



# **APPOINTMENT OF A BANKER FOR THE CITY OF MBOMBELA**

**BID NO: COM1/2024**

**CLOSING DATE 29 MARCH 2024 AT  
11:00**

.....  
**BANK NAME**

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**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE CITY OF MBOMBELA</b>					
BID NUMBER:	COM1/2024	CLOSING DATE:	29 MARCH 2024	CLOSING TIME:	11:00
DESCRIPTION	<b>APPOINTMENT OF A BANKER FOR THE CITY OF MBOMBELA</b>				

**BID RESPONSE DOCUMENTS MUST BE SUBMITTED IN THE TENDER BOX LOCATED @ NO: 1 NEL STREET; MBOMBELA; 1200; MBOMBELA CIVIC CENTRE NEXT TO THE MAIN ENTRANCE.**

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

**SUPPLIER INFORMATION**

NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No	

**[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]**

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R
SIGNATURE OF BIDDER	.....	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			

<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
DEPARTMENT	FINANCIAL SERVICES	DEPARTMENT	FINANCIAL SERVICES
CONTACT PERSON	Christopher Nkambule	CONTACT PERSON	Ubaid Butler
TELEPHONE NUMBER	013 759 2358	TELEPHONE NUMBER	013 759 9318
EMAIL ADDRESS	<a href="mailto:christopher.nkambule@mbombela.gov.za">christopher.nkambule@mbombela.gov.za</a>	EMAIL ADDRESS	<a href="mailto:Ubaid.butler@mbombela.gov.za">Ubaid.butler@mbombela.gov.za</a>

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>	
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.	
1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</b>	
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.	
<b>2. TAX COMPLIANCE REQUIREMENTS</b>	
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.	
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.	
2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.	
2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.	
2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.	
2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.	
2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.	
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>	
3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</b>	

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.  
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....

DATE: .....



**BID NUMBER: COM1/2024**  
**CLOSING DATE: 29 MARCH 2024 @ 11:00**

### **APPOINTMENT OF A BANKER FOR THE CITY OF MBOMBELA**

Bids are hereby invited from registered banks to be appointed as the banker for the CITY OF MBOMBELA for a period of five (5) years after signing of the contract.

In accordance with the provisions of the Municipal Finance Management Act 2003, as amended, only Banks registered in South Africa in terms of the Banks Act as well as National Credit Act may tender. The banks must also be able to demonstrate a local branch/agency infrastructure network with all facilities to meet the transactional requirements of the City of Mbombela and its stakeholders.

It is compulsory that service providers download a copy of the bid document that will ONLY be available from 26 January 2024 on e-Tender Publication Portal: [www.etenders.gov.za](http://www.etenders.gov.za) and the City's website: [www.mbombela.gov.za](http://www.mbombela.gov.za), free of charge.

Duly completed and signed bid documents, including the applicable supporting documents such as tax compliance status, a copy of the banks registration certificates, together with the bid documents must be sealed in an envelope. The envelope should be clearly marked: "**BID NO: COM1/2024, APPOINTMENT OF A BANKER FOR THE CITY OF MBOMBELA, CLOSING DATE 29 MARCH 2024**" with the name of the bank and bidder featuring prominently. This envelope shall be placed in the bid tender box at the Nelspruit Civic Centre at 1 Nel Street before **11:00** on the closing date.

Bids and tenders received by telegram, fax or e-mail will not be considered. Late bids shall not be accepted nor considered.

The lowest tender will not necessarily be accepted, and the City of Mbombela reserves the right to accept a tender which, as a whole, is considered to be the most business applicable as well as cost effective.

Bidders are advised not to commit fraudulent activities or forge documents. All abusers of the SCM system, including forging or faking of returnable documents, may be reported to SAPS and restricted from doing business with any Public Institutions for a period NOT exceeding 10 years which is in line with section 28 and 29 of the Prevention and Combating of Corrupt Activities Act 12 of 2004.

A preferential point system shall apply whereby this contract will be allocated to a bidder in accordance with the Preferential Procurement Policy Framework Act, No 5 of 2000, as Preferential Procurement Regulations, 2022 and as defined in the conditions of the bid document, read in conjunction with the Supply Chain Management Policy of the City of Mbombela. In terms of these documents 80 points will be allocated in respect of price and 20 points in respect of targeted goals.

Technical enquiries may be directed in writing to: [Ubaid.Butler@mbombela.gov.za](mailto:Ubaid.Butler@mbombela.gov.za)  
Procurement Enquiries may be directed in writing to: [christopher.nkambule@mbombela.gov.za](mailto:christopher.nkambule@mbombela.gov.za)

Employer: City of Mbombela  
PO Box 45; Mbombela, 1200

VISIT OUR WEBSITE – [www.mbombela.gov.za](http://www.mbombela.gov.za)

*NB: the results of this bid will be published on council's website as prescribed on section 75(1) (g) of the MFMA and section 23(c) of the SCM Regulations.*

## ***Tender***

You are hereby invited to submit your tender in respect of the rendering of comprehensive banking services for the City of Mbombela for a period of five (5) years, and to do so on the following conditions:

1. Your tender, in duplicate i.e. one original and one comprehensive and complete copy, must be submitted by not later than the date and time as required. No tender received after this date and time will be considered.
2. Your tender should be submitted to specifically meet the minimum Mandate and requirements as outlined in this tender specification document.
3. Tenders may only be submitted in the tender format provided and should not be retyped. All prices must be clearly discernable between services offered as well as be **VAT inclusive**.
4. The additional information required should be provided by completion and submission of the relevant pages in this tender document. Should the space allowed for this be insufficient, tenderers may add additional pages, with clear cross-references, as annexures to their tenders.
5. Your tender is to remain valid until the project duration lapses and you will undertake not to amend the terms or conditions prior to that date.
6. Faxed, e-mailed and telegraphic tenders/copies will not be accepted.
7. The successful tenderer will be required to render its services subject to the contractual requirements as stipulated and to enter into a Service Level Agreement with the City of Mbombela. A copy of the proposed draft service level agreement should be included for consideration covering at least the following items:
  - 7.1 Description of services, service standards, turnaround times etcetera.
  - 7.2 Query resolution process / escalation procedures.
  - 7.3 Proposed penalisation procedures.
  - 7.4 Warranties.
  - 7.5 Intellectual property rights.
  - 7.6 Safety and security.
  - 7.7 Customer service monitoring process, formal reviews, updates of Service Level Agreement.
  - 7.8 Conditions.

## ***Special conditions***

### **1. Definitions**

Unless otherwise indicated the following words shall bear the following meanings:

- 1.1 The “Mbombela Municipality or Municipality” shall mean the City of Mbombela.
- 1.2 The “tender or bid” shall mean a tender or bid for the provision of banking services for the stated period including related services such as short-term overdraft facilities for the City of Mbombela at agreed fees, interest rates, terms and conditions.
- 1.3 The “tenderer or bidder” shall mean any duly registered bank in terms of the South African Bank Act as well as National Credit Act, as amended, to provide the banking services to the City of Mbombela.
- 1.4 The “contract period” shall commence after signing of the Contract and will be subjected to performance and cost reviews.
- 1.5 “Banking products and services” shall include all general and commercial banking services and products such as bank accounts, cheque, electronic funds transfer, investments, loans, etcetera.

### **2. Failure to perform**

- 2.1 If -
  - (a) the tenderer should fail to arrange for the banking services timeously as stated in the proposal/contract/bid
  - or
  - (b) City of Mbombela should suffer damage as a result of the tenderer’s failure to perform over the period of the appointment as required and reasonably expected, it is agreed that the tenderer will pay to the City of Mbombela the following amounts, in each case to be determined by the Municipal Manager of City of Mbombela, as liquidated damages and not as a penalty:
    - i) in the event of (a) an amount equal to any additional costs over and above the tender price incurred by City of Mbombela to arrange alternative banking services in terms of the contract in a manner deemed fit by City of Mbombela, together with all related costs and expenses involved.
- or

- ii) in the event of (b), an amount not exceeding the actual damage and costs sustained by City of Mbombela.

2.2 The Municipal Manager of City of Mbombela will also determine the manner in which and the time when such payment of additional costs and or damages are to be paid to City of Mbombela, and the decision of the Municipal Manager will be final and binding in each case.

### 3. **Fees**

3.1 Any fees by any name or intention, stated will be **inclusive of VAT**.

3.2 Fees quoted shall be in respect of twelve (12) months period after signing of the contract as well as annually for the same periods, for the duration of the contract.

3.3 Any proposed increases of fees for the period following the first 12 months should be clearly indicated as a percentage (%). The same principle shall apply on annual bases for the duration of the contract.

### 4. **Payment of service charges**

Service charges from the beginning of the contract and thereafter will be payable on a monthly basis with detailed proof of service charges provided to the City of Mbombela before the 10<sup>th</sup> day of the month / within 5 days of the end of each month.

### 5. **Information to be provided by tenderer**

No tender will be considered, unless accompanied by sufficiently detailed information so as to indicate what the proposed services and fees would be for the first 12 months after contract award.

### 6. **Alternatives**

The tenderer may submit alternative service proposals e.g. fixed fees, which, in the tenderers opinion, are to the City of Mbombela's advantage economically and technically.

### 7. **Variation**

In the event that tenderers are offering any banking services and or products / services differing or varying from the minimum requirements of the specification, all such variations shall be clearly indicated and described in the tender response.

### 8. **Risk management**

City of Mbombela has already implemented the requirements for enterprise-wide risk management and the banks ability to support this on-going project should be clearly described e.g. fraud prevention and early detection interventions systems.



## Mandate

### **Mandate to interested banks to submit a tender to render banking services to the City of Mbombela**

1. Tenders must be submitted, **in duplicate** i.e. one original and one copy of the original, in the **approved tender format**.
2. The tender presentation must be in accordance with the minimum requirements as set out hereunder as well as in the tender document.
3. The tenderer may adopt any approach it deem appropriate to demonstrate the entities ability to service the City of Mbombela to effectively manage its banking requirements as well as support its stakeholders to facilitate easy and accessible payment services.
4. The tenderer may approach and utilise any suitable support service providers to offer a comprehensive banking service to the City of Mbombela.
5. Tenders should be accompanied by a detailed summary of the salient features of the banking services offered and to be implemented for the City of Mbombela should your bank be the successful banking services provider.
6. In principle support for the services offered e.g. short-term overdraft facilities between R 50 million and R 100 million should be provided on a letter from the banks Credit Committee as well as the material terms and conditions and interest rate indication e.g. Prime rate less % of such service(s) must be included in the tender response.
7. Draft service level agreement should be made available for consideration by the City of Mbombela.
8. Failure to comply with the above requirements will render the tender **invalid** at the sole discretion of the City of Mbombela.



**3. Audited financial statements**

Please attach a copy or CD of your most recent and available audited financial statements.

**4. Similar portfolios**

If you are currently dealing with any similar Local Government portfolios, please provide full details, including names of contactable references and by providing such information approval is therefore granted that these clients may be contacted by the City of Mbombela for reference purposes.

Name of entity	Contact person	Tel. no.	E-mail

**5. Membership of professional associations**

Are you a member any professional body or association such as the Payment Association of South Africa?

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**6. Empowerment**

Please provide a copy of your BBBEE status, statement on your policy regarding empowerment of the previously disadvantaged sector and of SMME's.

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**7. Bank information**

Indicate which branch will be responsible for the execution of the contract, if appointed.

7.1 **Name:**

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7.2 **Physical address:**

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7.3 **Postal address:**

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7.4 **Telephone/cell/facsimile numbers and e-mail:**

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7.5 **Income tax reference number:**

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7.6 **VAT registration number:**

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7.7 **Bank and company registration number:**

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7.8 **Regional Manager/Chief Executive/Managing Director and contact details:**

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7.9 **Structure of division responsible to service the City of Mbombela i.e. Manager:**

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7.10 **Names of Administrative support staff that will be responsible for the City of Mbombela's account:**

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**8. Service and remuneration**

**8.1 Banking products and services**

**8.1.1 Handling of cash, cheques and card payments**

- 8.1.1.1 Supply information indicating Procedures & Authorisation requirements for cash deposits, withdrawals, cheque payments etc.
- 8.1.1.2 Indicate if bidder is capable of providing systems for Cheque printing with necessary payment details.
- 8.1.1.3 Indicate whether bidder can supply on-line photographic images of all cashed cheques, if not in what format?
- 8.1.1.4 Indicate whether bidder can provide Cheque retention facilities.
- 8.1.1.5 Indicate what services bidder offers in terms of printing, supply and safekeeping of cheque forms.
- 8.1.1.6 Demonstrate the bank's ability to identify tampered cheques and rectification of such fraudulent action at earliest possible time.
- 8.1.1.7 Describe bidder's abilities to verify authenticity of cheques.
- 8.1.1.8 Describe abilities to verify cheques issued versus cheques cashed.
- 8.1.1.9 Demonstrate ability to investigate and recover losses arising from fraudulent cheques.
- 8.1.1.10 Give proof of competence to provide on-going advice on fraud prevention/methods of detecting fraud.
- 8.1.1.11 Indicate abilities to collect cash on regular basis from predetermined areas.
- 8.1.1.12 Discuss the bidder's solution for credit card machines at the payment areas.

## **8.1.2 Electronic banking services**

- 8.1.2.1 Give detail on bidder's capacity for multi layered security enabling individual access to transfers/enquiries irrespective of physical location as well as audit trail capacity.
- 8.1.2.2 Indicate if tenderer has capacity to identify and offer modular cash management functionalities e.g. bulk electronic debits offered separately from bulk electronic credits.
- 8.1.2.3 Indicate ability to operate as house banker if more than one banker is involved to facilitate daily sweeping.
- 8.1.2.4 Indicate availability of predetermined electronic payments set up with standard payment details both for 3rd party and internal transfers.
- 8.1.2.5 Describe bidder's ad-hoc electronic payments facilities for 3rd parties and internal.
- 8.1.2.6 Indicate if bidder can execute electronic transfers of bank deposits for the credit of CoM from other banks at the same rate as per the tender.
- 8.1.2.7 Explain capabilities for direct on-line stop payment facilities and the reversal thereof.
- 8.1.2.8 Give more information regarding functionality for direct on-line enquiry on status of cashed cheques.
- 8.1.2.9 Confirm bidder can provide for post-dated electronic transfer service?
- 8.1.2.10 Explain bidder's ability to provide cheque matching facilities.
- 8.1.2.11 Discuss how bidder can assist City of Mbombela in applying limits to transactions and accounts and monitoring thereof.
- 8.1.2.12 Confirm bidder's ability to handle high volumes online transactions and provide details on thresholds.
- 8.1.2.13 Explain functionality to provide unique electronic identifier (type of service- water, lights, rates, fines etc.) and reconciliation of counter deposits.
- 8.1.2.14 Does system allows for download of bank statements and for which previous periods they are available?
- 8.1.2.15 Discuss possibilities for provision of automatic confirmation systems with CoM's accounting systems.
- 8.1.2.16 Confirm if a direct online function to enquire on status of bank accounts can be offered.
- 8.1.2.17 Does electronic banking service provide for deposit identity with electronic transfers and deposits, number and type of characters?
- 8.1.2.18 Can your electronic banking solution supply information pertaining to unpaid ACB transactions?
- 8.1.2.19 Can your electronic banking solution sort information on deposit ID?
- 8.1.2.20 Can the electronic banking system provide real time cash management information?
- 8.1.2.21 Does the electronic banking solution you offer have the ability to interface with commercial procurement systems, and what existing interfaces are in place?

- 8.1.2.22 Does the electronic banking solution you offer have the ability to transact electronically via the bank with suppliers of goods/services as and when required?
- 8.1.2.23 Is the electronic banking system fully compatible with the SOLAR financial system and does fully operational interfaces exist?
- 8.1.2.24 Does the bidder's banking facilities allow for transactions at agents e.g. for prepaid electricity?
- 8.1.2.25 Electronic interaction should cater for CDV's.
- 8.1.2.26 Bank's ability to sweep all available cash balances to an overnight call account and return the available balances the next day.

## **8.2 Interest calculations, practices, conventions, reconciliations and retro entries**

- 8.2.1 On what day is interest calculated and for which period?
- 8.2.2 Describe the interest capitalisation model with details on when and how such interest is calculated and capitalised.
- 8.2.3 What ability does tenderer have to facilitate the reconciliation of interest calculations for the CoM?
- 8.2.4 Please indicate if retro-value to optimise interest earned would be available.
- 8.2.5 If applicable, provide detailed information on how retro entries are managed and recorded.
- 8.2.6 Provide proposed Debit/ Credit interest rates applicable to balances.
- 8.2.7 Supply details on transaction timeframes.

## **8.3 Reporting, Audit trails and queries (ISA AUDIT)**

- 8.3.1 Give an indication of bidder's ability to provide daily and monthly cash management reports and statements.
- 8.3.2 Provide information as to what audit trails will be available, handling of ad hoc queries - please state response times.
- 8.3.3 Give a breakdown of bank charges and costs to allow / facilitate reconciliation with tendered prices.
- 8.3.4 Indicate any additional costs, if applicable, incurred with the supply of the information.
- 8.3.5 Indicate the period for which historical information is available as well as if available on-line.
- 8.3.6 Demonstrate executive / exception reporting facilities to assist in control and monitoring of accounts (limits and unusual pattern of spending).

## **8.4 Technical equipment**

- 8.4.1 Supply technical specifications and/or requirements to enable City of Mbombela to utilise bidder's electronic services and products.
- 8.4.2 Indicate if electronic services are compatible with the SOLAR financial system.
- 8.4.3 Specify applicable equipment charges.

## **8.5 General**

- 8.5.1 Indicate ability to provide assistance with collections of rates and taxes and if so what type of services are available as well as costs.

- 8.5.2 Discuss the bank's solution for provision of petrol cards including cost control services and bank charges.
- 8.5.3 Describe the bank's offering regarding speed point-type payment methods.
- 8.5.4 Give detailed information on ATM availability in the Mbombela rural areas.
- 8.5.5 Describe bidder's ability to permit City of Mbombela account payments at any of their branches or through any ATM.
- 8.5.6 Discuss how a need for 10 to 15 cash-protector machines at e.g. payment halls could be handled.
- 8.5.7 Provide a summary of support services available to City of Mbombela's Treasury e.g. investment news, economic overviews and forecasts, limited information pages via Reuters, Bloomberg etcetera.
- 8.5.8 Secure online payment from internet requiring OTP e-fuel transactions funded on a monthly basis to be charged on a weekly basis.

**8.6 Specific requirements**

- 8.6.1 Discuss bidder's solution for short-term facilities required by the City of Mbombela.
- 8.6.2 Give details on custodian services the bank can offer and costs, as well as other safe custody services.
- 8.6.3 Please provide detailed information on security procedures and insurance arrangements in place to protect City of Mbombela against losses at custodian services.
- 8.6.4 Describe briefly methodology followed regarding authorisations.
- 8.6.5 Confirm agreement on contract period.
- 8.6.6 Provide information demonstrating financial viability and stability of tenderer, including current credit rating.
- 8.6.7 Demonstrate ability to handle implementation, training and take- and handover process.
- 8.6.8 Please confirm assistance bidder can offer regarding possible systems development if required.
- 8.6.9 Please declare exposure to other Public Sector entities.

**8.7 Provide a copy of your proposed service plan for 2024 e.g. introduction of your banks employees to City of Mbombela, training and support offered etcetera. (Note: this is not a disqualification criteria).**

**8.8 Provide details of services that are not expressly catered for and the basis upon which you would require to be remunerated if City of Mbombela required such services e.g. capital loans.**

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I/We, the undersigned, hereby confirm that all fees and any prices, for or any remuneration quoted is firm and binding.

Signed at \_\_\_\_\_ on this the \_\_\_\_\_ day of \_\_\_\_\_ 2024.

**Full names and signatures**

\_\_\_\_\_  
**Who also confirms that he/she is duly authorised to do so**

**Witness 1.**

\_\_\_\_\_

**Witness 2.**

\_\_\_\_\_



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Name of tender:

Signed at \_\_\_\_\_ on this the \_\_\_\_\_ day of \_\_\_\_\_ 2024.

**Full names and signatures**

\_\_\_\_\_  
**Who also confirms that he/she is duly  
authorised to do so**

.....

**Witness 1.**

\_\_\_\_\_

.....

**Witness 2.**

\_\_\_\_\_

**Declaration of interest**

- 1. No bid will be accepted from persons in the service of the state.\*
  
- 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/adjudication authority and/or take an oath declaring his/her interest.

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

3.1 Full Name: .....

3.2 Identity Number: .....

3.3 Company Registration Number: .....

3.4 Income Tax Reference Number: .....

3.5 VAT Registration Number: .....

3.6 Are you presently in the service of the state\* **YES / NO**

3.6.1 If so, 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.

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

3.7.1 If so, furnish particulars

.....

3.8 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**

3.8.1 If so, furnish particulars

.....

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

3.9.1 If so, furnish particulars

.....

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

3.10.1 If so, furnish particulars.

.....

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

3.11.1 If so, furnish particulars.

.....  
.....

**I, THE UNDERSIGNED.....  
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS  
CORRECT. I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS  
DECLARATION PROVE TO BE FALSE.**

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

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

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

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

**1. GENERAL CONDITIONS**

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

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

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

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:

	<b>POINTS</b>
<b>PRICE</b>	<b>80</b>
<b>SPECIFIC GOALS</b>	<b>20</b>
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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

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

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

#### 3.2.1. POINTS AWARDED FOR PRICE

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

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

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



Item no.	The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Number of points claimed (80/20 system) (To be completed by the tenderer)
A total of 8 preference points shall be allocated on a proportional or pro rata basis for contracting an enterprise owned by historically disadvantaged persons or individuals who meet the following requirements -			
1.	for 100% black person or people owned enterprise	2 points	
2.	for at least 30% woman or women shareholding or owned enterprise	2 points	
3.	For at least 30% youth shareholding or owned enterprise	2 points	
4.	for at least 30% people living with disability shareholding or owned enterprise	2 points	
A total of 12 preference points shall be allocated on a proportional or pro rata basis for implementing of programmes for RDP -			
5.	for enterprise regarded as EME located within the local area of jurisdiction.	2 points	
6.	for enterprise who will sub-contract minimum of 30% of the contract value to EMEs in the ward or local communities where the services to be rendered of works to be undertaken;	2 points	
7.	for Corporate Social Investment (CSI) or Social Labour Plan proposition	5 points	
8.	for valid B-BBEE level 1 contribution (SANAS verified B-BBEE certificate for generic enterprise, and for EME and SME a sworn affidavit or CIPC issued certificate confirming annual turnover and level of Black Ownership).	3 points	
<b>The City will utilize the CSD report for the above-mentioned information.</b>			

**Corporate Social Investment (CSI)**

**NB:** The minimum total value of the CSI should not be less than 2% of the total project value excluding vat and contingencies. The CSI project should be delivered concurrently with the project. The final product should be delivered prior to the issuing of completion certificate. The nature of the CSI project must benefit the community at large. (1 page, Arial font size 12) Prospective bidders will be expected to provide the City with a written explanation on how to implement the Corporate Service Investment on that particular ward, community or region. The investment must benefit the community at large. In order to claim points, a detailed one page report must be included in the list of returnable documents. The corporate social investment initiatives must be implemented by the company/successful bidder. The final details of the CSI project will be finalized prior to the signing of the contract in consultations with relevant stakeholders.

**DECLARATION WITH REGARD TO COMPANY/FIRM**

- 4.3. Name of company/firm.....
- 4.4. Company registration number: .....
- 4.5. TYPE OF COMPANY/ FIRM
  - Partnership/Joint Venture / Consortium

- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

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

**DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (VAT INCLUDED)**

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

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

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

.....

.....

2 Do you have any outstanding undisputed commitments for municipal services towards a municipality or any other service provider in respect of which payment is overdue for more than 30 days?

**YES / NO**

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

2.2 If yes, provide particulars.

.....

.....

.....

.....

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

**YES/NO**

3.1 If yes, furnish particulars

.....

.....

4. Will any portion of goods or services be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic? **YES/NO**

4.1 If yes, furnish particulars

.....  
.....

**CERTIFICATION**

**I, THE UNDERSIGNED (NAME)**

.....

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

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

**FALSE.**

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

## Declaration of Bidders past Supply Chain Management Practices

- 1 This City of Mbombela 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 as a company or person prohibited from doing business with the public sector?</p> <p><b>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p><b>(To access this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 326 5445).</b></p>	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:		
<b>Item</b>	<b>Question</b>	<b>Yes</b>	<b>No</b>
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

**Certification**

**I, THE UNDERSIGNED (FULL NAME) ..... CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM TRUE AND CORRECT.**

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder



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

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder



## **Executive summary of current banking services and utilisation**

Current services are i.e.:

- cheques
- electronic funds transfers
- deposits
- payments

## **Compulsory documentation check-list of documents provided/completed**

### **1. Compulsory documentation**

#### **1.1 Compulsory documentation**

- 1.1.1 Bid company details
- 1.1.2 Declaration of interest
- 1.1.3 Preference points claim form
- 1.1.4 Certificate of Independent Bid Determination

#### **2.2 Compulsory Documentation - bid specific**

##### **2.2.1 General**

- a. Approval requirements
- b. Management organogram

##### **2.2.2 Tax matters in order**

Tax clearance certificate provided

##### **2.2.3 Financial services charter**

- a. Financial Services /sector charter scorecard
- b. Department Labour Report

##### **2.2.4 Registration with SETA**

- a. BANKSETA: Workplace skills plan

##### **2.2.5 Registration with PASA**

PASA member confirmation

##### **2.2.6 Registration with SARB**

- a. SARB certificate of registration as a bank
- b. SARB annual business licence – bank

##### **2.2.7 Registration with FSB /FAIS**

- a. FSB -Licensed Financial Service Provider
- b. FAIS Licence

##### **2.2.9 BBBEE vendors**

Top 10 BEE suppliers

**CHECKLIST FOR RETURNABLE DOCUMENTS STIPULATED UNDER SPECIAL CONDITIONS OF TENDER DOCUMENTS AS MANDATORY REQUIREMENTS. THIS DOCUMENT SHALL BE APPLICABLE TO ALL TENDER DOCUMENTS OF THE CITY.**

**Preamble**

The objective of this checklist is aimed at ensuring that interpretation and application of the special conditions and other mandatory requirements at Bid Evaluation Committee (BEC) & Bid Adjudication Committee (BAC) are aligned as envisaged by the Bid Specification Committee (BSC). This will enhance consistency and uniformity in the entire bid committee system whilst promoting “user friendly” principles by simplifying tender requirements to all interested prospective bidders.

ITEM NO:	DESCRIPTION / RETURNABLE DOCUMENTS	NOTES	FOR OFFICE USE ONLY	
			CHECKLIST	YES or NO or N/A
1.	Company Registration Certificate	<p>a) It's a certificate issued by the Companies and Intellectual Property Commission in line with section 14 of the Companies Act 78 of 2008</p> <p>b) A Certificate issued by CIPRO in line with section 2 of the Close Corporation Act 69 of 1984</p> <p>NB: The registration of Close Corporations (CCs) was replaced by introduction of the New Companies Act which came to effect in April 2011. CCs to be recognized as valid registration certificate will be up to 2010.</p>	Has the bidders attached a valid company registration document in line with the applicable legislation?	
2.	Company Profile	<p>a) A Company Profile is a professional introduction of your Business that aims to inform Clients about its purpose, vision, trustworthiness, products and services, and experience of your Company. It is basically a “CV for your Business/Company”</p>	Has the bidder attached a company profile and its experience is relevant to add value on this project?	

<p><b>3.</b></p>	<p>Certification of documents to be submitted together with the tender document.</p> <p>I.e. ID Copies of business owners, qualifications, Licenses and certificates, accreditation by professional bodies, proof of ownership document, appointment letters, completion certificates, etc.</p>	<p>a) The certification of documents must be done by a commissioner of oath as prescribed in the Justice of the Peace and Commissioners of Oaths Act 16 of 1963 and its Regulations.</p> <p>b) Acceptable certified copies are copies originally certified from any police station, post office, Lawyers or <a href="#">notary public</a> (who are members of a recognized professional body), Actuaries or accountants (who are members of a recognized professional body), Members of the judiciary, Directors, managers or company secretaries of a banks or regulated financial services business.</p> <p>c) <i>Commissioner of Oaths stamps can be purchased at Stationary shops, but it can be custom made following the below example:</i></p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>CERTIFIED TRUE COPY OF THE ORIGINAL DOCUMENT. THERE ARE NO INDICATIONS THAT THE ORIGINAL DOCUMENT HAS BEEN ALTERED BY UNAUTHORISED PERSONS.</p> <p>Designation (rank)  .....ex officio: RSA</p> <p>Date: ..... Place  .....</p> <p>Business Address:  .....  .....  .....</p> </div>	<p>Has the bidder certified all documents to be certified as per special conditions of bid?</p> <p>Check validity on the date, check if the commissioner of oaths stamp is compliant as per example copied from the Regulations.</p>
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			<p>written proof from SARS of their tax compliance status or proof from SARS that they have made arrangements to meet their outstanding tax obligations. The proof of tax compliance status submitted by the bidder to the City must be verified via the CSD report or e-Filing. The City should reject a bid submitted by the bidder if such a bidder fails to provide proof of tax compliance status within the timeframe stated above <b>(See MFMA Circular No: 90)</b>.</p>	
6.	<p>Certified copy of B-BBEE Certificate / affidavit for B-BBEE status level of contributor <b>(to claim points only)</b>.</p>	<p>a) EMEs in terms of the B-BBEE Act 53 of 2003 may submit a sworn affidavit confirming annual total revenue and level of black ownership or Certified Copy of B-BBEE Certificate.</p> <p>b) Bidders other than EMEs and QSEs <b>MUST</b> submit their certified copies of valid B-BBEE status level verification certificate, substantiating their B-BBEE rating issued by a registered auditor approved by IRBA or a verification agency accredited by SANAS.</p> <p>c) A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if</p>	<p>Is the copy B-BBEE Certificate valid?</p> <p>Is the sworn affidavit for EME / QSE in line with the threshold for EME and EME and valid?</p> <p>If the tendering entity is a JV / Consortium / Large company, has the bidder attached a certified copy of a valid and consolidated B-BBEE certificate in order to claim points as prescribed by the MSCM Regulations?</p> <p>Is the copy of B-BEE certificate certified by the Commissioner of</p>	

		<p>they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.</p> <p>NB: There is NO consolidated affidavit for B-BBEE status level of contributor. Only consolidated B-BBEE certificate will be considered for JVs / Consortium &amp; large companies that are making an annual turnover in excess of R50 million including value added tax (VAT). <i>This is not a disqualifying factor, non-adherence will lead to no allocation of B-BBEE points.</i></p>	<p>Oaths reflects as prescribe on the regulations of the Act?</p> <p>Is the affidavit for B-BBEE stamped and signed by commissioner of oaths?</p> <p>I.e. full names and signature, force/practice number, designation / rank, date and address.</p> <p>Is the certification date not older than 3 months and original ink is clear on the document to confirm if it is originally certified?</p>	
7.	Formal agreement must be attached in case of a joint venture (JV) or consortium.	a) The JV/consortium must amongst others, reflect clear profit and losses sharing percentages. It is compulsory that the lead partner must have at least 51% majority shares in the JV/consortium.	If the tendering entity / bidder is a JV/Consortium, has the bidder attached a detailed JV/Consortium agreement with all critical information?	
8.	In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit separate required returnable documents.	a) This will not be applicable to functionality and B-BBEE requirements.	If the tendering entity / bidder is a JV/Consortium, have the parties involved attached all individual required documents as per special condition of bid?	

<p><b>9.</b></p>	<p>Latest municipal rates and taxes certificates from relevant local authority for the business and all business directors</p> <p style="text-align: center;">OR</p> <p>Proof of resident from tribal authority for the business and all business directors</p> <p style="text-align: center;">OR</p> <p>Lease agreement with the Lessor's latest municipal rates and taxes certificates from relevant local authority.</p> <p>NB: All accounts owing any municipality for more than 90 days will be disqualified as prescribed on the MSCM Regulations.</p>	<p>a) If the business is operated and its director(s) are residing within a municipal area, bidders are expected to attach latest municipal rate and taxes certificates for the business and ALL its directors.</p> <p>b) If the business is operated and its director(s) are residing within a tribal authority. Bidders are expected to attach proof of resident for the business and ALL its directors.</p> <p>c) If the business directors are leasing a facility for residential purposes, they are required to attach individual lease agreement with lessor's latest municipal rates and taxes for a facility is within a Municipal boundary and if the business is renting office / business facility, the bidders are required to attach lease agreement for the business with lessor's latest municipal rates and taxes for a facility within a municipal boundary. If the facility leased is in a rural area, lease agreement will be accompanied with the lessor's proof of residential from a tribal authority.</p> <p>NB: <i>Domicilium citandi at executandi</i>: Domicilium citandi et executandi is a Latin legal term meaning the address nominated by a bidder in a legal contract where legal notices may be sent.</p> <p>Bidders are encouraged to update their addresses when they relocate their businesses and the preferred address on the CSD should be in line with the address on the Company Registration Document. It is the responsibility of the bidder to ensure that all physical addresses reflected either on the company registration document and CSD are</p>	<p>Has the bidder attached latest municipal rates and taxes from relevant local authority for the company / business and all company directors / owners?</p> <p>In case of lease, has the bidders attached lease agreements and lessor's proof of res from a tribal authority or latest municipal rates and taxes certificate?</p> <p>Is the account not in areas for more than 90 days (3 months)?</p>	
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		<p>not owing any municipal rates and taxes for more than three months including the Lessor's municipal account in case of lease. The rationale behind this requirement is the enhance revenue in RSA municipalities as enshrined on the Municipal Systems Act 32, 2000. Failure to attach is an immediate disqualification but failure to align addresses will not be a disqualifying factor, however all addresses reflected on the both the CSD and company registration document will be subjected to this requirement.</p>		
<p><b>10.</b></p>	<p>Forging of documents/certificates</p> <p>The City has noted that prospective bidders are allegedly submitting fraudulent and forged documents when bidding for tenders.</p> <p>Bidders are advised not to commit fraudulent activities and forge documents. The City will ensure that this Act is adhered to by reporting all abusers of the SCM system to SAPS and enlist them on the Register of Tender Defaulters as prescribed on section 29 of the Prevention and Combating of Corrupt Activities Act 12 of 2004.</p> <p>Abusers of the SCM system,</p>	<p>Section 34(1)(b) of the Prevention and Combating of Corrupt Activities Act 12 of 2004, stipulates that: "any person who holds a position of authority and who knows or ought reasonably to have known or suspected that any other person has committed the offence of theft, fraud, extortion, forgery or uttering a forged document involving an amount of R100 000 or more, must report such knowledge or suspicion or cause such knowledge or suspicion to be reported to any police official".</p> <p>Section 34(2) of the same Act stipulates that: "subject to the provision of section 37(2), any person who fails to comply with subsection (1), is guilty of an offence".</p>	<p>Are there any suspicious / alleged fraudulent or forged documents?</p> <p>If yes, has the matter been reported to the nearest SAPS following correct institutional protocol?</p> <p>Has the matter been registered with the Registrar to enable due processes and per the Act?</p> <p>NB: The minutes of the BEC / BAC should detail all the elements of alleged fraud and forged documents.</p>	

	amongst other penalties, may be restricted to do business with any Public Institutions for a period NOT exceeding 10 years (see section 28 of this Act).			
11.	Copy of Public Liability insurance. Only insurance covers from registered and authorized financial service providers will be accepted.	a) Public liability insurance may vary from one project to another on the basis of the level of risk and complexity of the project. Minimum cover to be determined by the BSC prior consultation with the project manager if deemed necessary.	If applicable, is the bidder compliant with the minimum cover stipulated in the bid document?  Is the public liability insurance from a registered financial institution?	
12.	Recent audited / independently reviewed financial statements for three consecutive years.  NB: if a company provides any financial statements in terms of section 29 of the Companies Act, such statements must comply with the provision of the Act.	a) Applicable to private companies that are not managed by its owners, if: <ul style="list-style-type: none"> <li>- It compiles its financial statement internally and its public interest score is less than 100.</li> <li>- It has its financial statements compiled independently and its public interest score is between 100 and 349.</li> <li>- the public interest score is 350 points or more, is required for an audit to be conducted.</li> </ul>	Has the bidder furnished MBD 5 as mandatory for all projects estimated to be in excess of R10 million?  Has the bidder attached the relevant AFS as required by law and is it aligned with his/her declaration on MBD 5? False / mismatched / inconsistent declaration may lead to immediate disqualification.	
13.	Recent annual financial statement (AFS) for three consecutive years (unaudited AFS).  NB: if a company provides any financial statements in terms of	a) Applicable to private companies with a public interest score of less than 100.  b) If, with respect to a particular company, every person who is a holder of, or has a beneficial interest in, any securities issued by that company is	Has the bidders furnished MBD 5 as mandatory?  Has the bidder attached the relevant AFS as required by law in line with his/her declaration on	

	section 29 of the Companies Act, such statements must comply with the provision of the Act.	<p>also a director of the company, that company is exempt from the requirements in this section to have its annual financial statements audited or independently reviewed.</p> <p>NB: An independent review will suffice if the company has opted to have its financial statement audited or is required by its Memorandum of Incorporation (MOI) to do so.</p>	MBD 5?	
14.	Functionality / Quality for evaluation of complex projects	<p>a) Functionality test refers to evaluation of bidders on various aspects of the contract to establish if the bidders has the capabilities to execute the contract or not. The various aspect may include but not limited to: track record and experience on similar projects, human resource and their individual experience, financial capabilities, relevant technology, etc.</p> <p>NB: Functionality will not be compulsory for all projects but for complex projects. Functionality criteria will vary from one project to another.</p>	<p>Has the bidder met the minimum threshold on functionality in order to qualify for further evaluation on price and B-BBEE?</p> <p>Has the bidders been scored in line with the evaluation criteria set on the tender document?</p> <p>All portfolio of evidence attached and certified as stated on the bid document?</p>	
15.	The Compensation for Occupation Injuries and Diseases Act 130 of 1993 (COIDA)	<p>a) The COIDA provides for compensation for disablement caused by occupational injuries or diseases sustained or contracted by employees in the course of their employment, or for death resulting from such injuries or diseases, hence bidders are expected to attach COIDA certificates in line with their specialize area aligned to the type/nature of business.</p>	<p>If applicable, is the COIDA certification / letter of good standing attached, valid and reflects the nature of work in line with the scope of works?</p>	