requirement prescribed in terms of the B-BBEE Act;

(i) **"QSE"** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(j) **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 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 bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
a) Empowerment of previously disadvantage through Race	N/A	(5 points)	N/A	
b) Empowerment of women	N/A	(5 points)	N/A	
c) Empowerment of youth	N/A	(5 points)	N/A	
d) Military veterans in line with Act no18 of 2011	N/A	(5 points)	N/A	

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: . = ……(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 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.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?
(***Tick applicable box***)

YES		NO	

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....……%
ii) The name of the sub-contractor……..
iii) The B-BBEE status level of the sub-contractor.....……..
iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	

v) **Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2022:**

Designated Group: An EME or QSE which is at last 51% owned by:	**EME** √	**QSE** √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

8. **DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:……..

8.2 VAT registration number:……

8.3 Company registration number:……

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[Tick applicable box]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

……
……
……
……..

8.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[*Tick applicable box*]

8.7 **MUNICIPAL INFORMATION**

Municipality where business is situated: …….
Registered Account Number: ……
Stand Number:…….

8.8 Total number of years the company/firm has been in business……

8.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBEE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
   (a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

WITNESSES:

1. ……

2. ……

……
SIGNATURE(S) OF BIDDER(S)

DATE:

ADRESS:

ATTACH AN ORIGINAL OR A COPY OF B-BBEE STATUS VERIFICATION CERTIFICATE OR SWORN AFFIDAVIT

NOTE THE FOLLOWING IN RESPECT OF B-BBEE CERTIFICATES:

1. **Certificates attached hereto should be those issued by approved verification agencies as directed by the National Treasury and the DTI (Department of Trade and Industry)**
2. **Verification agencies should be approved by SANAS and Accounting Officers and Auditors should be approved in terms of the IRBA (Independent Regulatory Body for Auditors), and as prescribed by the Close Corporations Act for designation as an Accounting Officer**
3. **Copies of the B-BBEE certificate or sworn affidavit should be within the financial year of the issued bid or quotation.**

Further information in respect of the above is obtainable from the National treasury and DTI websites and the PREFERENTIAL PROCUREMENT REGULATIONS 2022

FORM I: CERTIFICATE OF INDEPENDENT BID DETERMINATION

(MBD 9)

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] 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.

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

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:
8.
   (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

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……

2. ……

Initial: DR. JSMLM

Witness: ……

(f) bidding with the intention not to win the bid.

9. 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.
10. 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.
11. 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

FORM J: DECLARATION OF TENDERER'S LITIGATION HISTORY

Does the tenderer have any litigation with which tenderer (including its directors, shareholders or other senior members in previous companies) have been involved with any organ of state or state department within the last ten years?

YES	NO

If yes, furnish your details in table below.

NB: It is compulsory for all bidders to sign this form

The tenderer shall list below details of any litigation with which the tenderer (including its directors, shareholders or other senior members in previous companies) has been involved with any organ of state or state department within the last ten years. The details must include the year, the litigating parties, the subject matter of the dispute, the value of any award or estimated award if the litigation is current and in whose favour the award, if any, was made.

CLIENT	OTHER LITIGATING PARTY	DISPUTE	AWARD VALUE	DATE RESOLVED

…… ……
Signature Date

…… ……
Position Name of Bidder

FORM K: PROOF OF PROFFESSIONAL INDEMNITY

NOT APPLICABLE FOR THIS TENDER

FORM L: PROOF OF VALID CERTIFICATE OF GOOD STANDING WITH COMPENSATION COMMISSIONER (COIDA)

Affix Proof of Good Standing with Compensation Commissioner on this page

FORM M: PROOF OF MEMBERSHIPS WITH THE PROFESSIONAL BODIES

"Affix proof of membership with professional bodies as indicated on eligibility" if available

FORM N: PROPOSED KEY PERSONNEL

The Tenderer shall list below the key personnel whom he proposes to employ on the project should his Tender be accepted,

No	Name	Qualification	Designation for the project tendered for

Provide two paged CV of Each Key Personnel to be used in this project.
Each CV should give at least the following:

- Position in the firm and within the organisation of this assignment
- Proof of Educational qualifications if any
- Proof of Professional Registrations if any
- Relevant experience (actual duties performed, involvement and responsibility), including locations, dates and durations of assignments, starting with the latest.
- Language proficiency and
- References (company name, individual name, position held, contact details)

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

(Affix the CV's and Attachments in a form of a booklet to the following Page.)

ATTACH CV'S OF KEY PERSONNEL TO THIS PAGE

BIDDER:
Initial: Authorized signatory/ies:
……..

DR. JSMLM
1. ……..….
2. ……

Initial: DR. JSMLM

Witness: ……..……..

FORM O: SCHEDULE OF PREVIOUS EXPERIENCE

The procedure for the evaluation of responsive Bids will be on the minimum of five (5) previous **projects** where the firm was involved. Reference of clients **MUST** be provided. **Evaluation of the Tenderer's position in terms of his previous experience. Emphasis will be placed on the following:**

- **Experience in the relevant health and wellness field**
- **Experience of contracts of similar size**

Provide the following information on relevant previous experience (indicate specifically projects of similar or larger size and/or which is similar with regard to type of work. **This information is material to the award of the Contract.**

Description	Value (R) VAT excluded	Period work executed		Reference		
		Appointment Date	Completion Date	Name	Organisation	Tel no

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

FORM P: SCHEDULE OF CURRENT PROJECTS

Provide the following information on current projects
This information is material to the award of the Contract.

Description	Value (R) VAT excluded	Appointment Date	Expected Completion Date	Reference		
				Name	Organisation	Tel no

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

FORM Q: SCHEDULE OF INFRASTRUCTURE AND RESOURCES

Provide information on the following:
Infrastructure and resources available for this project:

1. **Physical facilities and Buildings.**

Description	Address	Owned / leased

2. **Equipment**

Provide information on equipment and resources that you have available for this project.

(Include list of equipment relevant to the project and that will align to the evaluation criteria)

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

3. Vehicles

Provide information on vehicles that you have available for this project.

Description:	**Number of units**	**Registration Number**

4. Size of enterprise and current workload

What was your turnover in the previous financial year? ----------

What is the estimated turnover for your current financial year? ----------

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

FORM R: SCHEDULE OF PROPOSED SUB-CONTRACTORS

Are / Do you have sub-contractors? **YES** **NO**

If yes, complete the below

NAME OF SUB-CONTRACTOR	FULL DESCRIPTION OF WORK TO BE PERFORMED BY SUB-CONTRACTOR

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

FORM S: RECORD OF ADDENDA TO TENDER DOCUMENTS

Was there an addendum issued?

YES	NO

If yes, fill or attached the communication that you received.

We confirm that the following communication received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:

	Date	Title of Details

An addendum is any communication issued by Dr JS Moroka Local Municipality after the briefing session

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

FORM T: FUNCTIONALITY

The bidders have to comply with the following requirements before been considered for further 80/20 preferential point system evaluation.

This tender shall be evaluated using the following criteria:

The following points will be allocated for each of the above criteria

- Key Personnel 37
- Plant 23
- Company Experience 40

A firm must obtain a minimum of 70 points out of the 100 points or above to be considered for price and specific goals evaluation

Evaluation criteria

Contract Manager (Maximum points obtainable 20; minimum 16)

Name: _____

Note: It must be noted that total points of **20** are obtainable. Points will be allocated for the highest academic qualification only. Failure to submit evidential documents is an elimination factor and a Zero point will be scored.

Evaluation Criteria	**Minimum Required**	**Elimination Factor**	**Points obtainable**	**Points Claimed**
Academic Qualifications	Degree in Civil Engineering (NQF Level 7)	No	10	
Academic Qualifications	Diploma in Civil Engineering (NQF Level 6)	Yes	5	
Professional accreditation	Registration with ECSA as a Professional Engineering Technician **(Pr. Techni. Eng.)**	Yes	3	
Sub-total			**13**	
Experience of in similar projects		**Elimination Factor**	**Points obtainable**	**Points Claimed**

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……

2. ……

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Witness: ……

Involvement in comparable projects	0 – 4	Yes	3	
	5 upwards	No	7	
Sub-total			**7**	
Total			**7**	

Site Agent: ***(Maximum Points obtainable 11, minimum 5)***

Name: _____

Evaluation Criteria	**Minimum Required**	**Elimination Factor**	**Points obtainable**	**Points Claimed**
Academic Qualifications	N5 Civil Engineering (NQF 5)	No	8	
Academic Qualifications	N4 Civil Engineering (NQF 4)	Yes	4	
Sub-total			**8**	
Years of experience in similar projects	0 – 4	Yes	1	
	5 – 9	No	2	
	10 and above	No	3	
Sub-total			**3**	
Total			**11**	

Note: Should the Site Agent be the same as Contractor Manager zero points will be allocated.

Safety Officer: ***(Maximum Points obtainable 6; minimum 4)***

Name: _____

Evaluation Criteria	**Minimum Required**	**Elimination Factor**	**Points obtainable**	**Points Claimed**
Academic Qualifications	Certificate in Occupational Health and Safety or Equivalent	Yes	2	
Academic Qualifications	Professional registration (SACPCMP) in OHS	Yes	1	
Sub-total			**3**	
Years of experience after qualification	0-3	Yes	1	
	4-9	No	2	
	10 upwards	No	3	
Sub-total			**3**	
Total			**6**	

Note: Should the Safety Officer be the same as Contracts Manager, Site Agent, Safety Officer zero points will be allocated.

ORGANIZING AND STAFFING/PERSONNEL		
PERSONNEL	**TOTAL**	**SCORES**
Contracts Manager	20	
Site Agent	11	
Safety Officer	6	
TOTAL	**37**	

PLANT (Maximum Points obtainable 23, minimum 10.5)

It must be noted that a total of 23 points is obtainable by the service provider in relation to the requirements as mentioned on the table below, failure to submit evidential supporting documents (Proof of ownership in a form of RC1/invoice showing the name of the bidder) is an eliminating factor. Letter of intent or quotation from the lessor must be attached.

Evaluation Criteria	Minimum Required	Elimination Factor	Points obtainable (Own)	Points obtainable (leased)	Points Claimed
Firm's plant and equipment – Note: proof of ownership of the firm's equipment must be attached and failure to do so will results in forfeiting the plant points.	Asphalt Paver	Yes	5	1.5	
	Pneumatic-tyred roller (PTR)	Yes	5	1.5	
	Lowbed truck and trailer	Yes	5	3.5	
	Tipper trucks	Yes	5	2.5	
	Walk-Behind roller	Yes	3	1.5	
Total			**23**	**10.5**	

Note 1: Proof of Ownership.
The tenderer shall attach a proof of ownership (Copy of RC1 of vehicles registration documents) of machineries (in the name of company or director) or lease agreement with ownership of the lessor. Should this not be attached, the tender shall forfeit the points.

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……

2. ……

Initial: DR. JSMLM

Witness: ……

Note 3: Company Experience in similar or Comparable projects

EXPERIENCE OF FIRM (Maximum Points obtainable 40)

Note: Company's previous completed projects

It must be noted that the experience of the firm carries a maximum of 40 points as indicated in the table below. If proof of testimonials and appointment letters, in reference to Form E is not provided, then the bidder shall obtain zero point on the experience of the firm.
Provide proof of the company's previous completed projects which is in the form appointment letters and completion certificates. Verifiable references (**appointment letters, Reference letters and completion certificates**) with contact details must be attached.

EVALUATION CRITERIA	EVALUATION CRITERIA	ELIMINATION FACTOR	POINTS OBTAINABLE	POINTS CLAIMED
Company experience in terms of projects of similar scope completed (Max 4 projects) Undertaken in the last 10 years. Bidder must attach appointment letter and completion certificate.	Project of similar scope with minimum value R1 000 000.00 – R1 500 000.00 **5 Points each**	Yes	20 (Max)	
	Project similar scope with minimum value of R1 500 000 – R2 500 000.00 **8 Points each**	No	32 (Max)	
	Project of similar scope with minimum value of R2 500 000.00 and higher **10 Points each**	No	40 (Max)	
Sub-Total			**40**	
TOTAL			**40**	

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

DR JS MOROKA LOCAL MUNICIPALITY

DEPARTMENT NAME: TECHNICAL SERVICES

CONTRACT NO: JSM-O&M-RES–W5/2026

APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B.

THE CONTRACT

THE CONTRACT

Part C1: Agreements and Contract Data
C1.1 Form of Offer and Acceptance
C1.2 Contract Data

Part C2: Pricing Data
C2.1 Pricing Instructions
C2.2 Bill of quantities

Part C3: Scope of Work
C3 Scope of Work

Part C4: Site Information
C4 Site Information

Part C5 : Additional Relevant Documents
C5.1 Supply Chain Management Policy

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

DR JS MOROKA LOCAL MUNICIPALITY

DEPARTMENT NAME: TECHNICAL SERVICES

CONTRACT NO: JSM-O&M-RES-W5/2026

APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B.

AGREEMENTS AND CONTRACT DATA

Part C1: Agreements and Contract Data
C1.1 Form of Offer and Acceptance
C1.2 Contract Data

FORM C.1.1 FORM OF OFFER AND ACCEPTANCE

OFFER

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract in respect of the following works:

PROJECT NO: JSM-O&M-RES-W5/2026

APPOINTMENT OF CIVIL ENGINEERING CONTRACTOR FOR THE RESEALING OF SURFACED ROADS IN SIYABUSWA.

The Tenderer, identified in the Offer signature block below, 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 authorised, signing this part of this Form of Offer and Acceptance, the Tenderer offers to perform all of the obligations and liabilities of the Contractor 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 SUB-TOTAL OF THE PRICES EXCLUSIVE OF VALUE ADDED TAX IS

……

……. Rand (in words); R …… (In figures).

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 Tender Data, whereupon the Tenderer becomes the party named as the Contractor in the Conditions of Contract identified in the Contract Data.

Signature(s) _____ _____

Name(s) _____ _____

Capacity _____ _____

For the tenderer _____
(Name and address of organisation)

Name & Signature
Of Witness_____ _____
Name Date

ACCEPTANCE

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 Contract Data. 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:

Part 1 Agreements and Contract Data (which includes this Agreement)
Part 2 Pricing Data
Part 3 Scope of Work
Part 4 Additional Documentation

and drawings and documents or parts thereof, which may be incorporated by reference into Parts 1 to 4 above.

Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto listed in the Tender Schedules as well as any changes to the terms of the Offer agreed by the Tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Agreement. No amendments to or deviations from said documents are valid unless contained in this Schedule, which must be duly signed by the authorised representative(s) of both parties.

The Tenderer shall within two weeks after receiving a completed copy of this Agreement, including the Schedule of Deviations (if any), contact the Employer's agent (whose details are given in the Contract Data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the Conditions of Contract identified in the Contract Data at or just after the date this Agreement comes into effect. Failure to fulfil any of these 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 one fully completed original copy of this document, including the Schedule of Deviations (if any). Unless the Tenderer (now Contractor) within five 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 tenderer _____
(Name and address of organisation)

Name & Signature
Of Witness _____ _____
Name Date

SCHEDULE OF DEVIATIONS
Notes:

1. The extent of deviations from the tender documents issued by the Employer prior to the tender closing date is limited to those permitted in terms of the Conditions of Tender.

2. A Tenderer's covering letter shall not be included in the final contract document. Should any matter in such letter, which constitutes a deviation as aforesaid become the subject of agreements reached during the process of Offer and Acceptance, the outcome of such agreement shall be recorded here.

3. Any other matter arising from the process of offer and acceptance either as a confirmation, clarification or change to the tender documents and which it is agreed by the Parties becomes an obligation of the contract, shall also be recorded here.

4. Any change or addition to the tender documents arising from the above agreements and recorded here, shall also be incorporated into the final draft of the Contract.

1 Subject

Details

2 Subject

Details

3 Subject

Details

4 Subject

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

Details

5 Subject

Details

6 Subject

Details

By the duly authorised representatives signing this Schedule of Deviations, the Employer and the Tenderer agree to and accept the foregoing Schedule of Deviations as the only deviations from and amendments to the documents listed in the Tender Data and addenda thereto as listed in the Tender Schedules, as well as any confirmation, clarification or change to the terms of the Offer agreed by the Tenderer and the Employer during this process of Offer and Acceptance. It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the Tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this Agreement.

FOR THE TENDERER:

Signatures (s) _____ _____

Name(s) _____ _____

Capacity _____ _____

For the tenderer _____
(Name and address of organisation)

Name & Signature
Of Witness _____ Date _____

FOR THE EMPLOYER

Signatures (s) _____ _____

Name(s) _____ _____

Capacity _____ _____

_____
(Name and address of Organisation)

Name & Signature
Of Witness _____ Date _____

CONTRACT DATA

DATA PROVIDED BY THE EMPLOYER

	Data
1	The Name of the Employer is **Dr JS Moroka Local Municipality** The address of the Employer is: 2601/3 Bongimfundo Street SIYABUSWA 0472 P/ Bag 4012 Siyabuswa 0472 Telephone: 013 973 1101
2	The Project is for the appointment of **PROJECT NO: JSM-O&M-RES-W5/2026** **APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B.**
3	The Period of Performance is as per letter of appointment
4	The Service Provider may not release public or media statements or publish material related to the Services or Project without the written approval of the Employer.
5	The Service provision shall be completed as per letter of appointment
6	The programme shall be submitted within seven (7) days of the acceptance of

	appointment.
7	The Service Provider shall provide the Professional Indemnity Insurance a minimum of **R 5000 000** per claim for a cover to be negotiated with the Client (If applicable)
8	The client shall not be responsible for any overtime worked or overtime payments made to the personnel of the Service Provider.
9	Copyright of document prepared for the project shall be vested with the Dr JS Moroka Local Municipality
10	Settlement of dispute is to be in terms of the Supply Chain Management Policy of the Dr JS Moroka Local Municipality, not excluding the provisions provided for in terms of rules / laws governing dispute resolution and employing services of the courts to remedy any dispute that may arise.
11	Service Provider will be paid in accordance with the Dr JS Moroka Local Supply Chain Management Policy.
12	Contract Price adjustment will apply in accordance to inflation rate using the appropriate formula
13	A Service Provider may subcontract any work in relation to the terms and conditions of their scope of work.

PART 1: DATA PROVIDED BY THE SERVICE PROVIDER

1.	The Service Provider is . . . . . . Address: . . . . . . Telephone: . . . . . . Facsimile: . . . . .
2	The authorised and designated representative of the Service Provider is: Name: . . . . . . The address for receipt of communications is: Telephone: . . . . . . Facsimile: . . . . . . Address: . . . . .

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

	……..
3	The Key Persons and their jobs / functions in relation to the services are:

No	Name	Specific Duties

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

C.2.1 PRICING INSTRUCTIONS

1. All activities must be invoiced on a monthly basis, based on the completion of the activity but not exceeding the allocated budget that has been priced for that activity.

2. Payment will be based on the completion of activities provided that reasonable progress towards the completion of the activity within the estimated budget is demonstrated.

3. The total price for the activities shall not be exceeded without the prior written approval and agreement of the Client.

4. The Schedule of Activities and the Bills of Quantities comprises items covering the service provider's profit and costs of general liabilities and includes costs of all services.

5. **All rates and amounts must be completed by hand in black Ink.**

6. The schedule items covering the service provider's profit or general liabilities and the construction of temporary and permanent risk.

7. Although the tenderer is at liberty to insert a rate at his own choice for each item in the schedule, his attention is drawn to the fact that the employer has the right, under various circumstances, to payment for additional work carried out and that the engineer is obliged to base his assessment and the payment to be paid for such additional work on the rates inserted in the schedule by the tenderer.

8. The prices and rates to be inserted in the schedule of quantities are to be the full inclusive prices to be the employer for the work described under several items. The prices shall be exclusive of Value Added Tax (VAT). Such prices shall cover all costs and expenses that may be required in and for the work described, and shall cover the cost of all general risks, liabilities and obligations set forth or implied in the document on which the tender is based.

9. In the event of the tenderer failing to price any item it will be construed that the tenderer has made adequate allowance under other items for all labour, material and costs required, for the exclusion, not only for the quantum of wok covered by the unpriced item, but also for any increase in the said quantum which may have to be undertaken during the course of the contract.

10. For the purposes of this Schedule of Activities and Bills of Quantities, the following words shall have the meanings hereby assigned to them:

    - Unit: The unit of measurement for each item of Service provided as defined in the Standardized, Project or Particular Specifications.

    - Quantity (Qty): The number of units of work/service provision for each item.

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

- Rate: The payment per unit of work/provision of services at which the Tenderer
  Tenders to do the work.

- Amount: The quantity of an item multiplied by the Tendered rate of the (same) item.

- Sum: An amount Tendered for an item, the extent of which is described in the schedule of activities, the scope of works or elsewhere, but of which the quantity of work is not measured in units.

C 2.2. BILL OF QUANTITIES

CONTRACT NO: JSM-O&M-RES-W5/2026

APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B.

	SCHEDULE OF QUANTITIES **FOR ROUTINE ROADS AND STORMWATER, RELATED MAINTENANCE WORKS** **Dr JS MOROKA LOCAL MUNICIPALITY**	CONTRACT NUMBER: **JSM-O&M-RES-W5/2026**

SCHEDULE : ROADS & STORMWATER MAINTENANCE

SECTION 1300: CONTRACTOR'S ESTABLISHMENT ON SITE AND GENERAL OBLIGATIONS

ITEM NO	DESCRIPTION	UNIT	QUANTITY	RATE	AMOUNT
13.01 (a)	Contractor's general obligations: Fixed charge contractual requirements.	Sum	1,0		
TOTAL SECTION 1300 CARRIED TO SUMMARY:					

SCHEDULE : ROADS & STORMWATER MAINTENANCE

SECTION 1500: ACCOMMODATION OF TRAFFIC

ITEM NO	DESCRIPTION	UNIT	QUANTITY	RATE	AMOUNT
15,03	Accommodating traffic and maintaining temporary deviations Temporary traffic-control facilities: ***The cost for the replacement of damaged or stolen signs or facilities shall be included in the rates under Item B15.03.]***				
(a)	Flagmen.	Man-day	10		
(b)	Portable STOP and GO-RY signs.	No	2.0		
(c)	Road signs, R- and TR-series (600)	No	2.0		
(e)	Traffic cones – 750 mm.	No	5.0		
(f)	Provision of high-visibility safety jackets and safety hats.	No	5.0		
TOTAL SECTION 1500 CARRIED TO SUMMARY:					

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

	SCHEDULE OF QUANTITIES **FOR ROUTINE ROADS AND STORMWATER, RELATED MAINTENANCE WORKS** **Dr JS MOROKA LOCAL MUNICIPALITY**	CONTRACT NUMBER: **JSM-O&M-RES-W5/2026**

SCHEDULE : ROADS & STORMWATER MAINTENANCE

SECTION 1800: DAYWORKS

ITEM NO	DESCRIPTION	UNIT	QUANTITY	RATE	AMOUNT
18.01	Labour:				
(i)	Unskilled labour	h	315		
TOTAL SECTION 1800 CARRIED TO SUMMARY:					

	SCHEDULE OF QUANTITIES **FOR ROUTINE ROADS AND STORMWATER, RELATED MAINTENANCE WORKS** **Dr JS MOROKA LOCAL MUNICIPALITY**	CONTRACT NUMBER: **JSM-O&M-RES-W5/2026**

SCHEDULE : ROADS & STORMWATER MAINTENANCE

SECTION 4200: ASPHALT PAVEMENT AND SEALS (Asphalt base and surfacing)

ITEM NO	DESCRIPTION	UNIT	QUANTITY	RATE	AMOUNT
	ASPHALT BASE AND SURFACING				
42,02 (a)	Continuously graded Medium Hot Asphalt (50/70 Pen Grade) supply & surface 25 mm thickness	m^2	10950		
42.04	Tack coat of 30% state-graded emulsion (0.55 l/m2 application)	Litre	6022.50		
TOTAL SECTION 4200 CARRIED TO SUMMARY:					

BIDDER:
Initial: Authorized signatory/ies:
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DR. JSMLM
1. ……

2. ……

Initial: DR. JSMLM

Witness: ……

	SCHEDULE OF QUANTITIES **FOR ROUTINE ROADS AND STORMWATER, RELATED MAINTENANCE WORKS** **Dr JS MOROKA LOCAL MUNICIPALITY**	CONTRACT NUMBER: **JSM-O&M-W5/2026**

SCHEDULE : ROADS & STORMWATER MAINTENANCE
SECTION 4800: TREATMENT OF AN EXISTING SURFACE EXHIBITING CERTAIN DEFECTS.

ITEM	DESCRIPTION	UNIT	QUANTITY	RATE	AMOUNT
39,01 (a) (iii)	Sawing asphalt or cemented pavement layer for patching:	m^2	17.15		
39,02: (a)	Excavation in existing pavement for patching	m3	0.037		
39,03 (b)	Backfilling of excavations for patching with `bituminous emulsion	m3	0.037		
42.01 (a)	Continuously graded Medium Hot Asphalt (50/70 Pen Grade), supply and surface,	ton	0.081		
TOTAL SECTION 4800 CARRIED TO SUMMARY:					

	SCHEDULE OF QUANTITIES **FOR ROUTINE ROADS AND STORMWATER, RELATED MAINTENANCE WORKS** **Dr JS MOROKA LOCAL MUNICIPALITY**	CONTRACT NUMBER: **JSM-O&M-RES-W5/2026**

SCHEDULE : ROADS & STORMWATER MAINTENANCE
SECTION 8100: TESTING MATERIAL AND WORKMANSHIP

ITEM NO		DESCRIPTION	UNIT	QUANTITY	RATE	AMOUNT
8100		Testing material and workmanship	lump-sum	1.0		
TOTAL SECTION 8100 CARRIED TO SUMMARY:						

BIDDER:
Initial: Authorized signatory/ies:
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DR. JSMLM
1. ……

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Initial: DR. JSMLM

Witness: ……

SUMMARY OF THE SCHEDULE OF QUANTITIES		
SECTION REFERENCE	**SECTION DESCRIPTION**	**AMOUNT**
1300	CONTRACTOR'S ESTABLISHMENT ON SITE AND GENERAL OBLIGATIONS	
1500	ACCOMMODATION OF TRAFFIC	
1800	DAYWORKS	
4200	ASPHALT BASE AND SURFACING	
4800	TREATMENT OF AN EXISTING SURFACE EXHIBITING CERTAIN DEFECTS	
8100	TESTING MATERIAL AND WORKMANSHIP	
SUB-TOTAL		
CONTINGENCIES: [5%]		
SUB-TOTAL OF CONSTRUCTION WORKS AMOUNT:		
MARK-UP 20%		
VALUE ADDED TAX: [15%]		
TOTAL CONSTRUCTION AMOUNT:		

- **Rates to include all cost to site establishment, fuel and operations**

NB THE APPOINTED BIDDER WILL THEN BE FURNISHED WITH ALL UNDERWRITTING INFORMATION

TOTAL AMOUNT TO BE FORWARDED TO FORM C 1.1 (FORM OF OFFER)

…… ……
Signature Date

……
Capacity

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

DR JS MOROKA LOCAL MUNICIPALITY

DEPARTMENT: TECHNICAL SERVICES

CONTRACT NO: JSM-O&M-RES-W5/2026

APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B.

SCOPE OF WORK

Part C3: Scope of Work
C3 Scope of Work

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

DR JS MOROKA LOCAL MUNICIPALITY

DEPARTMENT NAME: TECHNICAL SERVICES

CONTRACT NO: JSM-O&M-RES-W5/2026

APPOINTMENT OF A SERCIVE PROVIDER FOR THE RESEAL OF DAMAGED ASPHALT ROAD – SIYABUSWA B.

SPECIFICATION AND CONDITIONS OF TENDER

BASIS FOR TENDERING

The Dr JS Moroka Local Municipality hereby invites tenders from suitably qualified service providers for the resealing of the surface roads in Siyabuswa.

All submitted tenders will be evaluated and adjudicated in accordance with the technical specifications, performance requirements, and applicable municipal procurement policies as outlined in this tender document.

TERMS OF REFERENCE/SPECIFICATION

The purpose of this project is to appoint experienced and competent service providers to assist Dr JS Moroka Local Municipality with the resealing of surface roads in Siyabuswa.

1. **PROJECT SCOPE**

Some of the tasks that will be required from the successful bidder for this project will consist of the followings:

1. ROAD MAINTENANCE & REPAIRS

The project entails the resealing of an approximately 1,500 m long and 7.3 m wide section of the existing surfaced road, involving the application of a 25 mm thick asphalt surfacing layer. The works shall include the necessary preparation and repair of the existing road surface, application of tack coat, supply and placement of approved asphalt surfacing, compaction and finishing.

The works shall include all necessary labour, materials, plant, equipment, traffic accommodation and quality-control measures required to complete the project in accordance with the applicable COLTO specifications, approved designs and the Engineer's instructions.

2. SITE MANAGEMENT & RELATED WORKS

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……

2. ……

Initial: DR. JSMLM

Witness: ……

The contractor shall be responsible for the proper management and supervision of the construction site throughout the contract period. This shall include site establishment, provision of necessary temporary facilities, coordination of labour, plant and equipment, traffic accommodation, health and safety compliance, environmental management, and general site administration.

The contractor shall also ensure that all construction activities are properly coordinated to minimise disruption to road users and surrounding communities. All works shall be carried out in accordance with the applicable COLTO specifications, relevant legislation, municipal requirements and the Engineer's instructions.

4. ADMINISTRATIVE & COMPLIANCE REQUIREMENTS

- **Health & Safety**: Adherence to the Occupational Health and Safety (OHS) Act and Construction Regulations 2014.
- **Quality Control**: Managing inspections, testing of materials, and providing as-built drawings or maintenance manuals upon completion.

2. EXPERTISE REQUIRED

(i) Personnel with experience in operating the machinery as listed in Form C 2.2
(ii) Personnel i.e. operators with qualifications to operate the machines and equipment listed in Form C 2.2
(iii) Drivers with relevant drivers' licenses to drive trucks listed in Form C 2.2.

3. TIME FRAMES, DELIVERABLES AND DURATION OF APPOINTMENT

It is required that the successful Bidder will:

(i) Commence with preparation of work on the Project after notification that his/her Bid was accepted.
(ii) Prepare and submit to the Municipality for consideration and approval a detailed project plan containing information on how the project will be conducted; time frames and the supporting systems and means that will be utilised.
(iii) The total duration of the appointment will be once off.

4. SPECIAL PROVISIONS OF THE CONTRACT

(i) The contractor will be remunerated after the work has been done as per the instruction of Dr J.S Moroka Local Municipality or the Municipal Representative.

(ii) The quantity of the work done will include labour cost, machinery and other related cost that may arise as per the tender documents.

(iii) The project will be implemented once off.

GENERAL

BIDDER:
Initial: Authorized signatory/ies:
……

DR. JSMLM
1. ……
2. ……

Initial: DR. JSMLM

Witness: ……

1. This specification shall form the basis for the planning, execution, and control of maintenance activities on asphalt paved road, ensuring that all works are carried out in accordance with required standards and quality requirements.

2. The person responsible at the municipality during the contact period will be Mr. **SJL Mothibi - 013 973 1129.**

3. Site work to be done.

4. Maximum duration of the works is **FOUR (4) WEEKS**

5. The rates of all items in this bill shall include all resealing costs, excluding VAT.

6. The contractor must adhere to the Occupational, Health and Safety Act.

7. In all cases the service provider shall ensure that the amount of his form of offer incorporates all statutory taxes, duties, Levies and that nothing but values added tax (VAT) remains to be adhered thereto.

BIDDER:
Initial: Authorized signatory/ies:
……..

DR. JSMLM
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Witness: ……..……..