



SUPPLY CHAIN MANAGEMENT UNIT

ADVERTISEMENT

QUOTATION NO: 15/26/27

APPOINTMENT OF A SERVICE PROVIDER TO DEVELOP AN LED STRATEGY FOR MANDENI LOCAL MUNICIPALITY

Quotations are hereby called from suitably, qualified and experienced service providers to develop an LED strategy tailored for Mandeni Local Municipality in accordance with the attached terms of reference

1.1 Overview – LED Unit and LED Programme

The Local Economic Development (LED) Unit, which is located within the Economic Development, Planning and Human Settlement department, was established to stimulate and support sustainable economic development at a local level. Its programme is designed to support local stakeholders in addressing market failures, human and institutional capacity limitations that aim to exclude citizens from the mainstream economy and perpetuate unemployment and poverty. In summary, the focus of the LED Unit involves the following:

- Creating and strengthening multiple social and economic networks that support LED. This includes partnerships, associational networks, etc.
- Infrastructure development and maintenance as well as the delivery of reliable services.
- Developing and maintaining governance systems that give meaning to the notion of developmental local government. This includes a flexible yet effective land use scheme, enforceable by-laws, etc.
- Marketing and investment promotion working in support of structures responsible for promoting different sectors. This should focus mainly on the comparative and competitive advantages of the area and could be done via the electronic and print media.
- Managing progressive property tax system. This will assume the form of Property Rates Act (PRA) and the associated systems.

- Promoting environmentally sustainable development. It is not local economic development at all costs.

1.2 Project Background

The current LED Strategy of the municipality was approved and adopted by Council in August 2019, and as such it has served its full five years, hence a need and a requirement for a revised strategy to take into consideration new and emerging trends in terms of economic development. Further, the existing strategy was adopted before the finalization of the current National LED Framework, and thus a need to ensure alignment amongst other key matters. Critical though, several projects and initiatives have been implemented since the adoption of the current strategy in 2019, and as part of the review it becomes critical to review implementation and thus ascertain levels of accomplishment and strengthening where needed. In line with changes in micro and macro environments, the review process will also seek to analyze various sectors to enable research-driven implementation.

1.3 Purpose of the Terms of Reference

The purpose of the Terms of Reference is to specify to the prospective Service Providers the technical requirements for execution of this project. The Terms of Reference specify the objectives of the project and the activities to be undertaken in the course of project implementation; and further tabulates the milestones and the methods of verification against the desired outputs.

2. OBJECTIVES

2.1 Overall objective

The overall objective is to compile and complete an LED Strategy review that will highlight areas that the Municipality need to concentrate on to ensure that it creates an enabling environment for the businesses within Mandeni Local Municipality to thrive. Further, as an outcome of the reviewed LED Strategy, the framework needs to act as a catalyst that shall drive and propel economic development, spatially guide private investment and essentially become a development guide for the entire municipality.

2.2 Specific objectives

- To perform a detailed situational analysis to understand the current dynamics of the Mandeni Municipality taking into consideration the social, economic and environmental factors. The detailed situational analysis should also take into account the issues of the active and inactive sectors that contribute to the economy within Mandeni Municipality
- To perform a SWOT analysis within the municipal area; and to determine in the municipal areas of intervention and thus enable the Service Provider in conjunction

with Mandeni Municipality stakeholders to identify and recommend appropriate market interventions that will lead to economic development of the area.

- To identify relevant stakeholders and perform public participation exercises, using various tools, to enable the stakeholders of Mandeni Municipality to come up with strategies, programmes and projects to address the issues from the SWOT analysis.
- To assist the Municipality to review its institutional and operational issues in order to be able to carry out the recommendations as per LED Strategy review. This will include the development of a Monitoring and Evaluation tool that will ensure that there is continuous implementation and refinement of the LED Strategy.
- To produce a revised LED Strategy with sub-strategies, programmes and projects that will be linked to the Municipal IDP.
- To produce a monitoring and evaluation (M&E) mechanism(s), which shall be employed to monitor the implementation of the strategy from time to time and also evaluate the effectiveness of the strategy at a pre-determined time.

3. KEY & CRITICAL ACTIVITIES

3.1 Key tasks

The appointed Service Provider will be expected to execute the following as deliverables and outcomes:

3.1.1 Project Inception

(a) The Service Provider is required to meet the Technical Committee as soon as possible following notification that the tender was successful to refine and finalize all matters that need to be addressed to a greater degree of detail following from the tender process to finalize the contract of appointment.

(b) The Service Provider is required to provide a detailed inception report noting detailed activities, timeframes, and associated resource allocations to successfully complete the project for incorporation in the Service Level Agreement between the parties.

3.1.2 Participation and Consultation

(a) Determine the perceived and anticipated interests of identified interested and affected parties and incorporate the anticipated roles and responsibilities that persons and interest groups would have in this project.

(b) Initiate and maintain a practical public participation and consultation process through the subsequent phases:

- To gather information as well as giving feedback regarding the project.
- That seeks to empower stakeholders and generate interest amongst interested and affected parties; and

- That facilitates informed participants and meaningful participation in the decision-making process.

3.1.3 Situational Analysis

- (a) Conduct a desktop study of the relevant legislation, policies, strategies and plans that will affect the area of Local Economic Development within the Mandeni Municipal area, including the existing LED Strategy.
- (b) Undertake a stakeholder analysis and identify their roles and responsibilities within Mandeni Municipality
- (c) Identify present market conditions, relevant sectors, trends and patterns, needs and key challenges and possible solutions and
- (d) Review existing institutional plan, if any with the aim of creating a strategic unit that is fully trained and capacitated to implement the recommendations of the LED Strategy.

3.1.4 LED Strategy

- a) Perform a Situational Analysis with regards to the detailed analysis that incorporates the key economic, social and environmental factors that impact on Mandeni Municipality
- b) Perform a SWOT analysis and identify the proposed strategies, together with the stakeholders, to address the identified issues.
- c) Provide a detailed understanding of the impact of the proposed developments on the local economy based on the market conditions, assumptions and performance of the sectors.
- d) Identify and prioritize programs and projects that emanate from the strategies. Allocate time frames and possible funders for the identified projects and
- e) Assess the existing capacity of Mandeni Municipality's management and administrative systems and provide recommendations and tools to ensure effective implementation, evaluation and monitoring of the project.

3.2 Outputs and Deliverables

- Inception Report that details the projects that will be the focus of support as well as the associated outputs, the support that will be provided, the detailed methodology that will be followed, all logistical arrangements, a detailed activity-based work-plan as well as any other deliverables.
- Situational Analysis that provides a detailed economic analysis identifying present market conditions and constraints in economic development within the municipal area. The information will be expressed geographically, using Geographic Information Systems.

- Economic Profile that will provide information on the proposed sectors to be investigated further. This information will be sourced from the Situational Analysis.
- Revised LED Strategy that will show the competitive advantage of Mandeni Municipality and outline the projects to be considered, taking into consideration the overall social, economic and environmental aspects.
- LED Strategy Implementation Plan which in the main shall indicate projects to be implemented and further detail the entire proposed implementation plan.
- LED Strategy Monitoring and Evaluation Tool, which must indicate how the implementation of the LED Strategy shall be monitored to ensure that strategy objectives are realized in full.

4. SCOPE OF WORKS

(a) Perform a detailed situational analysis to understand the current dynamics of Mandeni Municipality, taking into consideration the social, economic and other environmental factors.

(b) Perform a SWOT analysis within the municipal area; and determine in the municipal areas of intervention and thus enable Mandeni Municipality stakeholders to identify and recommend appropriate interventions that have the potential to drive economic development of the area.

(c) Identify relevant stakeholders and perform public participation exercises, using various tools, to enable the stakeholders of Mandeni Municipality to come up with strategies, programmes and projects to address the issues from the SWOT analysis.

(d) Assist the Municipality to review its LED institutional and operational capacity.

(e) Produce a revised LED Strategy with sub-strategies, programmes and projects that will be linked to the Municipal IDP.

(f) Produce a monitoring and evaluation (M&E) mechanism(s), which shall be employed to monitor the implementation of the strategy from time to time and also evaluate the effectiveness of the strategy at a pre-determined time.

(g) Align the current LED Strategy with the National LED Framework in order to ensure that the reviewed strategy is in compliance with the framework and its policy objectives.

(i) In line with the review process, conduct a comprehensive analysis of local economic sectors, including their contribution to the local economy.

(j) As part of the review process, the service provider will be expected to conduct value chain

analysis – analysing value chain opportunities as unveiled by key economic sectors, both

downstream and upstream opportunities.

(k) The service provider will also be expected to identify green economy opportunities and further propose implementable interventions that can be implemented or facilitated.

(l) As part of the broader review process, the service provider will be expected to identify targeted support towards the informal economy & further propose implementation mechanisms.

(m) Align the strategy with the municipality's Growth and Development Plan to ensure that the revised strategy takes into consideration the municipality's vision 2030 objectives.

Ensure that the revised strategy is responsive to the Township and Rural Economies Revitalization Strategy (TRERS) and further recommend appropriate implementable interventions to effectively implement TRERS.

(o) Align the reviewed strategy with One District Plan and further ensure that the strategy takes into consideration programmes and projects as identified in District traditional Council Plans.

(p) As part of the review process, ensure that the revised strategy identify areas that require

continuous research to assist businesses and Council with research-driven data to enable better informed decision making.

(q) Ensure that the revised strategy incorporates Ease of Doing Business / Red Tape Reduction matters and further propose projects that can be implemented in this regard.

(r) As part of the review process, the revised LED Strategy must also identify sectors with potential for employment creation and further propose interventions that need to be implemented to realize job creation objectives.

(s) As part of the review process, the service provider will be expected to identify unused and

underutilized municipal infrastructure that can be repurposed for local economic development initiatives

(t) Integrate and incorporate Social Labour Plans as led by all mining houses that are located

and operating within Mandeni Municipality.

5. ANTICIPATED TIMEFRAMES

The proposed timeframe for the project is six (6) months.

6. Personnel Requirements

The Service Provider must comprise a team that includes experts & staff with requisite skills. The specific requirements are as per specified in the functionality requirements.

7. Reporting

7.1 Reporting Requirements

The service provider is expected to present an inception report within three weeks from the commencement of the contract. The draft reports will be submitted to the LED Manager (or nominated representative) after approval or acceptance by the Technical Committee or Project Steering Committee.

7.2 Reporting Procedures

The appointed Key Expert shall report to the municipality's Local Economic Development Manager (or his nominated representative). All reports with their accompanying invoices for payment must be submitted to the Manager: Local Economic Development, who shall thereafter recommend to the Director: Economic Development, Planning and Human Settlement pertaining to the approval for payment purposes.

7.3 Project Steering Committee

The Municipality will be responsible for setting up the Project Steering Committee (PSC) and its Terms of Reference. The Service Provider will be expected to provide PSC secretariat, and the minutes of the PSC meetings will be prepared by the Service Provider and circulated to all PSC members at least seven (7) days after the meeting. Further, the Service Provider shall also issue meeting notices and accompanying agendas at least seven days (7) before the sitting of the meeting.

ITEMISED BILLING SCHEDULE – REVIEW OF MANDENI MUNICIPALITY LED STRATEGY						
Proposed pricing based on the attached TOR Six-months implementation period						
No .	Deliverable / Activity	Description / Scope	Qty	Unit	Rate (Excl. VAT)	Amount (Excl. VAT)
1	Project Inception	Kick-off with Technical Committee; detailed inception report; methodology, activities, timeframes, resources and logistics.	1	Lump Sum		
2	Participation & Stakeholder Consultation	Stakeholder identification, consultation planning, public participation, information gathering,	1	Lump Sum		

		feedback and engagement.				
3	Desktop Research & Policy/Legislative Review	Review of legislation, policies, strategies, plans and the existing LED Strategy.	1	Lump Sum		
4	Situational Analysis & Economic Profile	Social, economic and environmental analysis; market conditions, sectors, trends, constraints and opportunities; GIS-based presentation; economic profile.	1	Lump Sum		
5	Sector & Value Chain Analysis	Analysis of local economic sectors, sector contribution and upstream/downstream value-chain opportunities.	1	Lump Sum		
6	SWOT & Strategic Intervention Analysis	Municipal SWOT analysis and identification/prioritisation of strategic interventions, programmes and projects.	1	Lump Sum		
7	Institutional & Operational Capacity Review	Assessment of municipal management/administrative capacity and LED institutional arrangements; recommendations and implementation tools.	1	Lump Sum		
8	Revised LED Strategy	Revised LED Strategy, sub-strategies and programmes aligned to the IDP, National LED Framework, G&D Plan, TRERS, One District Plan and relevant local plans.	1	Lump Sum		
9	LED Strategy Implementation Plan	Prioritised projects, implementation timeframes, responsibilities and potential funders.	1	Lump Sum		
10	Monitoring & Evaluation Tool	M&E mechanism/tool, indicators, reporting approach and review/evaluation framework.	1	Lump Sum		
11	Specialist Thematic Assessments	Green economy, informal economy, Ease of Doing Business/Red Tape Reduction, employment creation, underutilised municipal infrastructure, mining SLPs and continuous research agenda.	1	Lump Sum		

12	PSC Secretariat & Project Management	PSC notices/agendas, meeting support, minutes, circulation, coordination and progress reporting.	6	Months		
13	Final Consolidation, Presentation & Handover	Incorporation of comments, final strategy package, presentation and handover of final deliverables.	1	Lump Sum		
					SUBTOTAL (EXCL. VAT)	
					VAT @ 15%	
					TOTAL INCL. VAT	

The bidder shall be evaluated on the service of whistleblowing to determine the eligibility to perform this task.

No	Evaluation Matrix	Point	Means of verification	Score										
1.	Experience of the Company in similar projects. The bidder shall furnish a list of similar work with references having details of persons to be contacted to verify the claims. <table><tr><td>Number of projects</td><td>1</td><td>2</td><td>3</td><td>4 and above</td></tr><tr><td>Points</td><td>5</td><td>10</td><td>15</td><td>20</td></tr></table>	Number of projects	1	2	3	4 and above	Points	5	10	15	20	20	Traceable Reference letters or award letters /purchase orders	
Number of projects	1	2	3	4 and above										
Points	5	10	15	20										
2.	Experience of the lead personnel in executing similar job projects. The bidder shall furnish a CV of a lead personnel with the list of similar job undertaken in last 5 years with references having details of persons to be contacted to verify the claims. The lead personnel shall have a minimum of a degree qualification. <table><tr><td>Number of projects</td><td>1</td><td>2-3</td><td>4 and above</td></tr><tr><td>Points</td><td>5</td><td>10</td><td>20</td></tr></table>	Number of projects	1	2-3	4 and above	Points	5	10	20	20	Résumé/CV of lead personnel with Commerce, Economics, Development Studies, Town Planning or Business Administration. The facilitator must have a minimum of Degree qualification to be considered			
Number of projects	1	2-3	4 and above											
Points	5	10	20											

	Qualification of lead personnel The bidder shall furnish a qualification of the lead personnel. The lead personnel shall have a minimum of a degree qualification.				20	Qualification in Commerce, Economics, Development Studies, Town Planning or Business Administration
	NQF level/Qualification	Degree	Post graduate diploma	Doctorate and above		
	Points	5	10	20		
6.	The bidder must score a minimum of 35 point to qualify to be further evaluated					

Quotations will be evaluated and adjudicated according to the following criteria:

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

Specific Goal	Maximum Allocated Points	Verification document
Enterprise Located within the Mandeni Municipality	5	CIPC registration documents
Enterprise 100% owned by Youth	3	ID Copy of directors and CSD
EME or QSE which is at least 100% owned by black people	4	ID Copy of directors and CSD
EME or QSE which is at least 100% owned by person with disability	4	Medical certificate
Enterprise 100% owned by Women	4	ID Copy of directors and CSD

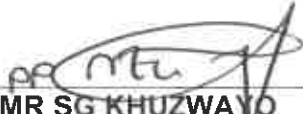
- Supplier must be registered on the National Treasury's Central Supplier Database (CSD) and provide a proof of registration. The information recorded on your CSD report will be used to verify the following information: tax compliance status; company registration details; banking details; identity numbers of directors and employees in the service of the state.
- Council's Supply Chain Management Policy.
- Quotations must be submitted on the official letterhead of your business and be valid for the period of 30 days. If quotations are called for number of items, unit price per item must be stated and total amount. No quotations will be considered from persons in the services of any organ of the state.
- Prices quoted must be firm and inclusive of VAT and unit price per item must be stated as well as total amount.
- Company registration document with CIPC.
- 35 Points on evaluation matrix
- Service providers to complete in fully all relevant MBD's (1,4,8,9)
- A copy of the most recent municipal account in which the business is registered. District municipality (water) and Local municipality (rates, electricity and other) or if the bidder is a

tenant, then a full lease agreement and a certificate from landlord indicating that the levies are not in arrears or a proof of residence and affidavit stating that the ward in which business is registered is exempted from paying rates, electricity and water. Failure to attach will lead to disqualification.

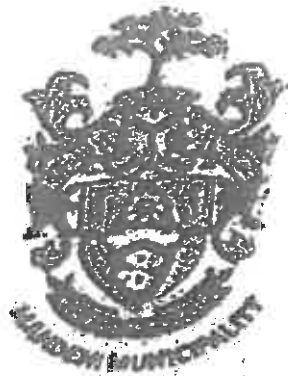
- All prospective tenderers will be screened in accordance with the National Treasury's Defaulters Database.
- No quotations will be considered from persons in the services of any organ of the state.
- Non-compliance with the above-mentioned criteria will lead to disqualification.

Quotations are to be completed in accordance with the Specification and must be sealed in an envelope and marked "**APPOINTMENT OF A SERVICE PROVIDER TO DEVELOP AN LED STRATEGY FOR MANDENI LOCAL MUNICIPALITY**", **QUOTATION NO.:15/26/27**" and must be deposited in the Bid Box situated at the **reception: Civic Centre, 2 Kingfisher Road, Mandeni** not later than **12H00, Thursday, the 03rd of September 2026. Late and verbal quotations will under no circumstances be considered.** The Mandeni Municipality does not bind itself to accepting the lowest, or any tender, either wholly or in part or give any reason for such action.

Technical enquiries may be directed Miss Zama Mngayi and SCM queries be directed to Lungisani Nduli (lungisani.nduli@mandeni.gov.za) on 032-456 8200.


MR SG KHUZWAYO
MUNICIPAL MANAGER

Date: 28/08/2026



MANDENI MUNICIPALITY

QUOTATION NO:

NAME OF BIDDER :

TELEPHONE NUMBER :

FAX NUMBER :

ADDRESS :

.....

.....

TOTAL PRICE : R.....

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

Employer : Municipal Manager
Mandeni Municipality
2 Kingfisher Road
Mandeni
: 032 456 8200
: 032 456 2504

Tel
Fax

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY) (MUNICIPALITY NAME)			
BID NUMBER:		CLOSING DATE:	
DESCRIPTION			
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (HDD)			

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

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]	☐ Yes ☐ No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	☐ Yes ☐ No
THIS DOCUMENT IS VALID FOR 30 DAYS FROM THE DATE OF ISSUANCE			

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED	TOTAL BID PRICE		R
SIGNATURE OF BIDDER		DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			
DEPARTMENT			
CONTACT PERSON			
TELEPHONE NUMBER			
FACSIMILE NUMBER			
E-MAIL ADDRESS			

PART B
TERMS AND CONDITIONS FOR BIDDING

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.

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.

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:

.....

MBD 4

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
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 and relationship 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, 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.....
.....

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?

NO

YES /

3.13.1 If yes, furnish particulars.

.....

**3.13 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

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

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

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:

$$\begin{array}{ccc} 80/20 & \text{or} & 90/10 \\ Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) & \text{or} & Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \end{array}$$

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	- ID Copies : Directors Co. Registration CSD Report
• Disable-owned	- Medical certificate
• Black-owned	- ID Copies : Directors Co. Registration CSD Report
• Lcality	- Directors and Company: Affidavit Existing Lease Agreement Proof of Residence Letter
• Youth	- ID Copies : Directors Co. Registration CSD Report

	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points allocated (90/10 system)
Enterprise Located within the Mandeni Municipality	5	
EME or QSE which is at least 100% owned by black people	4	
Enterprise 100% owned by Women	4	
Enterprise 100% owned by disabled person	4	
Enterprise 100% owned by Youth	3	

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	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes ☐	No ☐

4.1.1	If so, furnish particulars:	
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes ☐ No ☐
4.2.1	If so, furnish particulars:	
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐ No ☐

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

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM 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 Bidders

CERTIFICATE OF INDEPENDENT BID DETERMINATION

MBD 9

- 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

- (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

MBD 9

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.

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

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

MBD 9

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.

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

MBD 9

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