

# MATATIELE LOCAL MUNICIPALITY PROVINCE OF THE EASTERN CAPE



**MATATIELE**  
LOCAL MUNICIPALITY

## INFRASTRUCTURE PLANNING AND DEVELOPMENT

### APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS

CONTRACT No.: MATAT/2025/2026-101

Matatiele

Bidder

.....  
**Total of the prices inclusive of value added tax: R .....**

***BIDDER'S CLOSING AT THE OFFICES OF: MATATIELE LOCAL MUNICIPALITY AT 10H00 AM ON TUESDAY THE 26<sup>TH</sup> MAY 2026***

Documents are to be delivered by hand in the tender box as no faxed copies will be acceptable; the box is situated at 'Reception' of **MATATIELE Municipality, New Budget and Treasury Offices, Mountain View, MATATIELE.**

***NO LATE SUBMISSION WILL BE CONSIDERED***

Issued and by:  
MATATIELE LOCAL MUNICIPALITY  
102 MAIN STREET  
MATATIELE  
4730

Acting Municipal Manager: Mrs N . Zembe  
Contact person : Mr L. Masinyane  
Telephone : 039 – 737 8100



**EXPANDED PUBLIC WORKS PROGRAMME  
CONTRIBUTING TO A NATION AT WORK**

**MATATIELE LOCAL MUNICIPALITY** **Contract No: MATAT/2025/2026-101**  
**APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF**  
**SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS**

**MATATIELE LOCAL MUNICIPALITY**

**CONTRACT NO. MATAT/20225/2026-101**  
**FOR**

**APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF**  
**SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS**  
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**DOCUMENT CHECKLIST**

This document checklist is provided to assist the tenderer.

	<b>ITEMS</b>	<b>CHECKED</b>
1	Returnable Schedules in Section T2.2	<input type="checkbox"/>
2	Correct Tender Offer carried forward to <b>Form of Offer and Acceptance</b> and the Form of Offer duly completed and signed.....	<input type="checkbox"/>
3	Schedule of Quantities:	
	i) Completed in <b>BLACK INK</b> only.....	<input type="checkbox"/>
	ii) Corrections crossed out and initialled .....	<input type="checkbox"/>
4	Contract specific data provided by the Contractor .....	<input type="checkbox"/>



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## T1: TENDERING PROCEDURES

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**Contract No: MATAT/2025/2026-101**

**APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS**



## **T1.1 TENDER NOTICE AND INVITATION TO TENDER**



MATATIELE LOCAL MUNICIPALITY

Contract No: MATAT/2025/2026-101

APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS



102 Main Street,  
Matatiele  
P.O. Box 35,  
Matatiele, 4730  
Tel: 039 737 3135  
Fax: 039 737 3611

**MATATIELE LOCAL MUNICIPALITY  
TENDER NOTICE AND INVITATION TO TENDER**

<b>ADVERTISED ON:</b>	<b>MUNICIPAL NOTICE BOARD, MUNICIPAL WEBSITE, NATIONAL TREASURY e-Tender and LOCAL NEWSPAPER</b>		
<b>TENDER DESCRIPTION</b>	<b>BID NO.</b>	<b>CIDB GRADING</b>	
<b>APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS</b>	<b>MATAT/2025/2026-101</b>	<b>6 CE OR HIGHER</b>	
<b>PUBLISHED DATE:</b>	<b>24/04/2026</b>	<b>CLOSING DATE:</b>	<b>26/05/2026</b>
<b>CLOSING TIME:</b>	10h00: Tenders will be opened immediately thereafter, in public at Matatiele Local Municipality Mountain View BTO Offices R56		
<b>AVAILABILITY OF TENDER DOCUMENTS</b>			
Bid Documents will be available on Municipal Website and BTO Offices	The tender document fee is payable to Municipal bank account (Ned Bank 1011292106 branch code 198765, name of company and bid no as reference). To obtain tender documents please login to <a href="http://www.matatiele.gov.za">www.matatiele.gov.za</a> or email <a href="mailto:mlekhooa@matatiele.gov.za">mlekhooa@matatiele.gov.za</a> .  <b>The tender documents will be available for download from our website (<a href="http://www.matatiele.gov.za">www.matatiele.gov.za</a>) at no cost to the tenderer. Alternatively, hard copies may be purchased from the municipality at a prescribed fee.</b>		
<b>Date Available</b>	<b>30/04/2025</b>	<b>Non-Refundable Fee</b>	<b>R1000.00</b>
<b>TENDER SUBMISSION RULES:</b>			
<ul style="list-style-type: none"> <li>• Tenders must be completed in accordance with the tender conditions and tender rules contained in the tender document.</li> <li>• The tender document and compulsory attachments/supporting documents must be placed in a sealed envelope and externally endorsed with: Tender Number; Description and Closing Date of the Tender.</li> <li>• Tender documents must only be submitted on the tender document issued by Matatiele Local Municipality</li> <li>• Tender documents must be completed in black ink only and do not re-type the document when filling it</li> </ul>			



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**MANDATORY DOCUMENTS- FAILURE TO SUBMIT ANYONE OF THEM WILL INVALIDATE YOUR TENDER OFFER.**

- Proof of Central Supplier Database (CSD) registration- Full report printed
- Completed of all MBD 3.3, 4, 5, 6.1, 8 & 9 Forms and its Annexures in full as attached in tender document
- Ethics Commitment Form
- Authority to sign Form Prices quoted must be firm and must be inclusive of VAT
- Joint Ventures Agreement signed by all parties involved.
- Letter of Good Standing with Compensation Fund (COID)

**Transactions in the excess of R10 million (VAT included). All companies which are required by law are required to prepare annual financial statements for auditing, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.**

**EVALUATION CRITERIA**

The Bids will be evaluated on the basis of the Preferential Procurement Policy Framework Act is 80/20 in line with the Preferential Procurement Policy Framework Act (PPPFA) of November 2022

Only competent bidders who are competent in the advertised work and who have exceeded the minimum functionality threshold will be two phases Phase 1= **Functionality=100 Points** and Phase 2= is 80/20 in line with the Preferential Procurement Policy Framework Act (PPPFA) as amended 16 January 2023. Only bidders who obtain 70 points as a minimum functionality threshold will be evaluated further on 80/20.

**Points for functionality will be scored according to the table below: Detailed sub-criteria are contained in the tender document and are binding:**

Functionality Criteria	Points
Certificate of registration with Bargaining for the Civil Engineering Industry (BCCEI)	20
Experience on Surfaced Road Construction	40
Expertise proposed project team	20
Health & Safety Officer	10
Availability of key plant & equipment	10
<b>TOTAL</b>	<b>100</b>

**80/20 Evaluation Criteria**

Preferential Goals	80/20	Documents required for verification
	<b>0</b>	
<b>Maximum Points</b>	<b>20</b>	
Goal 1- Ownership (Historically Disadvantaged Individuals-HDI)	6	ID Copy of the owner/director and CSD



Goal 2- Youth Ownership 14-35 Years (MLM Enterprises)	6	CSD, ● Proof of municipal accounts or ●Proof of residence signed by ward councillor or ●Affidavit
Goal 3- Women Ownership	4	ID Copy of the owner/director and CSD
Goal 4-Disability Ownership	2	ID Copy of the owner/director and CSD
Goal 5-Rural Enterprises	2	CSD, ● Proof of municipal accounts or ●Proof of residence signed by ward councillor or ●Affidavit
<b>Tender Price</b>	80	
<b>TOTAL</b>	<b>100 POINTS</b>	

**TENDER ENQUIRIES**

All SCM enquiries relating to this bid must be directed to Ms M. Sababsaba, e-mail: MSabasaba@matatiele.gov.za during office hours (07h30 – 16h00) weekdays. All Technical enquiries relating to this bid must be directed to Mr L.Masinyane, e-mail: LMasinyane@matatiele.gov.za during office hours

**TENDER DISCLAIMER**

The Matatiele Local Municipality reserves the right not to appoint a contractor on highest points scored. Value for money, past experience and functionality will be the key determinants of appointment. *The Municipality will not make any award to a person or persons working for the state, or failing to possess relevant credentials as stipulated in the tender requirements.*

**Bidders are warned not to accept any person who requests any amount for the award for this bid, it is a scam and fraud, that person must be reported to the nearest police station.**

\_\_\_\_\_  
**MRS N. ZEMBE**  
**ACTING MUNICIPAL MANAGER**

Tenderers will be awarded points on the following basis:



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**Contract No: MATAT/2025/2026-101**

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<b>Tender Price</b>	<b>80 points</b>
<b>2. HDI – Equity ownership</b>	<b>6 points</b>
<b>3. Youth-Enterprises 14-35 years (MLM)</b>	<b>6 points</b>
<b>4. Women – Equity ownership</b>	<b>4 points</b>
<b>5. Disability – Equity ownership</b>	<b>2 points</b>
<b>6. Rural Enterprises (will be verified by CSD)</b>	<b>2 points</b>
<b>Total</b>	<b>100 points</b>



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## T1.2 TENDER DATA

### T1.2 TENDER DATA

The Tender Data shall be read with the Standard Conditions of Tender in order to expand on the Tenderer's obligations and the Employer's undertakings in administering the tender process in respect of the project under consideration.

The Tender Data hereafter shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender.

Each item of Tender Data given below is cross-referenced to the relevant clause in the Standard Conditions of Tender. The Conditions of Tender are the Standard Conditions of Tender as contained in Annex F of the CIDB Standard for Uniformity in Construction Procurement, as printed in Board Notice 94 of 2006 in the Government Gazette No. 29138 of 2006 dated 18 August 2006.

The Standard Conditions of Tender make several references to the Tender Data which specifically applies to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender. Each item of Tender Data given below is cross-referenced to the relevant clause in the Standard Conditions of Tender.

#### Tender Data Applicable to this Tender

Clause Number	Data / Wording
F.1.2	<p>The <b>Tender Documents</b> consist of the following:</p> <p>(a) This <b>Project Document</b>, which contains the following:</p> <p><b>PART T1: TENDERING PROCEDURES</b>  T1.1 Tender Notice and Invitation to Tender  T1.2 Tender Data</p> <p><b>PART T2: RETURNABLE DOCUMENTS</b>  T2.1 List of Returnable Documents  T2.2 Returnable Schedules</p> <p><b>PART C1: AGREEMENTS AND CONTRACT DATA</b>  C1.1 Form of Offer and Acceptance  C1.2 Contract Data  C1.3 Form of Guarantee  C1.4 Agreement in terms of Section 37(2) of the Occupational Health and Safety Act No. 85 of 1993  C1.5 Transfer of rights</p> <p><b>PART C2: PRICING DATA</b>  C2.1 Pricing Instructions  C2.2 Schedule of Quantities</p>



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Clause Number	Data / Wording
	<p><b>PART C3: SCOPE OF WORKS</b>            C3.1 Standard Specifications            C3.2 Project Specifications            C3.3 Particular Specifications</p> <p><b>PART C4: SITE INFORMATION</b>            C4.1 Locality Plan            C4.2 Example of Contract Signboard Details            C4.3 Drawings</p> <p>(b) <b>Drawings</b> (Attached under Page C 4.3)</p> <p>(c) <b>General Conditions of Contract for Construction Works – New Edition 2010'</b> issued by the South African Institution of Civil Engineering (abbreviated title 'General Conditions of Contract 2010'- GCC 2010). This document is obtainable separately and Tenderers shall obtain their own copy.</p> <p>(d) <b>'The COLTO Standard Specifications for Road and Bridge Works for State Road Authorities 1998 edition'</b>. This document is obtainable separately and Tenderers shall obtain their own copy.</p> <p>(e) <b>'The Occupational Health and Safety Act No 85 and Amendment Act No 181 of 1993, and the Construction Regulations 2003' (Government Gazette No 25207 of 18 July 2003, Notice No R1010)</b>. This document is obtainable separately and Tenderers shall obtain their own copy.</p> <p>In addition, Tenderers are advised, in their own interest, to obtain their own copies of the following Acts, Regulations and Standards referred to in this document as they are essential for the Tenderer to become acquainted with the basics of construction management, the implementation of preferential construction procurement policies, and participation of targeted enterprises and labour:</p> <p>(i) The Construction Industry Development Board Act No. 38 of 2000 as amended and the Regulations in terms of the CIDB Act 38 of 2000, Government Notice No 692 of 9 June 2004.</p>
F.1.4	<p>The Acting Accounting Officer is:</p> <p>Name: Mrs N. Zembe            Tel: (039) 737 8100            Fax : (039) 737 3611            E-mail: nzembe@matatiele.gov.za</p>
F.2.1	A Tenderer will not be eligible to submit a tender if:



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Clause Number	Data / Wording
	<p>(a) the Contractor submitting the tender is under restrictions or has principals who are under restriction to participate in the Employer’s procurement due to corrupt or fraudulent practices;</p> <p>(b) the Tenderer does not have the legal capacity to enter into the contract;</p> <p>(c) the Contractor submitting the tender is insolvent, in receivership, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of the foregoing;</p> <p>(d) The Tenderer does not comply with the legal requirements stated in the Employer’s procurement policy;</p> <p>e) The Tenderer cannot demonstrate that he possesses the necessary professional and technical qualifications and competence, financial resources, equipment and other physical facilities, managerial capability, personnel, experience and reputation to perform the contract;</p> <p>(f) The Tenderer cannot provide proof that he is in good standing with respect to duties, taxes, levies and contributions required in terms of legislation applicable to the work in the contract.</p> <p>(g) The Tenderer cannot demonstrate that he will have in his employ during the contract period the necessary personnel satisfying the requirements of the Scope of Work for labour-intensive competencies for management and supervisory personnel.</p> <p>Only Tenderers meeting the Construction Industry Development Board (CIDB) contractor grading designation of <b>6CE</b>, as defined in the Regulations (01 June 2004 as amended) in terms of the CIDB Act 38 of 2000, are eligible to submit tenders for this contract:</p> <p>In terms of the MATATIELE Municipality Supply Chain Management Policy Guideline, all suppliers of goods and services to the MATATIELE Municipality are required to register on the Database.</p> <p>(1) Application forms may be obtained by phoning <b>039 737 8100</b></p>
<b>F.2.7</b>	<p>The arrangements and venue for the compulsory Clarification Meeting are:</p> <p>None</p>
<b>F.2.8</b>	<p>Change ‘five working days’ to ‘seven working days’. Working days shall be from Monday to Friday and shall exclude all gazetted public holidays.</p>



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Clause Number	Data / Wording
F.2.10	All tenderers must be registered for Value Added Tax (VAT) with the South African Revenue Services (SARS).
F.2.12	The requirements are as described in <b>Clause 1212 'ALTERNATIVE DESIGNS AND OFFERS'</b> of 'The COLTO Standard Specification for Road and Bridge Works for State Road Authorities 1998 edition'.
F.2.13	<p><b>F.2.13.3</b> Tender offers shall be submitted as an original only. Under no circumstances whatsoever may the tender forms be retyped or redrafted. Photocopies of the original tender documentation may be used, but an original signature must appear on such photocopies.</p> <p><b>F.2.13.5</b> The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:</p> <p><b>Location of Tender Box:</b> In the Foyer, Matatiele Local Municipality</p> <p><b>Physical Address:</b> Mountain View Offices, (BTO), Matatiele</p> <p><b>Identification Details:</b> <b>APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS</b></p> <p style="text-align: center;">Contract No. MATAT/2025/2026-101</p> <p><b>F.2.13.6</b> A two-envelope system will <u><b>not be followed</b></u>.</p>
F.2.15	<p>The closing time for submission of Tender Offers is: <b>10h00 AM on 26<sup>th</sup> MAY 2026</b></p> <p>Telegraphic, telephonic, telex, facsimile, electronic, e-mailed and late tenders will not be accepted.</p>
F.2.16	The tender offer validity period is <b>90 days</b> from the closing time for submission of tenders.
F.2.18	The tenderer must submit to the Employer the names of all management and supervisory staff that will be employed to supervise the labour-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirement.
F.2.19	



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Clause Number	Data / Wording
	Access shall be provided for inspections and testing by personnel acting on behalf of the Employer.
<b>F.2.22</b>	This is not applicable.
<b>F.2.23</b>	The certificates as required in the Returnable Schedules and Forms must be provided with the tender for each party to a consortium / joint venture.
<b>F.3.1</b>	Change 'five working days' to 'seven working days'. Working days shall be from Monday to Friday and shall exclude all gazetted public holidays.
<b>F.3.2</b>	Change 'seven days' to 'five working days'. Working days shall be from Monday to Friday and shall exclude all gazetted public holidays.
<b>F.3.4</b>	The time and location for opening of the tender offers are: Time: <b>10H00 AM</b> Date: <b>26th May 2026</b> . Location / Venue: Matatiele Local Municipality, Mountain View Offices, (BTO) Reception.
<b>F.3.5</b>	A two-envelope system will <b><u>not be followed</u></b> .
<b>F.3.8</b>	<p><b>Test for responsiveness</b></p> <p><b>F.3.8.1</b> Determine, after opening and before detailed evaluation, whether each tender offer properly received:</p> <ul style="list-style-type: none"> <li>(a) complies with the requirements of these Conditions of Tender,</li> <li>(b) has been properly and fully completed and signed, and</li> <li>(c) is responsive to the other requirements of the tender documents.</li> </ul> <p><b>F.3.8.2</b> A responsive tender is one that conforms to all the terms, conditions, and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would:</p> <ul style="list-style-type: none"> <li>(d) a detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work,</li> <li>(e) b) significantly change the Employer's or the tenderer's risks and responsibilities under the contract, or</li> <li>(f) c) affect the competitive position of other tenderers presenting responsive tenders, if it were to be rectified.</li> </ul>



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Clause Number	Data / Wording
	Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.
F.3.13	<p><b>F.3.13.1</b> The legal requirements for acceptance of the tender offer are:</p> <ul style="list-style-type: none"> <li>(g) <b>Tender Defaulters Register</b> - the Tenderer or any of its principals is <u>not</u> listed on the register of Tender 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.</li> <li>(h) <b>Abuse of the SCM System</b> - the Tenderer has <u>not</u> abused the Employer's Supply Chain Management System and has <u>not</u> been given a written notice to the effect that he has failed to perform on any previous contract.</li> <li>(i) <b>Declaration</b> - the Tenderer has indicated and declared whether or not a spouse, child or parent of the Tenderer is in the service of the State.</li> <li>(j) <b>Fraud and Corruption</b> - the Employer is satisfied that the Tenderer or any of his principals have <u>not influenced</u> the tender offer and acceptance by the following criteria:</li> </ul>



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Clause Number	Data / Wording
	<ul style="list-style-type: none"> <li>(i) having offered, promised or given a bribe or other gift or remuneration to any person in connection with the obtaining of this Contract;</li> <li>(ii) having acted in a fraudulent or corrupt manner in obtaining this Contract;</li> <li>(iii) having approached an officer or employee of the Employer or the Employer's Agent with the object of influencing the award of a Contract in the Tenderer's favour;</li> <li>(iv) having entered into any agreement or arrangement, whether legally binding or not, with any other person, firm or company to refrain from Tendering for this Contract or as to the amount of the Tender to be submitted by either party;</li> <li>(v) having disclosed to any other person, firm or company other than the Employer, the exact or approximate amount of his proposed Tender.</li> </ul> <p>The Employer may, in addition to using any other legal remedies, repudiate the Tender offer and acceptance and declare the Contract invalid should it have been concluded already.</p>
F.3.18	The number of paper copies of the signed contract to be provided by the Employer is <b>one (1)</b> .

## **T2: RETURNABLE DOCUMENTS**

### **T2.1 LIST OF RETURNABLE DOCUMENTS**

1. This Project Document must be submitted as a whole and shall not be taken apart or altered in any way whatsoever. The following schedules and forms are contained in this document and are to be properly completed as required:
  - a) Returnable Schedules in T2.2.
  - b) C1.1 Form of Offer and Acceptance, A. Offer, on page C3.
  - c) Contract Specific Data Provided by the Contractor in C1.2.2 Part B.
  - d) Pricing Data in C2.2: Schedule of Quantities.



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**T2.2 RETURNABLE SCHEDULES**

A	CERTIFICATE OF ATTENDANCE (Not Compulsory) .....	T26
B	RECORD OF ADDENDA TO TENDER DOCUMENTS .....	T27
C	COMPULSORY ENTERPRISE QUESTIONNAIRE .....	T28
D	CERTIFICATE OF AUTHORITY .....	T30
E	PLANT AND EQUIPMENT .....	T35
F	EXPERIENCE OF TENDERER.....	T36
G	PROPOSED SUB CONTRACTORS .....	T37
H	KEY PERSONNEL.....	T38
I	DEVIATIONS AND QUALIFICATIONS .....	T41
J	CONTRACTOR'S HEALTH AND SAFETY DECLARATION.....	T42
K	PREFERENCING SCHEDULE (FOR CONTRACT PARTICIPATION GOALS) .....	T44

MBD.....	1
MBD.....	2
MBD.....	4
MBD.....	5
MBD.....	6
MBD.....	7
MBD.....	8
MBD.....	9

L	TENDERER'S PARTICIPATION IN JOB CREATION USING LOCAL LABOUR.....	T19
M	ETHICS COMMITMENT FOR SUPPLIERS OF THE MATATIELE LM.....	T22

NOTE: The Tenderer is required to complete each and every schedule and form listed above to the best of his ability as the evaluation of tenders and the eventual contract will be based on the information provided by the Tenderer. Failure of a Tenderer to complete the schedules and forms to the satisfaction of the Employer may lead to rejection on the grounds that the tender is not responsive.



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**A.CERTIFICATE OF ATTENDANCE (Not Compulsory to be signed as this will be checked on-site inspection attendance register)**

This is to certify that (*Tenderer*) .....

of (*address*).....

..... was represented by the person(s) named below at the compulsory clarification meeting held for all tenderers.

I / We acknowledge that the purpose of the meeting was to acquaint myself / ourselves with the site of the works and / or matters incidental to doing the work specified in the tender documents in order for me / us to take account of everything necessary when compiling our rates and prices included in the tender.

**Particulars of person attending the meeting:**

Name: .....

Signature: .....

Capacity: .....

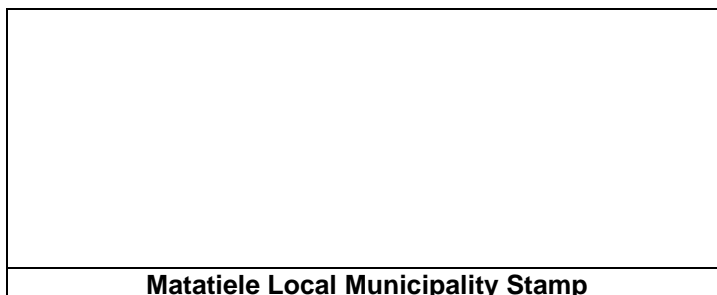
**Attendance of the above person at the meeting is confirmed by the Employer's agent, namely:**

Name:

Signature: .....

Capacity:

Date and Time: .....





**APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS**

**C. COMPULSORY ENTERPRISE QUESTIONNAIRE**

The following particulars must be furnished. In the case of a joint venture, **separate** enterprise questionnaires in respect of each partner must be completed and submitted.

**Section 1: Name of enterprise:** .....

**Section 2: VAT registration number, if any:** .....

**Section 3: CIDB registration number, if any:** .....

**Section 4: Particulars of sole proprietors and partners in partnerships**

Name*	Identity number*	Personal income tax number*

\* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

**Section 5: Particulars of companies and close corporations**

Company registration number .....

Close corporation number .....

Tax reference number .....

**Section 6: Record of service of the state**

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently serving or has served within the last 12 months as any of the following:

- |  |   |
|--|---|
| <input type="checkbox"/> a member of any municipal council                                     | <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature                                | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity  |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | <input type="checkbox"/> an employee of Parliament or a provincial legislature  |
| <input type="checkbox"/> a member of the board of directors of any municipal entity            |   |
| <input type="checkbox"/> an official of any municipality or municipal entity                   |   |

If any of the above boxes are marked, disclose the following:

Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		current	Within last 12 months



**APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS**

--	--	--	--

\*insert separate page if necessary

**Section 7: Record of spouses, children and parents in the service of the state**

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently serving or has served within the last 12 months as any of the following:

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> a member of any municipal council</li> <li><input type="checkbox"/> a member of any provincial legislature</li> <li><input type="checkbox"/> a member of the National Assembly or the National Council of Province</li> <li><input type="checkbox"/> a member of the board of directors of any municipal entity</li> <li><input type="checkbox"/> an official of any municipality or municipal entity</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)</li> <li><input type="checkbox"/> a member of an accounting authority of any national or provincial public entity</li> <li><input type="checkbox"/> an employee of Parliament or a provincial legislature</li> </ul> |
|--|---|

Name of spouse, child or parent	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		current	Within last 12 months

\*insert separate page if necessary

The undersigned, who warrants that he/she is duly authorised to do so on behalf of the enterprise:

- i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- ii) confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise, appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise, has within the last five years been convicted of fraud or corruption;
- iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- v) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.



**MATATIELE LOCAL MUNICIPALITY**

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Signed .....

Date .....

Name .....

Position .....

*Enterprise  
name* .....



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D.

**3. AUTHORITY TO SIGN**

**SOLE PROPRIETOR (SINGLE OWNER BUSINESS) AND NATURAL PERSON**

1.1. I, \_\_\_\_\_, the undersigned, hereby confirm that I am the sole owner of the business trading as \_\_\_\_\_.

OR

1.2. I, \_\_\_\_\_, the undersigned, hereby confirm that I am submitting this tender in my capacity as natural person.

SIGNATURE:		DATE:	
PRINT NAME:			
WITNESS 1:		WITNESS 2:	

**2 COMPANIES AND CLOSE CORPORATIONS**

2.5 **If a Bidder is a COMPANY, a certified copy of the resolution by the board of directors**, duly signed, authorising the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company **must be submitted with this bid**, that is, before the closing time and date of the bid

2.6 In the case of a **CLOSE CORPORATION (CC)** submitting a bid, **a resolution by its members**, authorizing a member or other official of the corporation to sign the documents on their behalf, **shall be included with the bid**.

**PARTICULARS OF RESOLUTION BY BOARD OF DIRECTORS OF THE COMPANY/MEMBERS OF THE CC**

Date Resolution was taken	
Resolution signed by (name and surname)	
Capacity	
Name and surname of delegated Authorised Signatory	
Capacity	
Specimen Signature	

Full name and surname of ALL Director(s) / Member (s)			
1.		2.	
3.		4.	
5.		6.	
7.		8.	
9.		10.	

Is a CERTIFIED COPY of the resolution attached?	YES	NO
---	-----	----

SIGNED ON BEHALF OF COMPANY / CC:		DATE:	
PRINT NAME:			



**APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS**

WITNESS 1:		WITNESS 2:
------------	--	------------

**3. PARTNERSHIP**

We, the undersigned partners in the business trading as \_\_\_\_\_ hereby authorize Mr/Ms \_\_\_\_\_ to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and /or contract for and on behalf of the abovementioned partnership.

The following particulars in respect of every partner must be furnished and signed by every partner:

Full name of partner		Signature
SIGNED ON BEHALF OF PARTNERSHIP:		DATE:
PRINT NAME:		
WITNESS 1:		WITNESS 2:

**4 CONSORTIUM**

We, the undersigned consortium partners, hereby authorize \_\_\_\_\_ (Name of entity) to act as lead consortium partner and further authorize Mr./Ms.

To sign this offer as well as any contract resulting from this tender and any other documents and correspondence in connection with this tender and / or contract for and on behalf of the consortium.

\_\_\_\_\_

The following particulars in respect of each consortium member must be provided and signed by each member:

Full Name of Consortium Member	Role of Consortium Member	% Participation	Signature



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SIGNED ON BEHALF OF PARTNERSHIP:		DATE:	
PRINT NAME:			
WITNESS 1:		WITNESS 2:	



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**E. PLANT AND EQUIPMENT**

Note: Each partner to a Joint Venture is to provide the information required below with respect to his company's contribution to the plant and equipment resourcing of the Joint Venture.

The following are lists of major items of relevant equipment that I / we presently own or lease and will be available for this contract if my / our tender is accepted.

(a) **Details of major Plant and Equipment that is owned by me / us and is immediately available for this contract:**

DESCRIPTION ( <i>type, size, capacity, etc.</i> )	QUANTITY	YEAR OF MANUFACTURE

*Attach additional pages if more space is required*

(b) **Details of major Plant and Equipment that will be hired or acquired for this contract if my/ our tender is accepted:**

DESCRIPTION ( <i>type, size, capacity, etc.</i> )	QUANTITY	HOW ACQUIRED	
		HIRE/ BUY	SOURCE

*Attach additional pages if more space is required*

The Tenderer undertakes to bring onto site without additional cost to the Employer any additional plant not listed but which may be necessary to complete the contract within the specified contract period.

SIGNATURE: .....

DATE: .....

*(of person authorised to sign on behalf of the Tenderer)*





**APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS**

**G. PROPOSED SUBCONTRACTORS**

I/We hereby notify you that it is my/our intention to employ the following subcontractors for work under this contract. If I/we am/are awarded a contract I/we agree that this notification does not change the requirement for me/us to submit the names of proposed subcontractors in accordance with the requirements of the contract for such appointments.

Acceptance of this tender shall not be construed as approval of all or any of the listed subcontractors. Should any of or all of the subcontractors not be approved subsequent to the acceptance of the tender, it shall in no way invalidate this tender, and the tendered unit rates for the various items of work shall remain final and binding, even in the event of a subcontractor not listed below being approved by the Employer.

NAMES AND ADDRESSES OF PROPOSED SUBCONTRACTORS	NATURE AND EXTENT OF WORK TO BE SUBCONTRACTED	PREVIOUS EXPERIENCE WITH SUBCONTRACTOR

**Attach additional pages if more space is required**

SIGNATURE: .....

DATE: .....

*(of person authorised to sign on behalf of the Tenderer)*



**APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS**

**H. KEY PERSONNEL**

**1. KEY PERSONNEL - MANAGEMENT**

The Tenderer must insert in the spaces provided below a list of the key personnel in the Joint Venture to be employed in the construction of the Works together with a resume of their experience with particular reference to the construction of similar Works.

The Tenderer shall attach the curriculum vitae of the listed key management personnel to the next page.

*(The compiler to indicate the designations that will be required for the project)*

DESIGNATION	NAMES	PROJECT TYPE	VALUE OF WORK	YEAR COMPLETED

*Attach additional pages if more space is required*

SIGNATURE: .....

DATE: .....

*(of person authorised to sign on behalf of the Tenderer)*



**APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS**

**2. KEY PERSONNEL – LABOUR INTENSIVE ACTIVITIES**

Contractors shall employ in labour-intensive works only those supervisory and management staff that have completed the required Skills Programme in terms of Appendix C of the “Guidelines for the implementation of labour-intensive infrastructure projects under the Expanded Public Works Programme (EPWP) Third Edition 2015”:

Tenderers’ attention is drawn to the required minimum supervisor to worker ratio for this project stated in the Particular Specifications.

The Tenderer must insert in the spaces provided below the relevant details of the personnel to be employed in the construction of the Works possessing the required qualifications in the supervision or management of LIC projects. A copy of the relevant qualification certificate for each such person shall be attached to the next page.

<b>DESIGNATION</b>	<b>NAME</b>	<b>NAME OF TRAINING INSTITUTION</b>	<b>QUALIFICATION OBTAINED IN THE SUPERVISION OR MANAGEMENT OF LIC PROJECTS</b>	<b>YEAR QUALIFICATION OBTAINED</b>

*Attach additional pages if more space is required*

SIGNATURE: .....

DATE: .....

*(of person authorised to sign on behalf of the Tenderer)*



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**CURRICULUM VITAE OF KEY PERSONNEL - MANAGEMENT**

*Curriculum Vitae of key management personnel to be attached to this page.*



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**J. CONTRACTOR'S HEALTH AND SAFETY DECLARATION**

In terms of Clause 4(4) of the OHS Act 1993 Construction Regulations 2003 (referred to as "the Regulations" hereafter), a Contractor may only be appointed to perform construction work if the Employer is satisfied that the Contractor has the necessary competencies and resources to carry out the work safely in accordance with the Occupational Health and Safety Act No 85 of 1993 and the OHS Act 1993 Construction Regulations 2003.

To that effect a person duly authorised by the tenderer must complete and sign the declaration hereafter in detail.

**Declaration by Tenderer**

1. I the undersigned hereby declare and confirm that I am fully conversant with the Occupational Health and Safety Act No 85 of 1993 (as amended by the Occupational Health and Safety Amendment Act No 181 of 1993), and the OHS Act 1993 Construction Regulations 2003.
2. I hereby declare that my company has the competence and the necessary resources to safely carry out the construction work under this contract in compliance with the Construction Regulations and the Employer's Health and Safety Specifications.
3. I propose to achieve compliance with the Regulations by one of the following:
  - (a) From my own competent resources as detailed in 4(a) hereafter: ..... **\*Yes / No**
  - (b) From my own resources still to be appointed or trained until competency is achieved, as detailed in 4(b) hereafter: ..... **\*Yes / No**
  - (c) From outside sources by appointment of competent specialist subcontractors as detailed in 4(c) hereafter: ..... **\*Yes / No**

(\* = delete whatever is not applicable)

4. Details of resources I propose:

*(Note: Competent resources shall include safety personnel such as a construction supervisor and construction safety officer as defined in Regulation 6, and competent persons as defined in the OHS Act 1993 Construction Regulations 2003, as applicable to this contract)*

- (a) Details of the competent and qualified key persons from my company's own resources, who will form part of the contract team:

NAMES OF COMPETENT PERSONS	POSITIONS TO BE FILLED BY COMPETENT PERSONS



**APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS**

(b) Details of training of persons from my company's own resources (or to be hired) who still have to be trained to achieve the necessary competency:

(i) By whom will training be provided? .....

(ii) When will training be undertaken? .....

(iii) List the positions to be filled by persons to be trained or hired: .....

.....

.....

(c) Details of competent resources to be appointed as subcontractors if competent persons cannot be supplied from own company:

Name of proposed subcontractor: .....

Qualifications or details of competency of the subcontractor: .....

.....

.....

5. I hereby undertake, if my tender is accepted, to provide, before commencement of the works under the contract, a suitable and sufficiently documented Health and Safety Plan in accordance with Regulation 5(1) of the Construction Regulations, which plan shall be subject to approval by the Employer.

6. I confirm that copies of my company's approved Health and Safety Plan, the Employer's Safety Specifications as well as the OHS 1993 Construction Regulations 2003 will be provided on site and will at all times be available for inspection by the Contractor's personnel, the Employer's personnel, the Engineer, visitors, and officials and inspectors of the Department of Labour.

7. I hereby confirm that adequate provision has been made in my tendered rates and prices in the schedule of quantities to cover the cost of all resources, actions, training and all health and safety measures envisaged in the OHS 1993 Construction Regulations 2003, and that I will be liable for any penalties that may be applied in terms of the said Regulations (Regulation 30) for failure on the Contractor's part to comply with the provisions of the Act and the Regulations.

8. I agree that my failure to complete and execute this declaration to the satisfaction of the Employer will mean that I am unable to comply with the requirements of the OHS 1993 Construction Regulations 2003, and accept that my tender will be prejudiced and may be rejected at the discretion of the Employer.

SIGNATURE: .....

DATE: .....

*(of person authorised to sign on behalf of the Tenderer)*



**K. PREFERENCING SCHEDULE (DIRECT PREFERENCES)**

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2001 & THE CONTRACT FORM – RENDERING OF SERVICES.

MBD 1

MBD 2

MBD 4

MBD 5

MBD 6

MBD 7

MBD 8

MBD 9



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# **MBD 1 – MATATIELE LOCAL MUNICIPALITY**

## **PART A INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)</b>					
BID NUMBER:	MATAT/2025/2026-101	CLOSING DATE:	26 MAY 2026	CLOSING TIME:	10H00
DESCRIPTION	<b>APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS</b>				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).</b>					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
MATATIELE LOCAL MUNICIPALITY					
MOUNTAIN VIEW OFFICES (BTO)					
MATATIELE					
4730					
<b>SUPPLIER INFORMATION</b>					
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]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					



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1.1.1.1	<b>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	1.1.1.2	<b>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
1.1.1.3	TOTAL NUMBER OF ITEMS OFFERED		1.1.1.4	TOTAL BID PRICE	<b>R</b>
1.1.1.5	SIGNATURE OF BIDDER	.....	1.1.1.6	DATE	
1.1.1.7	CAPACITY UNDER WHICH THIS BID IS SIGNED	.....			
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>			<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>		
DEPARTMENT	SCM UNIT	DEPARTMENT	IPD		
CONTACT PERSON	Ms M. Sabasaba	CONTACT PERSON	Mr L Masinyane		
TELEPHONE NUMBER	039 737 8263	TELEPHONE NUMBER	039 737 8168		
FACSIMILE NUMBER	039 737 3611	FACSIMILE NUMBER	039 737 3611		
E-MAIL ADDRESS	msabasaba@matatiele.gov.za	E-MAIL ADDRESS	lmasinyane@matatiele.gov.za		



**APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS**

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	<b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE</b>
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
<b>2. TAX COMPLIANCE REQUIREMENTS</b>	
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.
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>	
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO
<b>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.</b>	

**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 2

### TAX CLEARANCE REQUIREMENTS

IT IS A CONDITION OF BIDDING THAT -

1. The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.
2. The attached form "Application for Tax Clearance Certificate (in respect of bidders)", must be completed in all respects and submitted to the Receiver of Revenue where the bidder is registered for tax purposes. The Receiver of Revenue will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of twelve (12) months from date of issue.
3. In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificates are available at any Receiver' s Office.



**APPLICATION FOR TAX CLEARANCE CERTIFICATE  
(IN RESPECT OF BIDDERS)**

1. Name of taxpayer / bidder: .....

2. Trade name: .....

3. Identification number: 

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

4. Company / Close Corporation registration number: 

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

5. Income tax reference number: 

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

6. VAT registration number (if applicable): 

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

7. PAYE employer's registration number (if applicable): 

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

Signature of contact person requiring Tax Clearance Certificate: .....

Name: .....

Telephone number: Code:..... Number: .....

Address: .....

.....

.....

DATE: 20 \_\_\_\_ / \_\_\_\_ / \_\_\_\_

PLEASE NOTE THAT THE COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE (SARS) WILL NOT EXERCISE HIS DISCRETIONARY POWERS IN FAVOUR OF ANY PERSON WITH REGARD TO ANY INTEREST, PENALTIES AND / OR ADDITIONAL TAX LEVIABLE DUE TO THE LATE- OR UNDERPAYMENT OF TAXES, DUTIES OR LEVIES OR THE RENDITION RETURNS BY ANY PERSON AS A RESULT OF ANY SYSTEM NOT BEING YEAR 2000 COMPLIANT.

**MBD 4**

**DECLARATION OF INTEREST**

- 1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
- 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<sup>2</sup>):  
.....

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.....  
.....

<sup>1</sup> 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.

<sup>2</sup> 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**

**DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED)**

For all procurement expected to exceed R10 million (all applicable taxes included), bidders must complete the following questionnaire:

1 Are you by law required to prepare annual financial statements for auditing? **\*YES / NO**

1.1 If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.

.....  
.....

2 Do you have any outstanding undisputed commitments for municipal services towards any municipality for more than three months or any other service provider in respect of which payment is overdue for more than 30 days? **\*YES / NO**

2.1 If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards any municipality for more than three months or other service provider in respect of which payment is overdue for more than 30 days.

2.2 If yes, provide particulars.

.....  
.....  
.....  
.....

Has any contract been awarded to you by an organ of \_\_\_\_\_ state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract?

**\*YES / NO**

3.1 If yes, furnish particulars

.....  
.....

4. Will any portion of goods or services be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic?

**\*YES / NO**

4.1 If yes, furnish particulars

.....  
.....

**CERTIFICATION**

**I, THE UNDERSIGNED (NAME) .....**

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

**I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.**

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

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

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

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

**1. GENERAL CONDITIONS**

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

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

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

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

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

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

- (a) Price; and
- (b) Specific Goals.

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

The maximum points for this tender are allocated as follows:

	POINTS
<b>PRICE</b>	
<b>SPECIFIC GOALS</b>	
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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:

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

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:

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

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)
Goal 1- Ownership (Historically Disadvantaged Individuals-HDI)		6		
Goal 2- Youth Ownership 14-35 Years (MLM Enterprises)		6		
Goal 3- Women Ownership		4		
Goal 4-Disability Ownership		2		
Goal 5-Rural Enterprises		2		

**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.

	.....
	<b>SIGNATURE(S) OF TENDERER(S)</b>
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....
	.....
	.....

# CONTRACT FORM - PURCHASE OF GOODS/WORKS

**THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SUCCESSFUL BIDDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SUCCESSFUL BIDDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.**

## **PART 1 (TO BE FILLED IN BY THE BIDDER)**

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)..... in accordance with the requirements and specifications stipulated in bid number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.
  
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Technical Specification(s);
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
    - Declaration of interest;
    - Declaration of bidder's past SCM practices;
    - Certificate of Independent Bid Determination;
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
  
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
  
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
  
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
  
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

**CONTRACT FORM - PURCHASE OF GOODS/WORKS**

**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I..... in my capacity as..... accept your bid under reference number ..... dated.....for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	RAND	DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorized to sign this contract.

SIGNED AT .....ON.....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

**WITNESSES**

3. ....  
....

4. ....

## 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.

Item	Question	Yes	No
4.1	<p>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?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

- 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.

**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**

## MBD 9

### CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> 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:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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<sup>3</sup> 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.

<sup>3</sup> 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

## CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES

**DECLARATION IN TERMS OF CLAUSE 112(1) OF THE MUNICIPAL FINANCE MANAGEMENT ACT  
(NO.56 OF 2003) - (To be signed in the presence of a Commissioner of Oaths)**

I, \_\_\_\_\_, \_\_\_\_\_ (full name and ID no.), hereby acknowledge that according to SCM Regulation 38(1)(d)(i), the Municipality may reject the tender of the tenderer if any municipal rates and taxes or municipal service charges owed by the Tenderer or any of its directors/members/partners to the Matatiele Local Municipality, or to any other municipality or municipal entity, are in arrears for more than 3 (three) months.

I declare that I am duly authorised to act on behalf of \_\_\_\_\_ (name of the firm) and hereby declare, that to the best of my personal knowledge, neither the firm nor any director/member/partner of said firm is in arrears on any of its municipal accounts with any municipality in the Republic of South Africa, for a period longer than 3 (three) months.

I further hereby certify that the information set out in this schedule and/or attachment(s) hereto is true and correct. The Tenderer acknowledges that failure to properly and truthfully complete this schedule may result in the tender being disqualified, and/or in the event that the tenderer is successful, the cancellation of the contract.

PHYSICAL BUSINESS ADDRESS(ES) OF THE TENDERER	MUNICIPAL ACCOUNT NUMBER

**FURTHER DETAILS OF THE BIDDER'S Director / Shareholder / Partners, etc.:**

Director / Shareholder / partner	Physical address of the Business	Municipal Account number(s)	Physical residential address of the Director / shareholder / partner	Municipal Account number(s)

**NB:** Please attach certified copy(ies) of ID document(s)  
If the entity or any of its Directors/Shareholders/Partners, etc. rents/leases premises, a copy of the rental/lease agreement must be submitted with this tender.

Signature	Position	Date

<p style="text-align: center;"><b>COMMISSIONER OF OATHS</b></p> <p>Signed and sworn to before me at _____, on this _____ day of _____ 20__</p> <p>by the Deponent, who has acknowledged that he/she knows and understands the contents of this Affidavit, it is true and correct to the best of his/her knowledge and that he/she has no objection to taking the prescribed oath, and that the prescribed oath will be binding on his/her conscience.</p> <p><b>COMMISSIONER OF OATHS:-</b></p> <p>Position: _____</p> <p>Address: _____</p>	<p><b>Apply official stamp of authority on this page:</b></p>
--	---

**SCHEDULE A –**

**CONFIRMATION OF REGISTRATION OF TENDERER ON NATIONAL TREASURY DATABASE**

<b>TENDERER NAME</b>	<b>NATIONAL TREASURY DATABASE REGISTRATION NUMBER</b>

A tenderer who is not registered on the National Treasury Database (CSD) is not precluded from submitting a tender; however such tenderer must be registered on the database prior to the finalisation of the evaluation of the tender in order for its bid to be considered responsive.

It is the responsibility of a tenderer to ensure that this requirement is complied with. In the case of Joint Ventures and Consortia, this requirement will apply to each party to the Joint Venture or Consortium.

Note:

**TENDERER'S SIGNATURE:** .....

## O. Ethics Commitment for Suppliers of the Matatiele Local Municipality



**In our dealings with the Matatiele Local Municipality we commit to uphold high standards of ethics. Among other things this means:**

- We will be honest and deal in good faith;
- We will not try to improperly influence any municipal official or decision;
- We will avoid all conflicts of interest;
- We will not engage in any form of corruption (e.g. paying bribes, giving kickbacks);
- We will not give gifts to municipal officials or councillors;
- We will not be involved in collusion with other service providers (i.e. price-fixing);
- We will ensure that all information we submit to the municipality is accurate and truthful (e.g. we will not engage in BBBEE fronting).
- We will inform the Municipality of any unethical behaviour which we become aware of in the procurement process, either related to other suppliers or to municipal officials.\*
- We will, through all our dealings, contribute to building a positive ethical culture in the Matatiele Local Municipality.

This is our commitment to help build an ethical community.

Name of Company: \_\_\_\_\_

Name of authorised person: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\* If you wish to report unethical conduct you can contact or \*If you are aware of any fraud/ corruption within the municipality. These may be reported anonymously, to The Acting Municipal manager: [NZembe@matatiele.gov.za](mailto:NZembe@matatiele.gov.za)



**TERMS OF REFERENCE**

**FOR**

**APPOINTMENT OF PANEL OF SIX (6) SERVICE PROVIDERS FOR THE  
CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED  
WORKS FOR A PERIOD OF 36 MONTHS.**

## 1. BACKGROUND

MATATIELE local municipality is one of the fastest growing municipalities in the Alfred Nzo District Municipality in Eastern Cape province. Along with the vast developments taking place in the area, a number of economic activities have been identified and are in control. These activities include Mining, Construction, Tourism, Agriculture and Installation of huge power plants. The municipality is also investing on the upgrade and development of electrical supply in order to align with the growing need catalyzed by the current developments.

Thus, MATATIELE Municipality is looking for six suitably qualified and experienced service providers for the **CONSTRUCTION OF SURFACED ROADS AND ALL STORMWATER RELATED WORKS FOR A PERIOD OF 36 MONTHS.**

## 2. OBJECTIVES

The motivation for the project is social, economic and environmental. The municipality, environment and project communities will benefit economically and socially as follows:

- Improvement in provision of basic services
- Improvement in the living conditions of the beneficiary communities
- Growth in the level of commercial activities by the Community
- Improved access and mobility
- Employment creation during project implementation
- Employment potential due to skills transferred during project implementation

## 3. SCOPE OF WORK WITH CONFORMANCE SPECIFICATION REQUIREMENTS

- 3.1. Six Service providers will be appointed for a period of 36 months to render services in construction of infrastructure services as and when needed without guarantee to quantum of works. The employer will open the bidding process on an annual basis to other prospective bidders who will be added to the panel of contractors.
- 3.2. The scope of this Contract is the construction of various Surfaced Roads (access roads) including rehabilitation of surfaced roads over a 36-month term, as and when the specific Works Order is issued to the Contractor.
- 3.3. The Contractor is required to provide all required personnel, materials, equipment, and plant required for the construction of surfaced roads (access roads) and associated works as instructed through a Works Order within the Matatiele Local Municipality
- 3.4. The Contractor will furthermore be required to at least subcontract portion of the Works with local businesses to develop them over the framework period to enable them to improve their CIDB grading.
- 3.5. Each Work Order will specify its own Works Information with the necessary details applicable for the construction of that Work Package. This will include but not be limited to reporting, invoicing, technical details, drawings, location, Site Information as well as people employment requirements.
  - **Successful bidders will be required to undertake the following tasks but not limited to such:**
  - Site Establishment
  - Site clearance / Clear and grub

- Construction of surfaced internal roads.
- Supply, lay and bed of 150mm G5 subbase;
- Supply, lay and bed of 150mm G2 base;
- Laying of a bituminous wearing course complete (30-40mm);
- Installation of kerbs and channeling;
- Construction of concrete drains at required sections;
- Installation of storm water pipes, inlets and outlets;
- Construction of subsoil drainage system,
- Installation of gabions
- Speed and traffic control measures
- Road markings
- Installation of road signage

#### **4. PERIOD OF CONTRACT**

- The contract shall be valid for a period of 36 months.

#### **5. ALLOCATION OF PROJECTS**

**During the period of the contract the successful bidders will be required to produce quote/s for each project no work or allocation of project/s is guaranteed to anyone for the duration of the contract.**

##### **5.1. DEFAULT AND/OR POOR PERFORMANCE OF THE CONTRACTOR AND TERMINATION OF THE CONTRACT**

5.1.1. Should it appear to the Head of the Section/Directorate that the contractor is:

- Not executing the contract in accordance with the true intent and meaning thereof, or
- Not performing satisfactorily, or
- Not performing with accepted industry expertise, or
- Refusing or delaying to execute tasks, or
- Should it be found that any laws or other statutory requirements and/or safety regulations are not being complied with, or
- In the event of any other failure of default by the Contractor

**Then in any such events the Municipality shall be entitled to cancel the contract and employ other persons at the expense of the contractor, to perform and carry out any work with the contractor fails to do with reasonable skill, diligence.**

#### **6. KEY COMPETENCES**

6.1 All bidders should be registered with CIDB, minimum of **6CE or Higher** is required.

#### **7. REQUIREMENTS**

7.1 **Notes to Prospective Bidders:** Compulsory submissions (Failure to submit any of the following will result in disqualification)

- Letter of Good Standing with Compensation Fund (COID).
- Submit audited or reviewed annual financial statements for 3 years, or for the period since establishment if established during the last 3 years, if required by law to prepare annual financial statement for auditing for bid number.

Bids received after the published closing date will not be considered and will not be opened.

## 8. EVALUATION CRITERIA

The Bids will be evaluated based on the Preferential Procurement Policy Framework Act is 80/20 and Functionality in line with the Preferential Procurement Policy Framework Act (PPPFA) of November 2022.

The bids will be evaluated in two stages, namely:

- Stage 1 – Functionality
- Stage 2 - Price and Specific goals Points

Functionality will be evaluated as shown in the table below:

**A MINIMUM OF 70 POINTS OUT OF 100 MUST BE SCORED FOR FUNCTIONALITY IN ORDER TO QUALIFY FOR THE SECOND STAGE OF THE EVALUATION PROCESS. ANY BID THAT FAILS TO MEET THE MINIMUM THRESHOLD FOR FUNCTIONALITY WILL BE DISQUALIFIED.**

The functionality evaluation criterion is further explained below.

<b>EVALUATION CRITERIA</b>	<b>MAXIMUM POINTS</b>	
Certificate of Registration with Bargaining Council for the Civil Engineering Industry (BCCEI)	<b>20</b>	
Experience in company (Surfaced Road Construction) Completion Certificates with Signed Payment Certificate and Appointment letters of the same projects must be attached within the last 15 years	<b>40</b>	
4 and above completed Projects	40	
2-3 Completed Projects	20	
<b>Expertise proposed project team</b>	<b>30</b>	
<b>Contracts Manager or Project Manager with Degree/B-Tech or Higher in Civil Engineering with labor-Intensive Construction NQF Level 5 or 7 (Attach CV and Certified Certificates)</b>	20	
<ul style="list-style-type: none"> <li>• 10 years and above experience = 20 Points</li> <li>• 5-9 years and above experience = 10 Points</li> </ul>		20
<b>Health and Safety Officer (Attach CV and Certified Diploma in Health &amp; Safety with SACPCMP registration)</b>		
<ul style="list-style-type: none"> <li>• 10 years and above experience = 10 Points</li> </ul>	10	<b>10</b>
<ul style="list-style-type: none"> <li>• 6-9 years` experience = 8 Points</li> </ul>	8	
<b>Availability of key plant and equipment</b>	<b>10</b>	
Contractor to own a minimum of 5 (five) of any of the required machinery listed below or has a written agreement with the Plant Hire to supply all the machinery required for the execution of the contract:		
<ul style="list-style-type: none"> <li>• Excavator fitted with bucket</li> <li>• TLB,</li> <li>• Tipper-Trucks,</li> <li>• Grader,</li> <li>• Asphalt Paver/Tarmac spreader,</li> </ul>	10 (2pts per machinery)	10

<ul style="list-style-type: none"> <li>• Pneumatic roller or compaction-equipment</li> <li>• Water cart and the machinery/equipment is available for the project:</li> </ul> <p><b>Please attach copies of registration certificate (logbook)/documentation and a signed intention to lease agreement with the Plant Hire company signed by both parties.</b></p> <p><b><u>N.B. Hired Plant will only be legible to achieve 50% of the points allocation.</u></b></p>		
<b>Total</b>		<b>100</b>

**Bids will be awarded points on the following basis:**

<b>1. Tender Price</b>	<b>80 points</b>
<b>2. HDI – Equity ownership</b>	<b>6 points</b>
<b>3. Youth-Enterprises 14-35 years (MLM)</b>	<b>6 points</b>
<b>4. Women – Equity ownership</b>	<b>4 points</b>
<b>5. Disability – Equity ownership</b>	<b>2 points</b>
<b>6. Rural Enterprises (MLM will verified by CSD)</b>	<b>2 points</b>
<b>TOTAL</b>	<b>100 points</b>

## **1. INFORMATION**

The Tenderers attention is drawn to the fact that if the schedules of this specification are not completed, his tender cannot be adjudicated and may be disqualified

### **2. Language of the proposal**

Language of the proposal shall be written in English.

### **6.Currency**

All proposals shall be quoted in South African rand (R) and likewise, the contract will be awarded in this currency. Proposals in other currencies will automatically be disqualified.

### **7.Legal aspects**

It is expected of the Prospective Professional Service Provider to address the identification of corresponding laws and ordinances available for compliance.

### **BID ENQUIRES**

Enquiries should be directed to:

1. Mr L. Masinyane, on 039 737 8168 email: nsogiba@matatiele.gov.za
2. Ms M. Sabasaba, on 039 737 8263 email: msabasaba@matatiele.gov.za

Matatiele Local Municipality  
102 Main Street  
Matatiele  
4730

