



MANDEN LOCAL MUNICIPALITY

MANDENI MUNICIPALITY SEEKS TO APPOINT A REPUTABLE SERVICE PROVIDER WITH PERSONNEL WHO HAVE RECOGNIZED QUALIFICATIONS IN THE FIELDS INCLUDING MUNICIPAL ADMINISTRATION OR STRATEGIC PLANNING OR DEVELOPMENT STUDIES OR BUSINESS ADMINISTRATION TO FACILITATE THE MANDENI MUNICIPALITY'S STRATEGIC PLANNING SESSIONS.

RFQ:65/24/25

Name of Bidder

Telephone Number

Email Address

Fax Number

Address

Bid Amount

Issued BY:

**Mr. S G Khuzwayo
Municipal Manager
Mandeni Municipality
2 Kingfisher Road
Mandeni
4490**

Table of Contents

1. Purpose	3
2. Introduction.	3
3. Background	4
5.3 Scope of work.	5
5.3.1. Components of the proposal.	5
5.3.2 Attainment of Specific Project Objectives	6
6. Stakeholders Consultation	6
7. Project Deliverables	6
8. Project Management.	7
9. Methodology	7
10. Format for the proposals	7
11. Procurement System	7
12. EVALUATION CRITERIA	8
12.1 Eligibility-	8
12.2 Functionality	8
12.3 Price and Preferential points	10
12.4 The formulae for calculating the points are as follows:	10
12.5 Preference: 20 Points	10
13. SUBMISSION OF PROPOSALS	11
14. YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (MANDENI OF MUNICIPALITY/ENTITY)	Error! Bookmark not defined.
15. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)	Error! Bookmark not defined.
16. NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (as defined in Regulation 1 of the Local Government: Municipal Supply Chain Management Regulations)	Error! Bookmark not defined.
1.1. THE FOLLOWING PARTICULARS MUST BE FURNISHED ..	Error! Bookmark not defined.
1.2. (FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)	Error! Bookmark not defined.
CELLPHONE NUMBER.....	Error! Bookmark not defined.
4. Full details of directors / trustees / members / shareholders	Error! Bookmark not defined.
80/20 or 90/10	Error! Bookmark not defined.
1 DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES	Error! Bookmark not defined.

**APPENDIX 1
ANNEXURE A**

A. Municipal Bid Documentation (MBD) Forms

ANNEXURE B

B. General Conditions of contracts

1. Purpose

To appoint a reputable service provider with personnel who have recognized qualifications in the fields including Municipal Administration or Strategic Planning or Development Studies or Business Administration to facilitate the Mandeni Municipality's Strategic Planning Sessions

2. Introduction.

Interested parties are invited to prepare proposals to facilitate the Strategic Planning Session; capture the Resolutions taken and prepare a comprehensive Strategic Planning Report that outlines the areas of focus for the next coming one and half years of the current Council term of office.

The approach would be to take through the Council, Management and Traditional Leaders to what was planned and agreed during the last Council strategic planning session for the past three years. In a nutshell, the intention is to take stork of the Council has done and to reprioritize for the things that still need to be done for the next two years. The successful service provider shall deliver in terms of eight (8) broad outputs:

- Project set up and preparation of the inception report including a work plan.
- The inception report must be completed within one (1) week from the date of appointment.
- Conduct desktop analysis to ascertain present municipal strategic tone and current business model in order to proposed best suited to prevailing best PEST environment
- Facilitate the proceeding of the three days (3) Municipal Strategic Planning Sessions
- Ensure a smooth flow between each agenda item of the programme over the 3 days.
- Make overall assessment of the current IDP, performance plans, operational plans and current resolutions to inform the new strategic plan.

3. Background

In terms of Chapter 5, Section 25 of the Municipal Systems Act, Act 32 of 2000, as amended, stipulates that each municipal council must, within a prescribed period after the start of its elected term, adopt a single, inclusive and strategic plan for the development of the municipality.

4. Project Name.

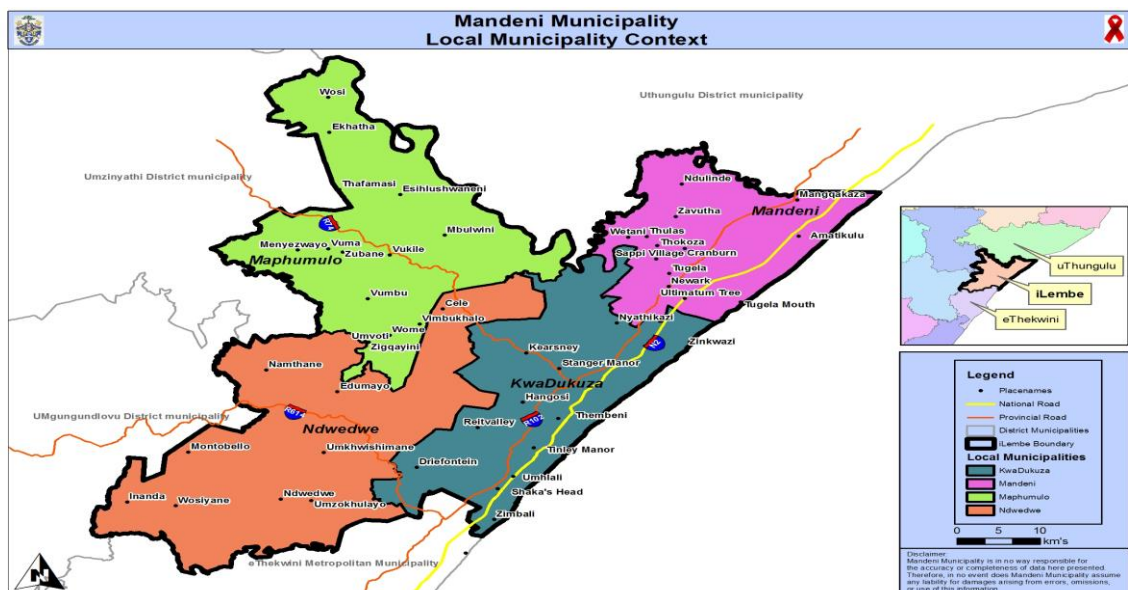
To facilitate the Mandeni Municipality's Strategic Planning Sessions to take stork of the Council's performance for the past three and half years. Make an overall assessment of the current IDP, performance plans, operational plans and current resolutions to inform the new strategic plan.

5. Project Description.

5.1 Location.

The Mandeni Municipality area (KZ291) lies on the north of KwaZulu-Natal, strategically located on the Primary Development Corridor in terms of the KwaZulu-Natal Provincial Spatial Economic Development Strategy (PSEDS), between the two major economic power hubs in the province, Durban and Richards Bay. It is one of the four Municipalities that constitute Ilembe District Municipality.

5.2



The purpose of this assignment is to facilitate the Council Strategic Planning Session with an intention of making overall assessment of the current IDP, performance plans, operational plans and current resolutions to inform the new strategic plan.

5.3 Scope of work.

The project will be expected to be finalized by 21 February 2025. The successful service provider shall deliver in terms of eight (8) broad outputs:

- ✓ Project set up and preparation of the inception report including a work plan.
- ✓ The inception report must be completed within two (2) weeks from the date of appointment.
- ✓ Conduct desktop analysis to ascertain present municipal strategic tone and current business model in order to proposed best suited to prevailing best PEST environment
- ✓ Facilitate the proceeding of the three days (3) Municipal Strategic Planning Sessions
- ✓ Ensure smooth flow between each agenda item of the programme over the 3 days.
- ✓ Make an overall assessment of the current IDP, performance plans, operational plans and current resolutions to inform the new strategic plan.
- ✓ Presenting a draft strategic planning report that contains activities budget and time frames Inception meeting with the task team and management to the Municipal Manager
- ✓ Presenting a final strategic planning report that contains activities budget and time frames Inception meeting with the task team and management submitted in both soft and hard colored copies.

5.3.1. Components of the proposal.

The project proposal must amongst others contain the following:

- Clear method and process to be followed;
- Comprehensive company profile and contact person to be responsible for the project and further indicate the names and skills of other members to be involved in the project and their roles;

- Clear project budget aligned to the tasks or activities or deliverables.

5.3.2 Attainment of Specific Project Objectives

The Mandeni Municipality believes successful achievement of the project objectives may only be realized if the service provider has or meets the following:

- Experienced in the Local Government and various relevant legislative frameworks.
- Comprises of a qualified master's in urban and Regional Planning or Strategic Planning or Development Studies of Business Administration and competent team of professionals specialized in among others the following:
 - ✚ Strategic Planning Skills
 - ✚ Project Management,
 - ✚ Facilitation Skills,
 - ✚ Report writing,
 - ✚ Administrative Support; and
- Displays a culture of trust, honesty and professionalism and registered with the relevant professional Council.

6. Stakeholders Consultation

The service provider will be required to undertake the consultation process with Management/ Administrative force and Political Leadership, when necessary, where outcomes of consultation must inform the final report/ product.

7. Project Deliverables

- a. Inception Meeting with both Task Team and Management
- b. Analysis of the Current Integrated Development Plan, Performance Management System and current Council Resolutions to inform the new Strategic Plan.
- c. Facilitation of the Strategic Planning Session
- d. Draft strategic planning report that contains activities budget and time frames Inception meeting with the task team and management to the Municipal Manager
- e. Final Strategic Planning Report submitted in both soft and hard colour copies.

8. Project Management.

In case where the appointed service provider appoints the services of other consultants, the appointed service provider will take responsibility for the work of the sub-contractors/ consultants.

The project is to be co-ordinated and managed through the Director Economic Development, Planning and Human Settlements. The Director will be responsible for providing directions to the overall consulting services and the structures to whom the consultant/s presents recommendations and progress reports concerning the progress on the project.

9. Methodology

Bidders are to indicate within their proposals the methodology that will be used to achieve the objectives and outputs outlined in the Terms of Reference.

10. Format for the proposals

The format for the proposal should indicate the bidder's understanding of the project and amongst others should cover the following:

- Outline the proposed methodology and approach to achieve the objectives;
- Outline the key milestone events, activities and outputs;
- Provide for ad hoc management and co-ordination support
- Include a price aligned to each milestone to carry out the assignment.

Bidders must submit details of their key staff members or team members that will be dedicated to this project inclusive of hours to be spent on the assignment by each member of the team. Bidders must also submit CVs of each of the proposed team members.

11. Procurement System

The municipal Supply Chain Management Policy in line with Preferential Procurement Framework will be used in the appointment of the service provider

12. EVALUATION CRITERIA

Proposals will be evaluated on the eligibility, functionality and the price

12.1 Eligibility- in terms of returnable documents as per the proposal's requirement.

12.2 Functionality- this will be done in terms of the service provider's relevant experience, qualifications of the key personnel and methodology.

a) **Experience and Capacity** refers to the relevant qualification as per the requirement and to the previous relevant assignments and overall track record. It should also be noted that past-experience is realistically linked to individuals rather than firms in the case of the professional skills of the project team.

b) **Methodology considers** responsiveness to the terms of reference, the level of details in the proposal, attention to the project management and innovative approaches and ideas.

c) **Project and Programme Management** considers the service providers' ability to efficiently and effectively manage the project through to its successful completion.

Note: The minimum threshold for the functionality for this bid is 70 points. All the bidders that do not meet the minimum requirement will not be considered further.

A value will be scored between 1 and 5 for each individual criterion. The value scored is as follows – 1 = poor, 2 = acceptable, 3 = good, 4 = very good and 5 = excellent

Pertaining to the value scored the following scoring method will be applied for this bid:

Criteria	Minimum Points	Weighting	Scoring measurement
<p>Master's Degree Qualification in the field of Urban and Regional Planning Development Studies or Strategic Planning or Business Administration (Leading Person/ Project Manager)</p> <p>Degree Qualification in the field of Urban and Regional Planning Development Studies or Strategic Planning or Business Administration (Leading Person/ Project Manager)</p>	10	20	<p>Master's degree = 20</p> <p>Degree = 10</p>
<p>Related experience after qualification for the Programme Manager/Project team leader applicable to Research and Feasibility Studies in terms of number projects undertaken</p>	15	40	<p>1 – 3 years = 15</p> <p>5 years = 20</p> <p>5 – 7 years = 25</p> <p>7 – 9 years = 30</p> <p>>9 years = 40</p>
<p>Methodology and approach that will be utilised in addressing requirements of Mandeni Local Municipality (This will give the Mandeni Municipality an idea on the bidders understanding of the project and possible solutions)</p>	30	40	<p>0 = poor,</p> <p>10= acceptable,</p> <p>20 = good,</p> <p>30 = very good</p> <p>40 = excellent</p>

12.3 Price and Preferential points

The bid will be evaluated on the **80/20** preference point system, with 80 points based on price and 20 points in respect of Specific Goals of the contributor, as follows:

Evaluation Element	No. of Points
Pricing	80
Specific Goals	20
Total	100

12.4 The formula for calculating the points are as follows:

(This will be inserted by the SCMU depending on the pricing points.)

(1) Pricing: 80 Points

$$\text{Pricing points, Points}_{\text{price}} = (\text{Price} / \text{Price}_L) \times \text{Points}_{\text{max}}$$

Where Price_L = lowest bid price

Price = price of bid under consideration

$\text{Points}_{\text{max}}$ = maximum points for pricing as set out in the

table above.

12.5 Preference: 20 Points

Preference points will be allocated as set out in the table below, as derived from the Specific Goals:

The following PPPFA Regulations 2022 Specific Goals are applicable for 80/20 evaluation criteria:

Specific Goal		Maximum Allocated Points
Enterprise Located within:	the Mandeni Municipality	7
	the iLembe District	5
	the Province	3

	100% ownership	3
	51% ownership	2
Enterprise owned by Youth	<50% ownership	1
EME or QSE which is at least 100% owned by black people		5
	100% ownership	5
	51% ownership	3
Enterprise 100% owned by Women	<50% ownership	2

13. SUBMISSION OF PROPOSALS

13.1 Proposals must be submitted in accordance with the TOR.

13.2 Late proposals will not be considered.

13.3 No qualifications to the proposal quotations will be allowed, and service providers are hereby warned that any quotations containing special proposal conditions that differ or deviate from the official proposal form will be disqualified.

13.4 The Municipality is not compelled to accept the lowest or any proposal.

13.5 Proposals must be submitted in sealed envelopes and only one proposal may be submitted per envelope, which must be endorsed with the proposal name and number as well as the closing date and time. The name and address of the Service Provider are on the front side of the envelope and the name and address of the Department reflected on the back of the envelope.

13.6 Tenders are to be deposited in the tender box, located on:

Council Chamber

2 Kingfisher Road Road, Civic Centre Mandeni

P.O Box 144

Mandeni 4490

13.7 Tenders must be deposited in the tender box by no later than **12H00 on the 23 January 2025**, and only those proposal deposited by the closing time will be considered.

- 13.8 Service Providers must allow at least 30 minutes to enter the building due to security measures that are in effect, and no late quotations will be accepted.
- 13.9 Tenders will be opened in the Procurement Offices immediately after closing.

14. INCEPTION PROCESS BRIEFING SESSION

Briefing Session will take place after the appointment of the Service Provider.

15. ENQUIRIES

- 15.1 All enquiries regarding proposal submission procedures and administrative matters must be directed to;

Manager SCM: Mr M Bhodoza

(032)456 8200

- 15.2 All enquiries relating to the scope of work must be addressed to:
Department of Economic Development, Planning and Human Settlements:
Director: Mr. Mbongwa; Mandeni Municipality
Tel: 032 456 8200; dumisani.mbongwa@mandeni.gov.za

16. Available Information for References

Amongst others the following information which could help in the assignment will be made available to the successful bidder upon appointment:

- Mandeni Municipality IDP 2022-2027
- Mandeni Municipality Reviewed IDP 2023/2024
- Mandeni Municipality Reviewed IDP 2024/2025
- Reports on previous Council Strategic Planning Sessions.

ANNEXURE A

MBD FORMS

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE MANDENI MUNICIPALITY					
BID NUMBER:	65/24/25	CLOSING DATE:	23 JANUARY 2025	CLOSING TIME:	12H00
DESCRIPTION	FACILITATE THE MANDENI MUNICIPALITY'S STRATEGIC PLANNING SESSIONS.				
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 <i>(STREET ADDRESS</i>					
Civic Centre					
2 Kingfisher Road					
Mandeni					
4490					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> 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	SCM		CONTACT PERSON	Dumisani Mbongwa	
CONTACT PERSON	Mukelani Bhodoza		TELEPHONE NUMBER	032 456 8200	
TELEPHONE NUMBER	032 456 8291		FACSIMILE NUMBER		
FACSIMILE NUMBER			E-MAIL ADDRESS	Dumisani.mbongwa@mandeni.gov.za	
E-MAIL ADDRESS	Mukelani.bhodoza@mandeni.gov.za				

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED—(NOT TO BE RE-TYPED) OR ONLINE**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER’S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
- 2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIER

- 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:

DECLARATION OF INTEREST

- 2. No bid will be accepted from persons in the service of the state¹.
- 3. 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 and relationship to the evaluating/adjudicating authority.
- 4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his or her representative:

3.2 Identity Number:

3.3 Position occupied in the Company (director, trustee, shareholder²):

3.4 Company Registration Number:

3.5 Tax Reference Number:

3.6 VAT Registration Number:

3.7 The names of all directors / trustees / shareholders members, their individual identity Numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state? YES / NO

3.8.1 If yes, furnish particulars.....

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

(a) a member of –

(i) any municipal council;

(ii) any provincial legislature; or

(iii) the national Assembly or the national Council of provinces;

(b) a member of the board of directors of any municipal entity;

(c) an official of any municipality or municipal entity;

(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);

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

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

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

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

3.9.1 If yes, furnish particulars.....

.....

a. 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.

.....

.....

b. 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

.....

.....

c. 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.

.....

.....

d. 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:

.....
.....

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

Full Name	Identity Number	State Employee Number

Name of Signatory

Signature

Designation of the Deponent

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 **80/20** preference point system.

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 PREFERENCE POINT SYSTEMS

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

80/20 **or**

$$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) \quad \text{or}$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

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

3.2.1 POINTS AWARDED FOR PRICE

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

80/20

or

90/10

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

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 and attach the following for verification of points claimed:

- **Women-owned** - Certified ID Copies : Directors |Co. Registration | CSD Report
- **Youth-owned** - Certified ID Copies : Directors |Co. Registration | CSD Report
- **Black-owned** – Certified ID Copies : Directors |Co. Registration | CSD Report |
- **Locality** - Directors and Company: Affidavit | Existing Lease Agreement | Proof of Residence Letter

The specific goals allocated points in terms of this tender	Number of points allocated)	Number of points claimed (80/20
---	----------------------------	---	---------------------------------

		(80/20 system) (To be completed by the organ of state)		system) (To be completed by the tenderer)
Enterprise Located within	the Mandeni Municipality	7	NA	
	iLembe District	5		
	KZN Province	3		
EME or QSE which is at least 100% owned by black people		5		
Enterprise owned by Women	100% ownership	5		
	51% ownership	3		
	<50% ownership	2		
Enterprise 100% owned by Youth	100% ownership	3		
	51% ownership	2		
	<50% ownership	1		

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.

WITNESSES
1.
2.

.....	SIGNATURE(S) OF BIDDERS(S)
DATE:
ADDRESS

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

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

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

Item	Question	Yes	No
4.1	<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>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.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>

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 <input type="checkbox"/>	No <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>
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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

Bid No.: 13/24/25: Supply And Delivery Of Materials And Equipment For SMMes Within Mandeni
Municipality

(Bid Number and Description)

in response to the invitation for the bid made by:

Mandeni Municipality

(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 consortium³ will not be construed as collusive bidding.
 7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
 8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
 9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
 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

ANNEXURE B

GENERAL CONDITIONS CONTRACT

ANNEXURE C

List of returnable documents

1. Project plan
2. Methodology Approach
3. CV's of the team involved in the project
4. Record of similar Project Conducted
5. Tax clearance certificate
6. BBBEE Certificate
7. Statement of Rates and Services/ Proof of Residence
8. CK document/ proof of company registration.

1. PROJECT PLAN

2. METHODOLOGY APPROACH

3. CV'S OF THE TEAM INVOLVED IN THIS PROJECT

4. RECORD OF SIMILAR PROJECTS CONDUCTED

REFEREE	1.	2.
NAME OF ORGANISATION		
ADDRESS		
CONTACT PERSON		
TELEPHONE		
CELL		
FAX		
EMAIL		
ALTERNATIVE		

5. TAX CLEARANCE CERTIFICATE

6. BBBEE CERTIFICATE

7. STATEMENT OF RATES AND SERVICES/ PROOF OF RESIDENCE.

8. CIPC DOCUMENT / PROOF OF COMPANY REGISTRATION