



**PORT ST JOHNS MUNICIPALITY
FORMAL WRITTEN PRICE QUOTATIONS (RFQ)
(PROCUREMENT R30 000-R300 000) INCLUDING VAT)**

REQUISITION NO.	10365
REFERENCE NO:	PSJLM-2025/26 Ref 97
DESCRIPTION	CAPACITY BUILDING FOR 70 EPWP WORKERS
DATE OF ADVERT	12 MAY 2026
CLOSING DATE	19 MAY 2026
SUBMISSION OF QUOTATIONS	Tender Box ERF 257 Main Road Port St Johns

To be completed by the bidder

NAME OF BIDDER:	
CSD SUPPLIER NUMBER:	
SARS TAX COMPLIANCE STATUS PIN:	
TELEPHONE NUMBER:	
CELL NUMBER:	
PHYSICAL ADDRESS:	
EMAIL ADDRESS:	
QUOTATION AMOUNT:	R
QUOTATION AMOUNT IN WORDS	

Enquiries

TYPE OF ENQUIRY	CONTACT PERSON	CONTACT NUMBER	EMAIL ADDRESS
TECHNICAL	T. Gweje	066 319 4267	tgweje@psjmunicipality.gov.za
SUPPLYCHAIN MANAGEMENT	A. Kwaza	071 821 7587	akhwaza@psjmunicipality.gov.za



PLEASE CHECK:	Compulsory YES /NO
CSD supplier number	YES
Business registration documents	Yes
Certified copy of identity documents of directors / shareholders / partners / members, as the case may be	Yes
Valid Current Rates clearance statement of the company and each individual director which is not older than 90 days obtained from your respective Municipality or attach a valid signed lease agreement by both Lessor and Lessee. If exempted, please attach letter of exemption from your respective Municipality's revenue office as proof that the bidder or its directors as per the Municipality's valuation roll does not own any property that, letter must be signed by Budget and Treasury Office (BTO) department representative and have original stamp from BTO department.	YES
Valid Tax Compliance Pin issued by SARS	Yes
FP&M SETA	Yes
HWSETA, Services SETA	Yes
MBD 1 Invitation to bid - completed and signed	Yes
MBD 4 declaration form – completed and signed	Yes
MBD 6.1, 8 and 9 forms – completed and signed	Yes
Ensure that your RFQ is submitted by 11H00AM on the closing date	



PROCEDURES/ CONDITIONS OF THIS RFQ

1. Formal Quotation sealed and clearly marked “**RFQ: NUMBER PSJLM-2025/26 Ref 97 – CAPACITY BUILDING FOR THE EPWP WORKERS.**” must be placed in the Municipal tender box located at ERF 257, Main Street, Port St Johns.
2. No quotation will be considered unless submitted on this RFQ document and it will remain valid for 90 days after the closing date of the Formal Quotation.
3. The municipality reserves the right to withdraw any invitation to quote and / or re-advertise or to reject any formal quote or to accept a part of it. The Municipality does not bind itself to accept the lowest or award a contract to the bidder scoring the highest number of points. Potential bidders should note that all projects in terms of this tender may not materialize.
4. It is prerequisite that all prospective service providers who are not yet registered on the Central Supplier Database register without delay on website www.csd.gov.za
5. Quotation submissions will be evaluated on the criteria specified in this document.
6. Submissions will be evaluated in accordance with the 80/20 price and preferential procurement points system.
7. The contract between the municipality and the appointed bidder will be administered in accordance with the General Conditions of Contract 2010 as issued by National Treasury. A copy of the General Conditions of Contract may be obtained from the National Treasury website – www.treasury.gov.za



SPECIFICATION

CAPACITY BUILDING FOR THE EPWP WORKERS

Herbicide Applicator Course- Accredited

Key topics to be covered by the module should include the following:

- a) Weed and alien invader species
- b) List of declared species
- c) Safe use of herbicides
- d) Herbicide application methods
- e) Knapsack maintenance
- f) Practical infield demonstration and practical assessment

The service provider will provide the following before training commencement

1. Copies of accreditation with the FP&M SETA or any other relevant accreditation.
2. A Unit Standard accreditation document on Herbicide Applicator training.
3. Relevant training experience of Herbicide Applicator Training.
4. A detailed training plan for the training course content/outline
5. Curriculum vitae, qualifications and ID copy of the facilitator.
6. A detailed budget breakdown of costing for Herbicide Applicator Training.

Training requirements

- **SETA Accredited Training** Provider to train 20 EPWP participants on Herbicide Application Procedures
- To use Unit Standard 123134 (Apply herbicides to noxious weeds) at NQF Level 1
- Service provider to provide training manuals and tools to learners
- Provide theoretic as well as practical training.
- Provide certificates to learners after completion of training
- The service provider shall **provide written proposal and quotation** including course **content and implementation plan, outlining how the training will be structured according to content.**
- The training course should be practically oriented, training candidates in all aspects of safe and efficient application.
- Training to be conducted at Port St Johns town. Venue will be provided by the municipality

First Aid Level 1 Training -Accredited

Topics to be covered by the module shall include the following:

- a) Basic principles of First Aid
- b) Terminology, positioning and basic anatomy
- c) Emergency scene and patient assessment
- d) Fainting and unconsciousness



- e) Bleeding and wounds
- f) Fractures and sprains
- g) Head injuries, spinal injuries and shock
- h) Emergency carry methods
- i) Burns
- j) CPR

The service provider will provide the following before training commencement:

- a) Copies of accreditation with the Department of Labour and HWSETA or Service SETA or any other relevant accreditation.
- b) A Unit Standard accreditation document on First Aid Level 1.
- c) Relevant training experience of accredited First Aid Level 1
- d) A detailed training plan for the training course content/outline
- e) Curriculum vitae, copies of qualification and ID copy of the facilitator.
- f) A detailed budget breakdown of costing for First Aid Level 1.
- a) A signed training report in the company's letterhead with attendance registers and pictures taken during training.
- b) 'Accreditation Certificates' or 'Certificate of Competence' for those who passed training and 'Attendance Certificates' for those who did not pass the training. The certificates will be in the service provider's letterhead and also with the municipality's logo appearing.

Training requirements

- Service provider to train **20 people** on accredited First Aid Level 1 course;
- Service provider accredited by HWSETA, Department of Labour, Service SETA, ECSI or have any other relevant accreditation.
- To use Unit Standard 119567 (Basic Life Support and First Aid Procedures)
- To provide manuals to learners
- To provide theoretical and practical training
- To provide learners with 'Accreditation Certificate' or 'Certificate of Completion' to successful participants and 'Certificate of Attendance' to the unsuccessful participants. The certificates will be in the service provider's letterhead and also with the municipality's logo appearing.
- Training to be conducted at Port St Johns town. Details of the exact venue will be provided to the successful service provider.



Health & Safety Training- Accredited

Key topics to be covered by the module should include the following:

- a) Understanding the act and regulations.
- b) Appointment of SHE Reps in terms of the latest legislation.
- c) Health and Safety Representative Inspections -Checklist.
- d) Conduct inspections to identify non-compliance in the workplace.
- e) Report on Occupational Health and Safety (OHS) inspections.
- f) Accident investigation and reporting.
- g) Duties and functions of a Health and Safety Representative.

The service provider will provide the following before training commencement:

1. Copies of accreditation with the HWSETA, Services SETA or any other relevant accreditation.
2. A Unit Standard accreditation document on Health and Safety training.
3. Relevant training experience
4. A detailed training plan for the training course content/outline
5. Curriculum vitae, qualifications and ID copy of the facilitator.
6. A detailed budget breakdown of costing for providing the training.

Training requirements

- SETA Accredited Service Provider to train **20 EPWP participants** on Health & Safety
- To use Unit Standard 259617 (Conduct an investigation into workplace safety, health and environmental incidents) and Unit Standard 259622 (describe the functions of the workplace health and safety representative).
- Service provider to provide training manuals and tools to learners
- Provide theoretic as well as practical training.
- Provide certificates to learners after completion of training
- The service provider shall provide written proposal and quotation including course content and implementation plan, outlining how the training will be structured according to content.
- The training course should be practically oriented, training the participants in all aspects of safe and efficient application.
- Training to be conducted at Port St Johns town. Details of the exact venue will be provided to the successful service provider.



OVERALL REQUIREMENTS

On completion of the training, the service provider should provide the municipality with the following:

- a) A signed training report in the company's letterhead with attendance registers and pictures taken during training.
- b) 'Accreditation Certificates' or 'Certificates of Competence' for those who passed training and 'Certificates' of Attendance' for those who did not pass the training. The certificates will be in the service provider's letterhead and also with the municipality's logo appearing.

NB: Training modules should align with specific SAQA (South African Qualifications Authority) unit standards to ensure the certificates are legally recognized.

PRICING SCHEDULE

Please submit your own pricing proposals

Note:

1. All prices quoted must include VAT, if the bidder is a registered VAT vendor.
2. Prices quoted must include transport cost
3. All prices submitted must be firm. Firm prices are deemed to be fixed prices, which are only subject to statutory changes.



EVALUATION CRITERIA

Unless stated otherwise in this document, the quotation will be awarded to the bidder who meets the all the requirements of the RFQ and who scores the highest total for price and specific goals.

Price

An 80/20-point system shall apply where 80 points is allocated for price and 20 points allocated for specific goals as follows:

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

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

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

Specific goals

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Number of points claimed (80/20 system)
Promotion of black owned enterprises	10	
Promotion of women owned enterprises	10	



MUNICIPAL BIDDING DOCUMENTS

MBD 1

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF PORT ST JOHNS MUNICIPALITY				
BID NUMBER:	PSJLM-2025/26 Ref 97	CLOSING DATE:	19 MAY 2026	CLOSING TIME: 11.00AM
DESCRIPTION:	CAPACITY BUILDING FOR THE EPWP WORKERS			

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:

RECEPTION AREAS (MUNICIPAL TOWN HALL)
PORT ST JOHNS MUNICIPALITY
ERF 257, MAIN STREET
PORT ST JOHNS
5120

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:		CSD No:	
BUSINESS REGISTRATION DOCUMENTS	YesNo		STATEMENT OF RATES AND TAXES	YesNo

[BUSINESS REGISTRATION DOCUMENTS AND STATEMENT OF RATES AND TAXES) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKSOFFERED?	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 ISSIGNED			

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	Supply Chain Management	CONTACT PERSON	T. Gweje
CONTACT PERSON	A. Khwaza	TELEPHONE NUMBER	066 319 4267
TELEPHONE NUMBER	071 821 7587	FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	tgweje@psjmunipality.gov.za
EMAIL ADDRESS	akhwaza@psjmunipality.gov.za		



PART B

MBD1

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, 2017, 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)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
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

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 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, 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.....

.....

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

(a) a member of –

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

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

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



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

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

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

3.9.1 If yes, furnish particulars.....

.....

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?.....

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

3.10.1 If yes, furnish particulars

.....

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

3.11.1 If yes, furnish particulars.....

.....

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

3.12.1 If yes, furnish particulars

.....

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

3.13.1 If yes, furnish particulars.....

.....



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

3.14.1 If yes, furnish particulars

.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder



**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

1.2 To be completed by the organ of state

- a) The applicable preference point system for this RFQ is the 80/20 preference point system.
- b) The 80/20 preference point system will be applicable in this RFQ. The lowest acceptable tender will be used to determine the accurate system once RFQ documents 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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) & \mathbf{or} & P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) \end{array}$$

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



The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Number of points claimed (80/20 system)
Promotion of black owned enterprises	10	
Promotion of women owned enterprises	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	<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>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <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 IS TRUE AND CORRECT.

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder



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.



MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Quotation Number and Description)

in response to the invitation for bids made by:

Port St Johns Municipality

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 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
 - (d)



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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 this invitation; or
 - (f) submitting a bid 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 bid.

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.



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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.

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Signature

.....
Date

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Position

.....
Name of Bidder