GREATER
KOKSTAD
MUNICIPALITY
PROVINCE OF KWAZULU-NATAL

75 Hope Street
P O Box 8, Kokstad, 4700
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Email. Andiswa.Mahlaka@kokstad.gov.za
www.kokstad.gov.za

OFFICE OF THE MUNICPAL MANAGER

QUOTE NO: GKM-Q 03/07-26/27

SUPPLY,DELIVERY AND INSTALLATION OF BACK UP GENERATOR

QUOTE SUBMITTED BY:

Name of Company: .....

Contact Person: .....

Contact No.: .....

Address: .....

.....

.....

Quote Amount (VAT incl.) R.....

Rand Value in Words: .....

NOTE:

TENDER BOX	**RECEPTION AREA**
CLOSING DATE AND TIME	

Issued and prepared by:

Greater Kokstad Municipality
75 Hope Street
P.O Box 8
Kokstad
4700

Municipal Manager: Mr. S.R Zwane
Contact Person: Mr. Q.G. Diedrick
Tel: 039 797 6721 / 072 034 8584
Fax: 039 727 5501
Email: Quintus.Diedrick@kokstad.gov.za

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OFFICE OF THE MUNICPAL MANAGER

PUBLIC NOTICE

ADVERTISEMENT CALL FOR QUOTATION

QUOTE NO: GKM-Q 03/07-26/27

SUPPLY,DELIVERY & INSTALLATION OF A BACKUP GENERATOR (RE-ADVERTISEMENT)

CIDB: 1 EP OR HIGHER

The Greater Kokstad Municipality hereby invites proposals from reputable Service Providers to submit Quotations for the **SUPPLY,DELIVERY AND INSTALLATION OF BACKUP GENERRATOR.**

The scope of work and bid requirements is stipulated in the tender document.

Sealed envelopes marked "**SUPPLY,DELIVERY AND INSTALLATION OF BACK UP GENERATOR**" must be deposited in the Bid Box marked **"QUOTATIONS"**, located at the Reception Area, 75 Hope Street Kokstad no later than **25 SEPTEMBER 2026** ***at 11h00, where quotations will be opened in public.***

Mandatory Returnable:
Bidders must attach the following mandatory returnable documents in order to be considered for this bid:

- Price (s) or rates quoted must be firm and must be inclusive of VAT
- Copy of detailed CSD (Central Supplier Database) report, if not attached the CSD Number on MBD 1 will be used for verification.
- Bidders must submit proof that the company and the director/s of the company do not owe rates and taxes or Municipal service charges for a period longer than 90 days. **Bidders must refer to section A for the required document.**
- Printed copy of SARS Tax Pin for further verification, **if not attached the CSD printout will be used to verify the tax compliance status. Bidders will not be eliminated for not attaching copy of the SARS tax compliance certificate.**
- Completed and signed Municipal Bidding Documents, if MBD 6.1 is not signed, bidders will lose the points and will not be disqualified.
- MBD 3.1 priced per line item (Not compulsory if section C or quotation is attached).
- **Bidders to provide the price per line item on section C (Scope of works) or on separate quotation on the company letterhead.**
- **CIDB: 1 EP or higher**

Bidders must submit the compulsory documents as stipulated in the quotation document in order to be considered for this bid, an omission of any of the document/s will render that bidder non-responsive.

Technical Queries : Mr. Q.G. Diedrick Tel: 039 797 6721 / 072 034 8584; Email : Quintus.Diedrick@kokstad.gov.za
Supply Chain Management Enquiries: Miss A. Mahlaka 039 797 6743; Email: Andiswa.Mahlaka@kokstad.gov.za

Stage 1: Functionality Assessment

A bidder that scores less than 36 points out of 60 in respect of "functionality" will be regarded as submitting a non-responsive bid and will be disqualified

Functionality Criteria	Total Score
Company experience	60
Total	60

Stage 2: Price and Specific Goals

The 80/20 preferential point system will be applied, where 80 points will be allocated for price and 20 points will be awarded based on the municipality specific goals that is on ownership and RDP goals.

Specific Goals	80/20	Documents required for verification
GOAL 1 – Ownership- Maximum Points	**10**	
Business owned 50% or more by black person	3	- Detailed CSD
Business owned 50% or more by women black	2	
Business owned 50% or more by black youth	2	
Business owned 50% or more by disabled persons	3	
GOAL 2 – RDP- Maximum Points	**10**	
Promotion of business located within Kwa-Zulu Natal	10	Refer to section B for the required documentation

SPECIFIC GOAL POINTS WILL NOT BE AWARDED IF THE REQUIRED DOCUMENTATION IS NOT ATTACHED.
Greater Kokstad Municipality does not bind itself to accept the lowest or any bid and reserves the right to accept the Bid in whole or part, at the rates quoted.

01/09/2026

MR SR ZWANE
MUNICIPAL MANAGER

DATE

SECTION A

- **COMPLETION OF MUNICIPAL BID DOCUMENTS (MBD FORMS)**

All bidders must ensure that the following forms are fully completed, signed, and submitted with their tender. Failure to comply will render the bid non-responsive or lead to disqualification.

Form No.	Form Name	Purpose / What to Declare	Consequence of Non-Compliance
MBD 1	Invitation to Bid	Confirms bidder's details, pricing, and acceptance of bid conditions. Bidders must complete all parts, especially the price, offer validity period, and signature.	Omission of pricing or bidder details automatically disqualifies the bid, as the offer cannot be evaluated.
MBD 4	Declaration of Interest	Requires bidders declare interest and to declare any relationship with municipal employees, councillors, or other state officials. All directors, shareholders, and partners must be listed including JV partners in case of a joint venture if the form is not completed separately by the joint venture partners. Bidders must also declare if they have an interest in any other company to avoid false declarations.	Failure to disclose relationships or interests constitutes a false declaration under the Municipal Supply Chain Management Regulations, 2005 (Reg. 38) and may lead to disqualification, blacklisting, or cancellation of the contract. Bidders to note that the failure to declare interest on other related companies constitutes a false declaration and bidders will be disqualified for non-disclosure
MBD 6.1	Preference Points Claim Form (Specific Goals)	Used to claim preference points for specific goals in line with the Preferential Procurement Regulations, 2022.	Bidder forfeits preference points if not claimed and if the form is not fully completed and signed. Bidders must claim points by writing the number of points claimed and not by ticking.
MBD 8	Declaration of Bidder's Past Supply Chain Practices	Declares whether the bidder has been restricted, terminated, or failed to perform on any previous government contract.	Failure to disclose or false declaration may result in disqualification or blacklisting.
MBD 9	Certificate of Independent Bid Determination	Confirms that the bid was prepared independently without collusion or price fixing.	Omission renders bid non-responsive.

IMPORTANT REMINDER

Incomplete, unsigned, or missing mandatory documents cannot be rectified after closing. Bidders are strongly advised to review their submission using a compliance checklist before submission/delivery.

No bids/quotations will be accepted from persons in the service of the state/ persons who owe rates, services and taxes to any Municipality for a period longer than 90 days/ bidders who are listed on National Treasury list of Tender defaulters or list of restricted service providers.

NB: If at any stage of the evaluation it is discovered that the bidder has submitted a false declaration the bidder will be excluded from the bid and should it come to light that a false declaration was made by the bidder after the municipality had awarded the bid, the contract must be immediately suspended and payments made, recovered.

False declarations by bidders can be viewed as a criminal offence and charges must be laid by the municipality with the South African Police Services for further investigation.

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SECTION B
RATES AND MUNICIPAL SERVICES CLEARANCE CERTIFICATE (PROOF OF LOCALITY)

In terms of section 38(d) of the National Treasury Municipal Supply Chain Management Regulation the Greater Kokstad Municipality reserves the right to reject any tender if any municipal rates and taxes or municipal service charges owed by that tenderer or any of its directors to the municipality or to any other municipality or municipal entity are in arrears **for more than 3 (three) months/90 days.**

Tenderers are required to submit proof that the company and directors do not owe municipal rates and tariffs for the municipality.9

This serves to confirm that _____ **(Company Name) municipal rates and taxes are paid up to date and the following is attached**: Your tender will be rejected if you have not attach proof that your company does not owe rates for a period longer than 90 days

Proof that the Bidder (Company) does not owe rates	**Tick whichever is attached.**
Municipal Statement not older than 90 days and not owing more than 90 days	
Valid Lease agreement (Must be active and must be signed by both parties)	
Municipal Rates clearance certificate / Affidavit if the company is operating in rural areas (non-ratable area). Affidavit to state the reason why they are not responsible for paying rates	
Letter or rates statement from the landlord or body corporate if the company is renting and does not have a lease agreement.	
An original copy of an affidavit if the company has not attached any of the document above mentioned documents - **the affidavit must clearly state the reasons why the company is not owing rates and taxes or any Municipal charges.**	

(Company Director/s) municipal rates and taxes are paid up to date and the following is attached:

Please note that you are required to attach proof that each director does not owe rates and taxes or Municipal service charges for a period longer than 90 days. Your tender will be rejected if you have not attached proof that each director does not owe rates for a period longer than 90 days.

Proof that the director/s do not owe rates for more than 90 days	**Tick whichever is attached.**
Municipal Statement not older than 90 days and not owing more than 90 days	
Valid Lease agreement (Must be active and must be signed by both parties)	
Municipal Rates clearance certificate / Affidavit if the director/s is operating in rural areas (non-ratable area). Affidavit to state the reason why they are not responsible for paying rates	
Letter or rates statement from the landlord or body corporate if the company is renting and does not have a lease agreement.	
An original copy of an affidavit if the director/s has not attached any of the document above mentioned document - **the affidavit must clearly state the reasons why the director/s do not owe rates and taxes or any Municipal charges.**	

NB: TENDERERS TO NOTE THAT THEY NEED TO SUBMIT PROOF THAT BOTH THE COMPANY AND THE DIRECTOR/S DO NOT OWE RATES/ TAXES.

Signed at ..... this ..... day of .....20.....

..... Signature of data subject/ designated person

..... Signature.....

SECTION C - SCOPE OF WORKS AND PRICING

The scope of work shall include:

SECTION C - SCOPE OF WORKS AND PRICING

TO SUPPLY ,DELIVER & INSTALL A BACKUP GENERATOR

The scope of work shall include:

ITEM NO.	DESCRIPTION	QTY	RATE	AMOUNT
1.	✓ **50kVA 3 Phase Silent Diesel Generator including Installation**	1		
SUB-TOTAL				
ADD: 15% VAT				
TOTAL CARRIED FORWARD TO TOTAL OFFER				

1. SPECIFICATIONS

The Service Provider is required to supply, deliver, and install a standby generator at the Safety & Security Operations Centre – (CCTV Control) and must ensure that it be connected to an automatic cut over switch to allow the generator to automatically switching on when there are electrical power interruptions and to automatically cut off when electrical power is restored and to supply all components and accessories required for the successful installation of the said generator.

50 KVA DIESEL GENERATOR

FEATURES & BENEFITS

a) Maximum 55 kVA, 380V, 1500RPM
b) Constant voltage AVR (Automatic Voltage Regulator)
c) 24 Volt Electric Starter
d) ±150 Litre Fuel Tank, 10 Hours @ 75% load
e) Silent Version (±72dBA)
f) Four-cylinder, Turbo, water cooled Diesel Engine
g) Three Phase Output
h) Datacom D300 Digital Control Panel
i) Low oil pressure system
j) Low water cut out engine protection

GENERAL DATA	
Prime Power (P.R.P):	50 kVA
Stand-by Power (L.T.P):	55 kVA
Amps	83 A

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Power Factor / COS	0.8
Frequency:	50 Hz
Voltage:	380 V
Phases:	Three Phase
Engine Speed:	±1500 RP
Length:	±2350 mm
Width:	±900 mm
Height:	±1150 mm
Weight:	±1073 kg's
Tank Capacity:	±150 l

ENGINE DATA	
Type	4 Cylinder, Turbo, Water cooled diesel Engine
Starting System	24 Volt Electric Starter
Auto-Decompression	Yes
Cubic Capacity (l)	3,86
Compression Ratio	17:1
Rated Power (KW/RPM)	48/1500
Fuel Type	Diesel
Lube Oil	15W40
Low Pressure Alert	Yes
Low Fuel Cut Out	Yes
CONTROL PANEL	
Type	Digital Control Panel
Analogue Inputs	2
Mains Phase Voltage	Yes
Mains Line Voltage	Yes
ALTERNATOR	
Pole Number	4
Excitation Mode	Self-Excitation

2. PROJECT MANAGEMENT

a) The appointed Service Providers will be for supply, delivery, and installation of a standby generator at the Safety & Security Operations Centre – (CCTV Control).

b) **Payment will be secured after successfully supplying and installing the standby generator.**

3. SCOPE OF THE WORK

3.1 Provision, and installation of a standby generator at the Safety & Security Operations Centre – (CCTV Control) to the Greater Kokstad Municipality.

3.2 Delivery & Installation to Greater Kokstad Municipality Safety & Security Operations Centre at the old Squash Court Building at the Oval Grounds should be done within 30 days of receipt of a purchase order.

3.3 Supply precisely according to specifications.

3.4 The Municipality will require periodical testing of quality of the backup generator that is meeting the specifications.

4. EVALUATION CRITERIA

4.1 FUNCTIONALITY (60)

4.1.1 All bids received will be evaluated by a panel on a basis of functionality.

The following functionality criteria will be applicable, and the maximum weights of each criterion are stated in brackets in the table below.

Functionality Criteria	Basis for points allocation	Points	Max. Points	Verification Method
Proven track record with respect to road marking machines by means of signed appointment letters / orders and signed reference for each Project completed to **the Municipality or Public sector**	5 or more appointment letters/Purchase Orders and reference letters projects of **backup generator.**	**60**	**60**	Bidders are to provide Signed appointment Letter/Signed Order and Signed Reference Letter of the same project. **NB: POINTS WILL ONLY BE GIVEN FOR EACH PROJECT WHERE THE TENDERER HAS SUBMITTED ALL THE REQUIRED DOCUMENTS**
	4 appointment letters/Purchase Orders and reference letters for **backup generator.**	**48**		
	3 appointment letters/Purchase Orders and reference letters for **backup generator.**	**36**		
	2 appointment letters/Purchase Orders and reference letters for **backup generator.**	**24**		
	1 appointment letter/Purchase Orders and reference letter for **backup generator.**	**12**		
Total				

A bidder that scores less than 36 points out of 60 points in respect of "functionality" will be regarded as submitting a non-responsive bid and will be disqualified.

Bidder to take note of this condition: Bidders to provide the price <u>per line item</u> - on the above schedule or on separate quotation on the company letterhead or on MBD 3.1. Failure to adhere to the above will lead to disqualification.

PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE GREATER KOKSTAD MUNICIPALITY					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	11H00
DESCRIPTION					

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).

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

75 HOPE STREET
KOKSTAD
4700

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	

[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?	☐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:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	Budget and Treasury Office	DEPARTMENT	
CONTACT PERSON	Andiswa Mahlaka	CONTACT PERSON	
TELEPHONE NUMBER	039 797 6743	TELEPHONE NUMBER	
FACSIMILE NUMBER	039 727 3676	FACSIMILE NUMBER	
E-MAIL ADDRESS	Andiswa.Mahlaka@Kokstad.gov.za	E-MAIL ADDRESS	

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.

1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE**

1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.

2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.

2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.

2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS WILL 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: .....

PRICING SCHEDULE – FIRM PRICES
(PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

MBD 3.1

DESCRIPTION	QUANTITY	AMOUNT

COMPANY STAMP		
	SUB-TOTAL	
	VAT (15%)	
	TOTAL	

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

CONDITIONS OF TENDER

- Price(s) quoted must be valid for at least thirty (30) days from date of offer for evaluation purposes.
- Price(s) quoted must be firm and include VAT

MBD 4 -DECLARATION OF INTEREST

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

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

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

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

3.2. Identity Number: .....

3.3. Position occupied in the Company (director, trustee OR Shareholder[2]):.....

3.4. Company Registration Number: .....

3.5. Tax Reference Number:.....

3.6. VAT Registration Number: .....

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

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

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

.....

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

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

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

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

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

3.9.1 If yes, furnish particulars.....

.....

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

3.10.1 If yes, furnish particulars.

.....

.....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?

..... **YES / NO**

3.11.1 If yes, furnish particulars

.....

.....

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

3.12.1 If yes, furnish particulars.

.....

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

3.13.1 If yes, furnish particulars. .....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract.

YES / NO

3.14.1 If yes, furnish particulars:

.....

.....

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

Full Name	**Identity Number**	**State Employee Number**

.....

Signature

.....

Date

.....

Capacity

.....

Name of Bidder

MBD 6.1

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

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

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

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1. GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

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

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

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

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

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

(b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

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

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

2. DEFINITIONS

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

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

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

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

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
GOAL 1 – Ownership- Maximum Points	**10**	
Business owned by 50% or more by black person	3	
Business owned 50% or more by black women	2	

Business owned 50% or more by black youth	2	
Business owned 50% or more by disabled person	3	
GOAL 2 – RDP- Maximum Points	**10**	
Promotion of business located within Greater Kokstad	10	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

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

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

i) The information furnished is true and correct;

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

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

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

(a) disqualify the person from the tendering process;

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

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

(d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from

obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

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

.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME: .....

DATE: .....

ADDRESS: .....

.....

.....

.....

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. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).

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

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

4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		

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

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME) ..... CERTIFY THAT THE INFORMATION FURNISHED ON THIS

DECLARATION FORM TRUE AND CORRECT.

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

....

Signature **Date**

....

Position **Name of Bidder**

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).[2] Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:

a. take all reasonable steps to prevent such abuse;

b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and

c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

_____

(Bid Number and Description)

in response to the invitation for the bid made by:

_____

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
    (a) has been requested to submit a bid in response to this bid invitation;
    (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
    (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium[3] will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
    (a) prices;
    (b) geographical area where product or service will be rendered (market allocation)

(c) methods, factors or formulas used to calculate prices;

(d) the intention or decision to submit or not to submit, a bid;

(e) the submission of a bid which does not meet the specifications and conditions of the bid; or

(f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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

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