**REQUEST FOR QUOTATION FOR GOODS/SERVICES FOR UGU DISTRICT MUNICIPALITY**

Ugu District Municipality is requesting quotations for the goods and/or services listed hereunder. Request for quotation documents may be obtained from Ugu District Municipality, Treasury Department, Supply Chain Management Office at 96 Marine Drive, Phase 3, Oslo Beach or be downloaded from Ugu Website: https://www.ugu.gov.za from **26 DECEMBER 2026** to closing date, during office hours.

## SUPPLY AND DELIVERY OF STATIONERY

| Requisition/Ref Number: | **REQ27349** |
|---|---|

| Item. | Description/ Specification/ Scope of Work | Qty | Unit | Unit Price | Total (excl Vat) |
|---|---|---|---|---|---|
| 1. | Supply and delivery of stationery , As per the attached specification on page 3 of the document. | 01. | ea. | | |
| | ***For Details, Contact Phumlani Sithole 0396883314 or email: Phumlani.sithole@ugu.gov.za, during office hours.*** | | | | |
| Delivery Date After receipt of an order: ……Days/Weeks | | | | | |
| | | | | **SUB TOTAL** | |
| | | | | **15%Vat** | |
| | | | | **GRAND TOTAL** | |

Bids completed in accordance with the conditions indicated in documents, must be sealed, and endorsed with **REQ:27349** and be deposited in the official tender box at the Reception of **Ugu District Municipality on 96 Marine Drive, Phase 3, Oslo Beach** no later than **12h00 on 03 DECEMBER 2026.**

**Faxed, emailed, typed and late quotations** will not be accepted. Please furnish all information as requested. Late and incomplete submissions will invalidate the quotation submitted. Quotation submitted must be valid for a period of **30** days from the closing date.

Ugu District Municipality subscribes to the Preferential Procurement Regulations **2022**, pertaining to the Preferential Procurement Policy Framework Act (PPPFA) principles whereby a bidder's submission will be evaluated according to the sum of the award of points in respect of the tender value and **Specific Goals**.

Price, and Preference will be used for evaluation. The **80/20 preferential point** system will be applicable, with **80 points for price and 20 points for Specific Goals** (*See below table)*, in terms of revised Preferential Procurement Regulation in effect from **16 January 2023 Gazette Notice No. 47452 dated 04 November 2022**.

Specific Goal(s) Points to be allocated as follows:

| | Categories | Weight | 80\|20 | Supporting Documents |
|---|---|---|---|---|
| **1** | Ownership | 60% | 12 | |
| **2** | Reconstruction & Development Programme | 30% | 6 | |
| **3** | Other Specific Goals- | 10% | 2 | |
| | | **100%** | **20** | |
| **#** | **Specific Goal(s)** | **Weight** | **80\|20 PP** | |
| | **Ownership Categories:** | | | |
| **1.** | 1. an EME or QSE which is at least 100% owned by black people; | 100% | 12 | CIPC: Shareholders Certificate and Sworn Affidavit confirming QSE/EME |
| | 2. an EME or QSE which is at least 51% owned by black people; | 66.7% | 8 | CIPC: Shareholders Certificate and Sworn Affidavit confirming QSE/EME |
| **2** | **Promotion of Local Business(s)** | | | |
| | 1. Enterprise Located within the District Municipality - Rural | 100% | 6 | CSD & Utilities: POR*: SAPS Affidavit |
| | 2. Enterprise Located within the District Municipality - Urban | 66.7% | 4 | CSD & Utilities: POR*: SAPS Affidavit |
| | 3. Enterprise Located within the Province | 33.3% | 2 | CSD & Utilities: POR*: SAPS Affidavit |
| **3** | ***Other Specific Goals*** | | | |
| | 1. Enterprise 100% owned by Youth/Women/Disabled | 100% | 2 | CIPC: Shareholders Certificate and Directors ID |

The Council reserves the right not to accept the lowest bid or any bid and reserves the right to accept the whole or part of the bid, or to reject all bids and cancel the notice to tender.

**COMPANY STAMP**

COMPANY FULL NAME: _____

AUTHORISED PERSON FULL NAME: _____

SIGNATURE: _____

CAPACITY UNDER WHICH THIS BID IS SIGNED _____

DATE: _____

# Stationary List 2026

| | |
|---|---|
| Quire Books | 15 |
| Folder files Different colours | 20 |
| Rulers | 13 |
| Sign here Sticker note | 15 |
| Black pens BIC (BOX) | 20 |
| Staplers small & Medium size | 6 Boxes & 6 Boxes |
| Adhesive Sticky Notes-small | 10 boxes |
| Paper clips-Giant | 2 boxes of each |
| Paper clips small & medium | 8 boxes |
| Ink black | 5 |
| Correction Tape | 7 boxes |
| Black Markers | 24 |
| Permanent makers-black | 48 |
| Highlighters | 2packs of 8 |
| Binder Clips (Small & Large) | 4 packs of 12 |
| -2-hole punch<br>-Single hole punch -One hole kangaroo-HDP 1320 heavy duty 1 hole | 1<br><br>(1) |
| Punched exam pads | 5 |
| File Fasteners 80 mm -metal 320 Micron | 50 sets x 20 |
| Grip Binders | 51 mm – box of 100 x 5 |
| File Dividers A4 | 2 packs |
| Scissors Soft Grip | 1 |
| Shorthand books | 15 |
| Plastic Coated Paper Clips | 15 |

| | |
|---|---|
| Scotch Magic Tape | 2 |
| Red pens | 3 boxes |
| Whiteboard Markers | 3 black, 3 blue,3 red |
| Pritt | X6 |

# ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS (NOT TO BE RE-TYPED)

Please attach copies of the following documents. Failure to provide the following duly completed and up to date documents and certified where applicable will lead to automatic disqualification.

- **Registration with the Companies and Intellectual Property Commission (CIPC)**
- **Certified ID Copies of directors/owners/members/shareholders**
- **Registered on the Central Supplier Database (CSD) of National Treasury. (Note: full updated report not older than 3 months),**
- **Copy of a valid SARS tax compliance or Tax compliance Status Pin Sheet.**
- **Declaration Forms (MBD1, 4, 6.1, 8 and 9)**
- **To claim specific goals points, attach certified certificate/affidavit confirming EME/QSE**
- **Proof of payment for Municipal Services (water account/ lease agreement/SAPS Affidavit),**
- **Letter from Department of Health or SASSA grant document as a proof of disability, if applicable.**

# STANDARD FORMS

THIS BID IS SUBJECT TO THE GENERAL CONDITIONS OF THE CONTRACT (GCC) AND IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT. THIS BID WILL BE EVALUATED AND ADJUDICATED ACCORDING TO THE FOLLOWING CRITERIA:

1. Relevant Specification.
2. Value for money
3. Capability to execute the contract and
4. PPPFA and associated regulations

***Kindly note: Regulation 44 of Municipal Supply Chain Management Regulations states that the Municipality may not make any award to a person who is in the service of the state*.**

**MBD1**

# PART A
# INVITATION TO BID

| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (UGU DISTRICT MUNICIPALITY) | | | | | |
|---|---|---|---|---|---|
| BID NUMBER: | | CLOSING DATE: | | CLOSING TIME: | |
| DESCRIPTION | | | | | |

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

| |
|---|
| **UGU DISTRICT MUNICIPALITY** |
| **96 MARINE DRIVE** |
| **PHASE 3** |
| **OSLO BEACH** |
| **PORT SHEPSTONE** |

| 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: | | |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED? | ☐Yes ☐No [IF YES ENCLOSE PROOF] | | | ARE YOU A FOREIGN-BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED? | ☐Yes ☐No [IF YES, ANSWER PART B:3] | |
| **TOTAL NUMBER OF ITEMS OFFERED** | | | | **TOTAL BID PRICE** | **R** | |
| **SIGNATURE OF BIDDER** | …… | | | **DATE** | | |
| **CAPACITY UNDER WHICH THIS BID IS SIGNED** | | | | | | |

| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO: | | TECHNICAL INFORMATION MAY BE DIRECTED TO: | |
|---|---|---|---|
| DEPARTMENT | SupplyChain management | CONTACT PERSON | Phumlani Sithole |
| CONTACT PERSON | Slindile Doncabe | TELEPHONE NUMBER | 0396883314 |
| TELEPHONE NUMBER | 039 688 5709 | FACSIMILE NUMBER | |
| FACSIMILE NUMBER | | E-MAIL ADDRESS | Phumlani.sithole@ugu.gov.za |
| E-MAIL ADDRESS | Slindile.doncabe@ugu.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.**

**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: ……..

**MBD4**

## DECLARATION OF INTEREST

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

2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favoritism, 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 authorized representative declare their positioning 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")… - - - - - -

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 or any Directors/trustees/shareholders/ members presently in the service of the state? **YES** / **NO**

3.8.1 If yes, furnish particulars. - - - - - - - - - - - - - - - - - - - - - - - - - - -

- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -

[1] MSCM Regulations: "in the service of the state" means to be –
(a) a member of –
(i) any municipal council;
(ii) any provincial legislature; or
(iii) the national Assembly or the national Council of provinces;

(b) a member of the board of directors of any municipal entity; (c) an official of any municipality or municipal entity;
(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
(e) a member of the accounting authority of any national or provincial public entity; or
(f) an employee of Parliament or a provincial legislature.

2 Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

3.9 Have you been in the service of the state for the past twelve months? _ _ _ **YES** / **NO**

3.9.1 If yes, furnish particulars. _ _ _

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

| Full Name | Identity Number | Are you employed by National Provincial Local Government? YES/ NO | If YES, please give details |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

5. I duly confirm that the above information is correct until otherwise advised in writing and the company undertakes to immediately, in writing on same day of appointment, advise the Ugu District Municipality immediately if any of its directors/trustees/ members/shareholders assumes appointment as an employee in national, provincial and/or local government and the company will deregister from the Ugu District Municipality Supplier Database and cease forthwith from doing business with the Ugu District Municipality and the company shall be subject to a penalty of forfeiting all payments for services rendered or products delivered or installed if it fails to immediately disclose in writing the employment of any of its directors/trustees/ members/shareholders in national, provincial and/or local government.

- - - - - - - - - - - - - - - - -
**Signature**

- - - - - - - - - - - - - - - - -
**Date**

- - - - - - - - - - - - - - - - -
**Capacity**

- - - - - - - - - - - - - - - - -
**Name of Bidder**

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

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

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

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

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

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

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

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

(a) Price; and

(b) Specific Goals.

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

The maximum points for this tender are allocated as follows:

| | POINTS |
|---|---|
| **PRICE** | 80 |
| **SPECIFIC GOALS** | 20 |
| **Total points for Price and SPECIFIC GOALS** | **100** |

1.4 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.5 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim regarding preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

(a) **"tender"** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

(b) **"price"** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;

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

(d) **"tender for income-generating contracts"** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) **"The Act"** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1 POINTS AWARDED FOR PRICE

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

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

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

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

Where:

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

#### 3.2.1 POINTS AWARDED FOR PRICE

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

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

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

Where:

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

## 3. POINTS AWARDED FOR SPECIFIC GOALS

3.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

3.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

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

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

| The specific goals allocated points in terms of this tender | Number of points allocated (80/20 system) (To be completed by the Organ of state) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|---|---|
| **Ownership:** | | |
| 1. an EME or QSE which is at least 100% owned by black people; | 12 | |
| 2. an EME or QSE which is at least 51% owned by black people; | 8 | |
| **Promotion of Local Business(s)** | | |
| 1. Enterprise Located within the District Municipality - Rural | 6 | |
| 2. Enterprise Located within the District Municipality - Urban | 4 | |
| 3. Enterprise Located within the Province | 2 | |
| **Other Specific Goal** | | |
| 1. Enterprise 100% owned by Youth/Women/Disabled | 2 | |
| TOTAL POINTS | 20 | |

**DECLARATION WITH REGARD TO COMPANY/FIRM**

3.3. Name of company/firm…….

3.4. Company registration number: ……...

3.5. TYPE OF COMPANY/ FIRM

- □ Partnership/Joint Venture / Consortium
- □ One-person business/sole propriety
- □ Close corporation
- □ Public Company
- □ Personal Liability Company
- □ (Pty) Limited
- □ Non-Profit Company
- □ State Owned Company

[TICK APPLICABLE BOX]

3.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

i) The information furnished is true and correct.

ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.

iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct.

iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

(a) disqualify the person from the tendering process.

(b) recover costs, losses, or damages it has incurred or suffered as a result of that person's conduct.

(c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.

(d) recommend that the tenderer or contractor, its shareholders, and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

(e) forward the matter for criminal prosecution, if deemed necessary.

.....

**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME**: .....

**DATE:** .....

**ADDRESS**: .....

.....

.....

**MBD 8**

# DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1 This Municipal Bidding Document must form part of all bids invited.

2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3 The bid of any bidder may be rejected if that bidder, or any of its directors have:

a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
b. been convicted for fraud or corruption during the past five years;
c. wilfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).

4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

.

| ITEM | QUESTION | YES | NO |
|---|---|---|---|
| 4.1 | Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector?<br><br>**(Companies or persons who are listed on this database were informed in writing of this restriction by the Accounting Officer\1Authority of the institution that imposed the restriction after the audit alteram partem rule was applied).**<br><br>**The database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.** | Yes ☐ | No ☐ |
| 4.1.1 | If so, furnish particulars: | | |
| 4.2 | Is the bidder or any of its directors listed on the Register for Bid Defaulters in terms of section 29 of the Prevention and Combating of Corruption Activities Act (No 12 of 2004)?<br>**(The Register for Bid 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 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 ☐ |
| 4.5.1 | 4.5.1. If so, furnish particulars: | | |

5.1 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 to combat the abuse of the supply chain management system.

5.2 The bid of any bidder may be rejected if the bidder, or any of its directors have:

5.2.1 Abused the Municipality's Supply Chain Management System or committed any improper conduct in relation to such a system:

5.2.2 Been convicted for fraud or corruption during the past five years:

5.2.3 Willfully neglected, reneged or failed to comply with any government, municipal or public sector contract during the past five years; or

5.2.4 Been listed in the Register for Bid Defaulters in terms of section 29 of the Prevention and Combating of Corruption Activities Act (No 12 of 2004).

**In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME) ---------- CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM TO BE TRUE AND CORRECT.**

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

---------- ----------

**Signature** **Date**

---------- ----------

**Position** **Name of Bidder**

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This Municipal Bidding Document (MBD) must form part of all bids' 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 1 or services for purchasers who wish to acquire goods and 1 or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.**

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

**MBD9**

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, 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" will not be construed as collusive bidding.

7., without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

a) prices;
b) geographical area where product or service will be rendered (market allocation)
c) methods, factors or formulas used to calculate prices;
d) the intention or decision to submit or not to submit, a bid;
e) the submission of a bid which does not meet the specifications and conditions of the bid; or
f) bidding with the intention not to win the bid.

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

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

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

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Signature  Date

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Position  Name of Bidder