RICHMOND LOCAL MUNICIPALITY

DIRECTORATE: CORPORATE SERVICES

TENDER NUMBER: RLM_04/2026/2027

PROVISIONS OF ADVERTISEMENT IN THE PRINT MEDIA FOR A PERIOD OF 36 MONTHS

CLOSING DATE AND TIME:	**09 NOVEMBER 2026 @ 10H00**

NAME OF BIDDER : .....

ADDRESS : .....

.....

.....

.....

CONTACT NUMBER : .....

FAX NUMBER : .....

TOTAL BID PRICE (INCL.VAT): .....

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5. TENDERERS PLEASE NOTE

5.1 Tenderers are advised to check the number of pages, and should any be missing or duplicated, or the reproduction indistinct, or any descriptions ambiguous, or this document contain any obvious errors they shall inform the Richmond Municipality at once and have the same rectified. No liability whatsoever will be admitted in respect of errors in any tender due to the tenderers failure to observe this requirement.

RICHMOND LOCAL MUNICIPALITY
INVITATION TO TENDER
PROVISIONS OF ADVERTISEMENT IN THE PRINT MEDIA FOR A PERIOD OF 36 MONTHS
TENDER NUMBER RLM_04/2026/2027

Richmond Municipality is seeking proposal from suitable Service Provider(s) for the services of design, drafting of layout and translation of all its advertisements to print media specified by the Municipality.

Only bidders who are registered with National treasury Suppliers Database (CSD) will be eligible to bid.

Bid documents may be obtained from the budget and Treasury Office after payment of a non-refundable fee of **R634.20**, during normal working hours Monday to Friday at Municipal Offices, 57 Shepstone Street, Richmond as from the date of the advert.

The tender will be adjudicated via two stages of which the first stage will be functionality, and the second stage will be 80:20 preference points system (80 for price: 20 for specific goals). Each bidder must score a minimum of 70 points for functionality to be considered for the second stage of evaluation.

The completed tender document, with the conditions of tender must be sealed and endorsed **"Tender No. RLM_04/2026/2027 PROVISIONS OF ADVERTISEMENT IN THE PRINT MEDIA"** and must be deposited in the official tender box located at the reception area of the Richmond Municipality at 57 Shepstone Street during the office hours from 08h00 to 16h00 Monday to Friday.

The closing date for the tender is 09 November 2026 at 10h00 am which will be followed by a public opening. Facsimile, electronic and late bids will not be accepted.

Enquiries are to be directed as follows: (a) Technical enquiries: Mr Nkosinathi Ngubane, Supply Chain Manager, on tel**. (033) 212 2155** or e-mail: nkosinathi.ngubane@richmond.gov.za (b). **SCM/ Bid Document enquiries**: Mr Sandile Sithole: (Supply Chain Management), on tel. **(033) 212 2155** or email: sandile.sithole@richmond.gov.za.

The Richmond Municipality is not obliged to accept the lowest bid or any part thereof and in addition reserves the right not to accept any bid and therefore retains the right not to proceed

_____
MUNICIPAL MANAGER
BE MSWANE

2. TERMS OF REFERENCE

2.1 Corporate Services Department

The Department, Corporate Services, provides matter, as maintenance, legal, human resources management and development, labour relations and information technology support services. As the department essentially support all other department of the municipality. It should operate efficiently and effectively as possible. Indeed, it key role is to ensure the Organisation strategic plan is well implemented, by the adequately and in a time manner resourcing other divisions, in terms of human, technological and financial resources.

2.2 The Purpose of Terms of Reference

The Richmond municipality is seeking proposal from suitable Service Provider(s) for the services, drafting of layout and translation of all its advertisements to print media specified by Municipality

2.3 Documents

This document comprises the Condition of Tender, Specification and Tender Form.

2.4 Submission of tender

Tenders must be completed on the Tender Form which is annexed hereto. Tenderers are advised that both the Tender form and all priced tender documents must be completed and submitted in their entirety.

2.5 Sealed tenders addressed to the **Municipal Manager,** and endorsed with the appropriate contract name, must reach the addressee not later than the date stated in the public advertisement inviting tenders. Under no circumstances will any extension of time be allowed for tendering. Tenders shall remain open for one calendar month from the date of opening, except for the initial five working days grace period within which period a tenderer may be permitted to withdraw a tender, subject to an application with sufficient reasons, being submitted in writing for the approval of the Municipal Manager.

In the case of the tenderer withdrawing his/her tender after expiry of the grace period, the Municipality may refuse to receive or consider for such as it may see fit, any further tenders from that tenderer.

2.6 Communication with members of the Richmond Municipality or Municipal Employees

No tenders shall offer, promise or give a person or persons connected with the tender or the awarding of a contract, any gratuity, bonuses, discount or consideration of any kind in connection with the obtainment of the tender. No communication with any member of the Municipality or Municipal employee on a question affecting the awarding of a contract - which is the subject of a tender, during the period between the date of the notification of the successful tenderer: provided always that the municipal representative may obtain additional information from a tenderer to enable him to formulate his recommendation to the Richmond Municipality. Any attempt to

contravene this condition, which is brought to the notice of municipality, may result in the disqualification of the tender.

2.7 Incomplete Tenders

Tenders may be rejected if they show any additional, conditional or incomplete information offers, irregularities of any kind in either the Form of Tender or the price schedule of Unit price or if the prices tendered in the schedule are obviously unbalanced.

2.8 Acceptance of any Tender

The Richmond Municipality does not bind itself to accept the lowest or any quotation and reserves the right to accept the whole or part of a tender. The Richmond Municipality further reserves the right not to proceed with the consideration or award of this tender.

The procedure which will be followed with the acceptance of a tender is follows:

- Formal agreement will be signed.
- Unless otherwise stipulated in the letter covering the tender, the tender shall

Waive, renounce and abandone any conditions printed or written upon any stationery used for the purpose of or in connection with the submission of the tender, which are in conflict with Municipality's conditions of Tender and Conditions of Contract. The Tenderer is warned that any material divergence from the official condition or specification may render the tender liable for disqualification.

2.9 Domicilium citandi ET Executandi

For the purpose of the Service of All Documents and the giving of notice as may be required in terms of this contract or as a result of any action arising in conjunction with, the Municipality chooses the RICHMOND MUNICIPALITY, 57 SHEPSTONE STREET, RICHMOND, 3780 as it's Domicilium citandi et Executandi.

The quotation Domicilium citandi et Executandi shall be held to be whatever street address is given on the Tender Form attached hereto.

2.10 Data Sheet

The tenderer shall complete all the data sheets provided. Failure to comply with this provision may render the offer unresponsive (invalid).

2.11 Duration of Contract

The commencement date of the contract shall be mutually agreed between Richmond Municipality and the contractor and stipulated in the agreement**.** The contract may be terminated by the Municipality in its sole discretion, in whole or part, upon one month written notice, without being liable to successful tender for any loss or damages arising out of or resulting from such termination.

2.12 Scope of Work

The service provider shall undertake the responsibility for drafting layout design and translation of all advertisement as specified by the Municipality.

The Service Provider should provide tangible proof of its capacity and competency to handle high volume of request and to execute them effective and timeously. In this regard a detailed schedule of the resources allocated in this bid together with an indication of availability, skills and experience is essential.

The Service Provider should clearly display an understanding of the Government framework and advertising and recruitment in local government.

Rates for setting and compiling up of advertisement must be clearly indicated

2.13 Consultation with the Municipality

The service provider shall immediately upon receipt of notification of the award of the bid, arrange meeting with the municipality and discuss and document a structure protocol with the organisation regarding all logistics and processes for advertisement e.g. media advertising, the tariffs applicable and time frames for adverts etc.

2.14 Acceptance of advertisements by media

All advertisement shall be subject to acceptance by the municipality in writing. Should the service provider fail to place the advertisement on the stipulated date, or if such advertisement is not placed in accordance with the accepted specification, no payment shall be made by the municipality for such advertisement. In addition, the service provider shall be obliged to place an ‘erratum” correcting or withdrawing the respective advert, at its own expense.

2.15 Cancellation of advertisement(s) by the Richmond Municipality

The municipality reserves the right to cancel any advertisement if the advertisement was not done according to specification.

2.16 Artwork, type setting and provision of final copying for printing

The service providers shall arrange, for artwork, type setting and final copy for printing prior to the processing of advertisement and subject to approval by the municipality. The quality should be professional standard and in line with the organisation image. All material required by the service provider related to artwork, which the organisation has paid for shall be remain the property of the municipality. The service provider shall only be entitled to remuneration for such work done reserves the right to cancel any advertisement if the advertisement was not done according to specification.

2.17 Rates paid for advertisement

The municipality will only pay the actual rates for advertisement as levied by the respective media for such adverts. It is the responsibility of a service provider to ensure that it secures the most cost-effective rates for the actual advert from the media. It will be requirement for the service provider to submit a copy of actual cost for the advert together with the invoice for their services.

2.18 Advertisements not published and cancelled advertisement

Should any advertisements not appear on the stipulated date in the medium agreed upon due to the circumstance which the service provider can prove to be beyond his/her control, the service provider will not be liable in this respect but it will be expected to submit alternative date immediately succeeding the actual date immediately succeeding the actual date of advertisement, failing which such an advertisement(s) may be cancelled by the municipality, and will not bear any costs whatsoever for such failed advertisement.

2.19 Failure to provide services due to unforeseen circumstances

In the event of the service provider being unable to meet his/her obligations under the contract, through circumstances which the Municipality accepts to be beyond the control of the service provider to do the work in which the event the service provider shall do everything in his/her power to ensure success of the advertisement. He/ She shall surrender all material which may be in his/her possession to the alternative service provider to enable the other to effectively complete the outstanding work requirement.

2.20 Submission of account

The service provider shall be required to invoice the municipality on the tendered rates in accordance with the service provided.

2.21 Execution Capacity

Bidders are to submit a comprehensive company profile that will clearly indicate their capacity to render the required services effectively and efficiently. The following information must be submitted in detail with the bid document.

- The job title, qualification, skills and experience of all personnel employed by the bidder directly involved in advertising.
- Actual accounts handled by the agency with specific recruitment advertising (a full list of clients is required). Previous experience and value of contract accordingly to the following table:

Name of the Company	Contract Amount	Reference

- The name of the Account Executive who will be in direct contact with the Municipality regarding the accounts and queries, an indication of his/her experience in handling advertising of this nature.

  Name……..

  Tel Number……

  Fax Number……..

  Cell Number……..

  e-mail……..

2.22 Price schedule

Prices offered shall be quoted on the bid documents in South African currency and quoted price must be inclusive of vat.

Prospective suppliers must indicate escalation cost for the second and third year in terms of percentage of price increase. The escalation cost percentage must be in line with the Consumer Price Index (CPI).

The build-up of the price as indicated below will be indicated as the total price for black and white rates for the first year of the contract. **(price remain firm from the date of the award for a full year).**

Price quoted should be for newspaper indicated below must be stated.

PRICE

NEWSPAPER	BLACK AND WHITE FOR 1X1 COLUMN SIZE (Vacancies)	BLACK AND WHITE FOR 1X1 COLUMN SIZE (Tenders)	BLACK AND WHITE FOR 1X1 COLUMN SIZE (Notices)	BLACK AND WHITE FOR 1X1 COLUMN SIZE (Gazzete)
Sunday Times	R……1x1cm	R……1x1cm	R……1x1cm	R……1x1cm
The Natal Witness	R……1x1cm	R……1x1cm	R……1x1cm	R……1x1cm
Ilanga	R……1x1cm	R……1x1cm	R……1x1cm	R……1x1cm
Government Gazzette	R……1x1cm	R……1x1cm	R……1x1cm	R……1x1cm
Total Bid Price for 1st Year				
Year 2				
Sunday Times	R……1x1cm	R……1x1cm	R……1x1cm	R……1x1cm
The Natal Witness	R……1x1cm	R……1x1cm	R……1x1cm	R……1x1cm
Ilanga	R……1x1cm	R……1x1cm	R……1x1cm	R……1x1cm
Government Gazzette	R……1x1cm	R……1x1cm	R……1x1cm	R……1x1cm
Total Bid Price For 2nd Year				
Year 3				
Sunday Times	R……1x1cm	R……1x1cm	R……1x1cm	R……1x1cm
The Natal Witness	R……1x1cm	R……1x1cm	R……1x1cm	R……1x1cm
Ilanga	R……1x1cm	R……1x1cm	R……1x1cm	R……1x1cm

Government Gazzette	**R……1x1cm**	**R……1x1cm**	**R……1x1cm**	**R……1x1cm**
Total Bid Price for the 3rd Year				

TOTAL BID PRICE FOR 3 YEARS_____

3. Submission of Compulsory Returnable Documentation

The following compulsory returnable documents contained in the tender documents must be completed and submitted by tenders:

List of Compulsory Returnable Documentation

Compulsory documents to be submitted:

- MBD 1: Invitation to Tender
- MBD 4: Declaration of Interest
- MBD 6.1: Preferential Procurement Claim Form
- MBD 8: Declaration of past Supply Chain Management Practice
- MBD 9: Certificate of Independent Bid
- Company profile
- Proof of enterprise ownership (CIPC)
- Certified copies of owner's identity document (within a period of 6 months)
- Letter of good standing
- Recent Statement of Rate Accounts (Municipal Utility Bill) or Lease Agreement or in a case a company is operating in a rural area a valid affidavit stating such and that no levies are owed to the municipality.
- Reference letters as per functionality
- Proof of registration with Central Supplier Database (CSD)

VERY IMPORTANT:

IF ANY OF THE ABOVEMENTIONED DOCUMENTS ARE NOT SUBMITTED, IN THEIR ENTIRETY, THE BIDDER WILL BE DEEMED TO BE NON-RESPONSIVE AND DISQUALIFIED

4. EVALUATION OF TENDER

The tender will be adjudicated into two stages of which the first stage will be functionality, and the second stage will be 80:20 preference points system. Each bidder must score 70 points for functionality to be considered for the second stage of evaluation.

- **First Stage of Evaluation**

NO	DESCRIPTION	POINTS
1.	Proof of Company registration of accounts executive as a member of an association of practitioners in advertising	**30**
2.	Maximum of 5 letters of Appointments from the client in rendering advertisement from 2020 to current (Each letter will be equal to 8 points)	**40**
3.	Past experience of the company on similar assignment 1-2yrs = 10, 3-4yrs = 20, 5yrs and above = 30 (Each year will be equal to 5 points)	**30**
	TOTAL POINTS	**100**

Note: The minimum Points that must be scored by a prospective Bidder to proceed in the next stage is **70**

APPOINTMENT & REFERENCE LETTER VERIFICATION FORM

Date: _____Government organization name _____

This letter serves as an official confirmation that_____, **Registration Number** _____, was duly appointed to provide the services described below:

Project/Contract Name: _____

Contract/Tender Number: _____

Scope of Work: _____

Contract Value: _____

Contract Commencement Date: _____**Contract Completion Date:** _____

We hereby confirm that the above-mentioned bidder successfully performed the contracted services and fulfilled the obligations stipulated in the contract. The work was carried out to a satisfactory standard and in accordance with the agreed project requirements.

Based on our experience, we rate the bidder's performance as follows:

Performance Evaluation	**Rating**
Quality of Work	☐ Excellent ☐ Good ☐ Satisfactory ☐ Poor
Technical Competence	☐ Excellent ☐ Good ☐ Satisfactory ☐ Poor
Adherence to Schedule	☐ Excellent ☐ Good ☐ Satisfactory ☐ Poor
Contract Management	☐ Excellent ☐ Good ☐ Satisfactory ☐ Poor
Communication & Reporting	☐ Excellent ☐ Good ☐ Satisfactory ☐ Poor
Overall Performance	☐ Excellent ☐ Good ☐ Satisfactory ☐ Poor

STAMP

Authorized Official Name: _____

Designation: _____

Signature: _____

Date: _____

- **Second Stage will be the 80/20 Preference Points System**

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);

5. PREFERENCE POINT SYSTEM 80/20

NO	DESCRIPTION	POINTS
1	Price	80
2	Specific goals	20
	TOTAL	**100**

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (*NAME OF MUNICIPALITY/ MUNICIPAL ENTITY*)					
BID NUMBER:	RLM 04/2026/2027	CLOSING DATE:	09 NOVEMBER 2026	CLOSING TIME:	10H00
DESCRIPTION	**PROVISIONS OF ADVERTISEMENT IN THE PRINT MEDIA FOR A PERIOD OF 36 MONTHS**				

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*

RICHMOND LOCAL MUNICIPALITY
57 SHEPSTONE STREET
RICHMOND KZN
3780

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	BUDGET & TREASURY SCM	CONTACT PERSON	Mr Nkosinathi Ngubane
CONTACT PERSON	Mr Sandile Sithole	TELEPHONE NUMBER	033 212 2155
TELEPHONE NUMBER	033 212 2155	FACSIMILE NUMBER	033 212 4668

FACSIMILE NUMBER	033 212 4668	E-MAIL ADDRESS	
E-MAIL ADDRESS	sandile.sithole@richmond.gov.za	Nkosinathi.ngubane@richmond.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 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: ……...

MBD 4

DECLARATION OF INTEREST

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

2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

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

   3.1 Full Name of bidder or his or her representative: …….

   3.2 Identity Number: ……

   3.3 Position occupied in the Company (director, trustee, hareholder[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. ……

   ……..…….....

[1]MSCM Regulations: "in the service of the state" means to be –

(a) a member of –
   (i) any municipal council;
   (ii) any provincial legislature; or
   (iii) the national Assembly or the national Council of provinces;

(b) a member of the board of directors of any municipal entity;
(c) an official of any municipality or municipal entity;
(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management

Act, 1999 (Act No.1 of 1999);

(e) a member of the accounting authority of any national or provincial public entity; or

(f) an employee of Parliament or a provincial legislature.

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

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

3.9.1 If yes, furnish particulars.……..……..

……

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? …… YES / NO

3.10.1 If yes, furnish particulars……..

……..

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

3.11.1 If yes, furnish particulars ……...

…….....

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

3.12.1 If yes, furnish particulars ……..

……..

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

3.13.1 If yes, furnish particulars …….

……

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

3.14.1 If yes, furnish particulars: ……..

……

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

Full Name	Identity Number	State Employee Number

……..
Signature

……..
Date

……
Capacity

……
Name of Bidder

MBD 6.1

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

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

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

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1. GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

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

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

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

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

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

(a) Price; and

(b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

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

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

2. DEFINITIONS

(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**

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

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**

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (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)

An EME or QSE which is at least 51% owned by black people (x5 points) (Full CSD report)				
An EME or QSE which is at least 51% owned by black people who are women (x5 points) (Full CSD Report)				
An EME or QSE which is at least 51% owned by black people who are youth (x5 points) (Full CSD report)				
An EME or QSE which is at least 51% owned by black people residing within the jurisdiction: Within Richmond Municipality (5 points) Within the District (3 points) Within KZN Province (2 points) Outside KZN Province (0 point) (Full CSD Report) + (Proof of primary office)				

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm……..

4.4. Company registration number: ……...

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

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

i) The information furnished is true and correct;

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

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

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

(a) disqualify the person from the tendering process;

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

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

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

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

	…… **SIGNATURE(S) OF TENDERER(S)**
SURNAME AND NAME:	……
DATE:	……
ADDRESS:	……
	……
	……
	……

MBD 8

DECLARATION OF 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

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

5

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).

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

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

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

CERTIFICATION

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

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

……... Signature

……... Date

……. Position

……..... Name of Bidder

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

_____

(Bid Number and Description)

in response to the invitation for the bid made by:

_____

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of:_____that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

    (a) has been requested to submit a bid in response to this bid invitation;
    (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
    (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium[3] will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
    (a) prices;
    (b) geographical area where product or service will be rendered (market allocation)
    (c) methods, factors or formulas used to calculate prices;
    (d) the intention or decision to submit or not to submit, a bid;
    (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
    (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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

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