



**ELIAS MOTSOALEDI LOCAL MUNICIPALITY**

**EMLM 21/2024**

**APPOINTMENT OF A PANEL OF MAXIMUM OF THREE (3) TRAVELING AND ACCOMMODATION AGENCIES FOR A PERIOD OF THREE (3) YEARS (AS AND WHEN REQUIRED)**

<b>CLOSING DATE:</b>	<b>07 JUNE 2024</b>	<b>TIME</b>	<b>11:00</b>
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<b>NAME OF TENDERER / BIDDER</b>	
<b>COMMISSION PERCENTAGE</b>	<b>%</b>
<b>CENTRAL SUPPLIER DATABASE NUMBER</b>	MAAA
<b>TOTAL SPECIFIC GOAL POINTS</b>	
<b>CONTACT PERSON</b>	
<b>TELEPHONE NUMBER</b>	
<b>FAX NUMBER</b>	

<b>ENQUIRIES REGARDING BID PROCEDURES</b>		<b>TECHNICAL ENQUIRIES</b>	
<b>MANAGER: SUPPLY CHAIN MANAGEMENT</b>		<b>MR. MOLEKO SEBELEMETJA</b>	
<b>MR. VUSI MASILELA</b>		<b>FINANCE MANAGER</b>	
<b>TEL. NUMBER</b>	<b>TEL.013 262 3056</b>	<b>TEL. NUMBER</b>	<b>013 262 3056</b>
<b>TENDER ISSUED BY</b>			
<b>SUPPLY CHAIN MANAGEMENT UNIT</b>			
<b>ELIAS MOTSOALEDI LOCAL MUNICIPALITY</b>		<b>P.O. BOX 48, GROBLERSDAL, 0470</b>	

**ELIAS MOTSOLEDI LOCAL MUNICIPALITY**

<b>TENDER DETAILS</b>						
TENDER NUMBER	<b>EMLM 21/2024</b>					
TENDER TITLE	<b>APPOINTMENT OF A PANEL OF MAXIMUM OF THREE (3) TRAVELING AND ACCOMMODATION AGENCIES FOR A PERIOD OF THREE (3) YEARS (AS AND WHEN REQUIRED)</b>					
CLOSING DATE	<b>07 JUNE 2024</b>		CLOSING TIME		<b>11H00</b>	
SITE MEETING	DATE	N/A	TIME	N/A	N/A	N/A
SITE MEETING ADDRESS	N/A					
CIDB GRADING REQUIRED	<b>NO</b>		LEVEL AND CATEGORY		<b>N/A</b>	
TENDER DOCUMENT FEE	<b>R1,000.00 (if collecting from the Municipality) Free when downloading from e-tender portal</b>		PREFERENCE POINT SYSTEM		<b>80/20</b>	
BID BOX SITUATED AT	<b>MAIN OFFICES, 2<sup>ND</sup> GROBLER AVENUE, Elias Motsoaledi Local Municipality,.</b>					
OPERATING HOURS	The bid box is open during office hours, Monday to Friday from 07h30 to 16h15.					
OFFER TO BE VALID FOR	90	DAYS FROM THE CLOSING DATE OF TENDER.				
<p><b>PLEASE NOTE:</b></p> <ol style="list-style-type: none"> <li>1. Prospective suppliers must be registered on CSD prior to submitting bid (open tender)</li> <li>2. Tenders that are deposited in the incorrect box will not be considered.</li> <li>3. Mailed, telegraphic, telex, or faxed tenders will not be accepted.</li> <li>4. No late bids after closing date and time will be accepted.</li> <li>5. Bids not clearly marked and unamend will not be accepted.</li> <li>6. Bids may only be submitted on the bid documentation provided by the municipality.</li> <li>7. No awards will be made to a person: <ol style="list-style-type: none"> <li>i. Who is in the service of the state,</li> <li>ii. If that person is not a natural person , of which any director, manager, principal shareholder or stakeholder is a person in the service of the state</li> <li>iii. Who is an advisor or consultant contracted with the municipality or municipal entity</li> </ol> </li> </ol>						

**BIDDER'S TENDER DOCUMENTATION DECLARATION CERTIFICATION**

I, the undersigned certify that the information furnished on this declaration form is correct, completed and submitted.

NAME OF REPRESENTATIVE	
POSITION / DESIGNATION	
SIGNATURE	
DATE	

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**T1.1 TENDER NOTICE & INVITATION**  
**ELIAS MOTSOLEDI LOCAL MUNICIPALITY**  
**TENDER NO.: EMLM 21/2024**  
**CLOSING DATE: 07 JUNE 2024 @ 11:00**



In terms of Section 110 of the Municipal Finance Management Act, 2003 (No. 56 of 2003), tenders are hereby invited for **APPOINTMENT OF A PANEL OF MAXIMUM OF THREE (3) TRAVELING AND ACCOMMODATION AGENCIES FOR A PERIOD OF THREE (3) YEARS (AS AND WHEN REQUIRED)**

Tender documents and specifications are available and can be obtained from CASHIERS OFFICE IN THE MAIN OFFICES, 2<sup>nd</sup> Grobler Avenue Groblersdal, P.O. Box 48, Groblersdal, 0470 (Tel: [013] 262 3056, at a non-refundable deposit of **R1000.00** when the bidder request/need a document from the municipality and it is free of charge when downloaded from the e-Tender Portal. Payments can be made through cash payable to the Elias Motsoaledi Local Municipality.

The closing time for receipt of tenders is **07 JUNE 2024 at 11H00** Telegraphic, telephonic, telex, facsimile, e-mail, unmarked and **late tenders** will under no circumstances be considered and accepted. The tender box will be emptied just after closing time on the closing date. Hereafter all bids will be open in public.

Any technical enquiries relating to the tender document may be directed to the **Budget and Treasury Office (Mr. Moleko Sebelemetja)** at **013 262 3056** or at **msebelemetja@emlm.gov.za** for technical assistance.

Fully completed tender documents, clearly marked **“APPOINTMENT OF A PANEL OF MAXIMUM OF THREE (3) TRAVELING AND ACCOMMODATION AGENCIES FOR A PERIOD OF THREE (3) YEARS (AS AND WHEN REQUIRED)”** “with **“NAME of TENDERER”** must be placed in a sealed envelope and placed in the **tender box** on the **2<sup>nd</sup> Grobler Avenue**, Elias Motsoaledi Local Municipality, Main Offices, Groblersdal, **by no later than 07 JUNE 2024 at 11H00**. The envelope must be endorsed with number, title and closing date as indicated above.

Bidders will be evaluated on functionality whereby **points (70%)** has to be attained before financial proposals can be looked at. A preferential point system shall apply whereby a contract will be allocated to a tenderer in accordance with the Preferential Procurement Policy Framework Act, Act No. 5 of 2000 and as defined in the Conditions of Tender in the tender document, read in conjunction with the Supply Chain Management Policy of Elias Motsoaledi Local Municipality where **80 points** will be allocated in respect of price and **20 points** in respect of specific goals.

- Who is not registered on the Central Supplier Database;
- Who is in the service of the state;
- If that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; and/or
- Who is an advisor or consultant contracted with the municipality or municipal entity.

The municipality reserves the right to withdraw any invitation to tender and/or to re-advertise or to reject any tender or to accept a part of it. The municipality does not bind itself to accepting the lowest tender or award a contract to the bidder scoring the highest number of points



**TERMS OF REFERENCE  
FOR  
APPOINTMENT OF A PANEL OF MAXIMUM OF THREE (3) TRAVELING AND  
ACCOMMODATION AGENCIES FOR A PERIOD OF THREE (3) YEARS (AS AND  
WHEN REQUIRED)**

**1. INTRODUCTION OF THE PROJECT**

Proposals are hereby called from suitably qualified and registered Traveling and Accommodation Agencies to manage Travel and Accommodation Management Service (as and when required) for staff and associates of Elias Motsoaledi Local Municipality, ***minimum of two (2) company and maximum of three (3) companies.***

**2. AIM OF THE PROJECT**

- To centralize the travel services for Elias Motsoaledi Local Municipality.
- To provide a platform for quick, cost effective and efficient rendering of travel and accommodation MANAGEMENT services to the Municipality.

**3. SPECIFICATIONS**

- To make bookings in respect of hotel accommodation, flights and motor vehicle hire travel aspects for Councilors and staff of the Municipality.
- Negotiate for minimum rates for the Municipality.
- Reconcile traveling accounts for the Municipality.
- Render emergency travel and accommodation service, i.e. after hours and non-working days
- Arrange foreign exchange for the Elias Motsoaledi Local Municipality.
- Provision of the most professional and cost effective travel and accommodation MANAGEMENT services.

**4. DETAILED SCOPE OF WORK**

- Making Hotel accommodation bookings in accordance with the Municipal subsistence and travel policy and Treasury circular 82.
  - Making flight MANAGERMENTS for all as order received from and in line with the S & T policy of the Municipality and Treasury Circular 82.
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- Making car rental bookings, as and when necessary according to the Municipal policy.
- Management of travel insurance as and when necessary.
- Arranging travel and accommodation on an emergency basis i.e. after hours or non-working days as and when required.
- Provision of service in respect of Elias Motsoaledi Local Municipality functionaries and associates.

#### **4.1. Travel Arrangements - General**

- Reservations for both domestic and international travel.
- Advice on any vaccinations required for international travel.
- SMS and email confirmation facility to advise travelers of the following:
  - Air ticket number
  - Car rental reservation number
  - Accommodation reservation number
  - Shuttle service reservations
- Delivery of travel documents to the traveler where applicable
- Provision of after-hours emergency service for bookings as well as the resolving of travel problems at no extra cost.
- Electronic tracking and reporting on unused bookings for air travel, accommodations and car rentals.
- Indication as to what guarantees can be provided in terms of the reduction of travel costs.
- Details of international arrangements with foreign-service providers. This information must be provided in a covering letter.

#### **4.2. Air Travel**

- Domestic – sourcing the most economical air tickets (discounted and thereafter full economy) from both major and low cost airlines by providing the most economical quote for the traveler.
  - International – sourcing the most economical air tickets (discounted and thereafter full economy) by offering flights on the most direct route and the provision of these quotes to the traveler for decision.
  - The Elias Motsoaledi Local Municipality must receive the best possible rate upfront.
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### **4.3. Car Rental**

- Indication of the grades and selection of vehicles available in each grade for domestic car and van hire.
- Indication of the period of rental rates that should be fixed.
- Provision of preferential treatment for Elias Motsoaledi Local Municipality, travelers' i.e. speedy supply of vehicle.
- Ability to accommodate urgent car rental requests.
- If the tenderer has any preferential international car hire agreements, it must be stated
- Provision of international car rental.
- Provision of vehicles for disabled drivers.
- The rates for at least 3 car rental companies must be offered.
- Pricing must include at least the following items:   Models available
  - Daily – Rate per day
  - Daily – Rate per km
  - Extended hire period (say 3 Days +) – rate per day
  - Free km
  - Damage waiver (super)
  - Theft waiver (super)
  - Contract fee
  - Tourism levy
  - Airport surcharge
  - Additional driver/s fee

### **4.4. Shuttle / chauffeur service**

- Provision of this service as an alternative means of cost saving.
- The tenderer must provide rates, if a chauffeur service is provided.
- The tenderer must provide rates from the airport to the central business district at all the major airports in South Africa.

### **4.5. Accommodation at Hotels and Bed and Breakfast establishments**

- Hotel reservations at 3 and 4 star standard hotels provided by various hotel groups preferably where the conference/seminar or workshop is being held.
  - Reservations at a remote hotel where it is not practical to be accommodated in a 3 or 4 star standard hotel.
  - Ability to make reservations at Bed and Breakfast establishments and resorts in towns where there are no hotels available as well as reservations at game and national parks at reasonable tariffs.
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- Where tariffs are excessive, the tenderer will be required to consult with the traveler for approval of cost.
- Provision of international accommodation on the same standard as domestic accommodation. If the tenderer has any preferential international links, these are to be stated.
- The tenderer is to clearly state what the service rate covers (Incl/Excl dinner, breakfast, lunch, soft drinks, still water, energy drinks and ice bags)
- Provision of a comprehensive booking confirmation document to the traveler including:
  - A map of the area where the accommodation has been booked; and
  - Emergency telephone number of the tenderer which must be available on a 24 hour basis.

#### **4.6 Provision of passenger transport**

- Book 60-Seater Luxury Bus with recliner seats and toilet for domestic and international travelling.
- Book 22-seater mini-bus taxi with a driver for domestic and international travelling.
- Book 16-seater mini taxi with a driver for domestic and international travelling.
- Negotiate discounts on standard tariffs for passenger transport with all available companies.
- Issue all necessary travel documents, schedules and vouchers timeously to traveller(s) prior to departure dates and times.
- Transport provision will only be expected where accommodation bookings have been done through travel agents and this will not cover transport needed for outreach programmes.

#### **Packages provided by tour operators for international travel on an occasional basis**

Occasionally, the tenderer might request a tour operator to make international travel arrangements.

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## 5. KEY DELIVERABLES

- Signing of a service level agreement and performance plan (by the Service providers) with the municipality.
- Management of Municipal travel and accommodation services.
- Negotiate for minimum rates on behalf of the Municipality.
- Illustration of the actual cost of advertisement, excluding the service fee/s.
- Issuing of travel, car hire and accommodation vouchers to the travelers as per the municipal order
- Timeous submission of invoices and the reconciled accounts to the Municipality (invoices submitted after 30 days of rendering service will be forfeited) after which payment will be made after services have been rendered, within thirty (30) days.

## 6. EXPECTED OUTCOMES

- Management of all aspects of travel and accommodation services.
- Provision of professional and cost effective service to the municipality.

## 7. KEY COMPETENCIES

The Service providers appointed to undertake this project should demonstrate the following key competencies:-

- Proven track record travel services, and client liaison;
- Excellent negotiating skills profile; and
- Knowledge and understanding the Municipal local government and its Subsistence and Traveling policy.
- Compliance with requirements of the Municipal Finance Management Act.

## 8. PROJECT MANAGEMENT

The Service Provider will work very closely with the Elias Motsoaledi Local Municipality Supply Chain Management unit.

The Administration Manager is designated as the project Manager.

The Municipality reserves the right to make direct bookings for any service with the service provider of its choice without utilizing the services of the appointed agency.

## 9. PROJECT TIMEFRAME

The contract is for a period of **three (3) years** and performance will be reviewed on monthly basis, but can be terminated when there is proof of underperformance or sub - standard service.

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## 10. PROJECT BUDGET

Service Providers must present a work plan and budget consistent with the amount of work as specified in the “scope of work”. The work shall vary from time to time depending on the need from the Municipality as shall be confirmed via the means of an official purchase order.

### **RETURNABLE TENDER DOCUMENTS MUST BE COMPILED WITH CLEAR FILES DIVIDERS IN A NUMERICAL ORDER AS PER THE BELOW MINIMUM REQUIREMENTS**

#### **Minimum Qualifying Requirements /Compulsory Returnable Documents:**

- 1) Fully completed and signed MBD forms with a black ink **(1;4; 6.1; 8 & 9)**.
- 2) Valid copy CK / company registration certificate.
- 3) CSD registration report **(Detailed). (NB: Not Summary)**.
- 4) Attach proof of registration with Association of South African Travel Agents **(ASATA)** for the company.
- 5) Annual financial statement **(if the bidder is required by law to prepare annual financial statements for auditing, their audited annual financial statements - for the past three years; or since their establishment if established during the past three years)**.
- 6) Any alteration on the tender document must be signed **(NB: Not Initialed)**.
- 7) Every page on the tender documents must be signed **(NB: Not Initialed)**.
- 8) CIPC Abridged Certificate Annual returns **(NB applicable to entities that were in business for more than 12 months and must be paid before the closing date of the tender)**.
- 9) Company profile **(Detailing; name of client; Service provided; Award amount; Contact person and Contact number)**.
- 10) Original Certified copies of ID's of the Director(s) **(Certification not older than 3 months before the closing date)**.
- 11) Proof of Municipal rates and taxes or services charges:
  - Of the company and all of its directors not in arrears for more than 90 days or
  - Confirmation from the municipality if municipal rates and taxes are not levied (for the company and all its director(s)) as per CK/Company form of address on the registration certificate or
  - If leasing, a signed lease agreement by the lessor and the lessee and Municipal rates in the name of the lessor for both company and directors.
- 12) **In case of a Joint Venture**, Association or Consortium a formal contract agreement must be signed by both parties and be attached and the following must be adhered to:
  - a. All of the above requirements must be for the both entities.

### **NB: FAILURE TO MEET ANY OF THE ABOVE REQUIREMENTS WILL LEAD TO IMMEDIATE DISQUALIFICATION.**

## 11. FUNCTIONALITY EVALUATION CRITERIA

### Phase 1: functionality Evaluation

1. A maximum of three service providers will be appointed for this assignment;
2. Service providers must meet the minimum threshold. Failure to meet the threshold in any of the deliverables will result in disqualification and the service provider not being considered for phase 2 evaluation.

Technical evaluation will be allocated 100 points. Minimum qualifying is **70 points (70%)**.

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## 11.2 FUNCTIONALITY

With regard to functionality the following criteria will be applicable and the maximum weights of each criterion are indicated in brackets.

FUNCTIONALITY	POINTS
<p><b>Company Experience:</b></p> <ul style="list-style-type: none"> <li>• <b>Contract appointment letters and signed &amp; stamped reference letters</b> for provision of travel and accommodation management services provided in the government (National, Provincial and Local) domestic or international which were successfully completed.</li> </ul> <p>Successfully completed contracts.</p> <ul style="list-style-type: none"> <li>○ Above R1,5 million = <b>(40 points)</b></li> <li>○ R750 000.00 – R1 499 999.00 = <b>(30 points)</b></li> <li>○ Below R750 000.00 = <b>(10 points)</b></li> </ul> <p><b>(Only one Appointment Letter / Purchase Order corresponding with signed and stamped reference letter will be considered)</b></p>	<b>40</b>
<p><b>Accreditation and Qualifications:</b> (Proof to be attached in order to claim points) Certificates of registration with the following:</p> <ul style="list-style-type: none"> <li>○ Attach proof of registration with International Association of Travel Agents <b>(IATA)</b> – for the company = <b>(20 Points)</b></li> <li>○ CV and certified qualifications of the project manager: National Diploma or Higher in Tourism Management = <b>(10 Points)</b></li> </ul>	<b>30</b>
<p><b>Credit Worthiness</b> Submit valid proof of company credit card limit.</p> <ul style="list-style-type: none"> <li>- credit limit above R200 000.00 = <b>(20 Points)</b></li> <li>- credit limit from R50 000.00 – R200 000.00 = <b>(10 Points)</b></li> </ul>	<b>20</b>
<p><b>Bank Rating</b> Provide <b>original stamped</b> Bank rating letter: A - C = <b>10 points</b> D = <b>05 points</b> E = <b>02 points</b></p> <p><b>NB: Failure to comply with the above no points will be allocated</b></p>	<b>10</b>
<p><b>Total allocated Points</b></p>	<b>100</b>
<p><b>Minimum qualifying points</b></p>	<b>70</b>

## PHASE 2: PRICE AND PREFERENTIAL POINTS ALLOCATIONS

For quotes with a Rand value up to R50 000 000, the preference point system of 80/20 will apply, where 80 points will be for **(Price)** and 20 points will be for **Specific Goals** (Black, Women, Disability & people living in rural underdeveloped areas) in terms of section 2(1)(d) of the Preferential Procurement Policy Framework Act, 2000, (Act No 5 Of 2000)

<b>Price</b>	=	<b>80 Points</b>
<b>Specific Goals</b>	=	<b>20 Points</b>
<b>Total</b>	=	<b>100 Points</b>

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
<b>51% Black owned Company</b>	<b>10</b>	
<b>Locality</b>	<b>MAX 10</b>	
• Within the area of Elias Motsoaledi Local Municipality	10	
• Within the area of Sekhukhune District Municipality	06	
• Within the area of Limpopo Province	04	
• Within the Republic of South Africa	02	
<b>TOTAL POINTS</b>	<b>20</b>	

## COMPULSORY MUNICIPAL BID DOCUMENTATION

- a) MBD 1 : Invitation to tender
- b) MBD 4 : Declaration of interest
- c) MBD 6.1 : Preference certificate
- d) MBD 8 : Declaration of bidder's past supply chain management practices
- e) MBD 9 : Certificate of Independent Bid Determine

**M. W. MOHLALA**  
**ACTING MUNICIPAL MANAGER**  
**ELIAS MOTSOLEDI LOCAL MUNICIPALITY**  
**2<sup>ND</sup> GROBLER AVENUE**  
**GROBLERSDAL**

## CONCLUSION:

Any false information given by the Prospective Service Provider and not meeting the minimum qualifying requirement, will lead to automatic disqualification of the PSP. The council reserves the right to accept either the whole or part of any Bid, or not to appoint at all. Faxes or e-mail is not acceptable. Bidders will be required to show compliance with the New Preferential Procurement Regulation of 2022

## PART A INVITATION TO BID

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (ELIAS MOTSOALEDI LOCAL MUNICIPALITY)</b>					
BID NUMBER:	<b>EMLM 21/2024</b>	CLOSING DATE:	<b>07 JUNE 2024</b>	CLOSING TIME:	<b>11H00</b>
DESCRIPTION	<b>APPOINTMENT OF A PANEL OF MAXIMUM OF THREE (3) TRAVELING AND ACCOMMODATION AGENCIES FOR A PERIOD OF THREE (3) YEARS (AS AND WHEN REQUIRED)</b>				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).</b>					

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

<b>02 GROBLER AVENUE</b>
<b>GROBLERSDAL</b>
<b>0470</b>

<b>SUPPLIER INFORMATION</b>					
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:	
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	<b>BUDGET AND TREASURY</b>	DEPARTMENT	<b>BUDGET AND TREASURY</b>
CONTACT PERSON	<b>V MASILELA</b>	CONTACT PERSON	<b>M SEBELEMETJA</b>
TELEPHONE NUMBER	<b>013 262 3056</b>	TELEPHONE NUMBER	<b>013 262 3056</b>
FACSIMILE NUMBER	<b>013 262 2547</b>	FACSIMILE NUMBER	<b>013 262 2547</b>
E-MAIL ADDRESS	<a href="mailto:vmasilela@emlm.gov.za">vmasilela@emlm.gov.za</a>	E-MAIL ADDRESS	<a href="mailto:msebelemetja@emlm.gov.za">msebelemetja@emlm.gov.za</a>

## PART B TERMS AND CONDITIONS FOR BIDDING

### 1. BID SUBMISSION:

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

### 2. TAX COMPLIANCE REQUIREMENTS

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

### 3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

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

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

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS 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 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/adjudicating authority.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

No.	Information	Please provide detail	
3.1	Full name of bidder or his or her representative		
3.2	Identity number		
3.3	Position occupied in the company (director, trustee, hareholder <sup>2</sup> )		
3.4	Company registration number		
3.5	Tax reference number		
3.6	VAT registration number		
Note	<i>(The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.)</i>		
3.7	Are you presently in the service of the state?  If yes, please furnish particulars :	Yes	No
3.7.1	Name of director		
3.7.2	Service of state organization		

3.8	Have you been in the service of the state for the past twelve months?  If yes, please furnish particulars :	Yes	No
3.8.1	Name of director		
3.8.2	Service of state organization		
3.9	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?  If yes, please furnish particulars :	Yes	No
3.9.1	Name of person in the service of state		
3.9.2	Relationship		
3.10	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?  If yes, please furnish particulars :	Yes	No
3.10.1	Name of person in the service of state		
3.10.2	Relationship		
3.11	<i>Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?</i>  If yes, please furnish particulars :	Yes	No
3.11.1	Name of director		
3.11.2	Service of state organization		
3.12	Is any spouse, child or parent of the company's director trustees, managers, principle shareholders or stakeholders in service of the state?  If yes, please furnish particulars:	Yes	No
3.12.1	Name of director		
3.12.2	Name of relative		



3.12.3	Relationship		
3.13	Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract?  If yes, please furnish particulars:	Yes	No
3.13.1	Name of director		
3.13.2	Related company		
Note:	<p>SCM Regulations:</p> <p>"In the service of the state" means to be –</p> <ul style="list-style-type: none"> <li>(a) a member of – <ul style="list-style-type: none"> <li>(i) any municipal council;</li> <li>(ii) any provincial legislature; or</li> <li>(iii) the national Assembly or the national Council of provinces;</li> </ul> </li> <li>(b) a member of the board of directors of any municipal entity;</li> <li>(c) an official of any municipality or municipal entity;</li> <li>(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);</li> <li>(e) a member of the accounting authority of any national or provincial public entity; or</li> <li>(f) an employee of Parliament or a provincial legislature.</li> </ul> <p>"<sup>2</sup> 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.</p>		

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

Full Name	Identity Number	State Employee Number

5. 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.

<b>NAME OF REPRESENTATIVE</b> _____↑	<b>AUTHORIZED SIGNATURE (UNDERSIGNED)</b> _____↑
<b>DATE</b> _____↑	<b>CAPACITY</b> _____↑

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

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

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

**1. GENERAL CONDITIONS**

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

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

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

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

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

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

- (a) Price; and
- (b) Specific Goals.

**1.4 To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

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

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

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

**2. DEFINITIONS**

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

### 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

#### 3.1. POINTS AWARDED FOR PRICE

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

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
<b>51% Black owned Company</b>	<b>10</b>	
<b>Locality</b>	<b>MAX 10</b>	
<ul style="list-style-type: none"> <li>• Within the area of Elias Motsoaledi Local Municipality</li> </ul>	10	
<ul style="list-style-type: none"> <li>• Within the area of Sekhukhune District Municipality</li> </ul>	6	
<ul style="list-style-type: none"> <li>• Within the area of Limpopo Province</li> </ul>	4	
<ul style="list-style-type: none"> <li>• Within the Republic of South Africa</li> </ul>	2	
<b>TOTAL POINTS</b>	<b>20</b>	

#### 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

- Y Personal Liability Company
  - Y (Pty) Limited
  - Y Non-Profit Company
  - Y 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 BIDDERS 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:
  - 3.1 abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
  - 3.2 been convicted for fraud or corruption during the past five years;
  - 3.3 willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  - 3.4 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? (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><b>The Database of Restricted Suppliers now resides on the National Treasury's website <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> and can be accessed by clicking on its link at the bottom of the home page</b></p>	Yes	No
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>The Register for Tender Defaulters can be accessed on the National Treasury's website <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> by clicking on its link at the bottom of the home page.</b></p>	Yes	No
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes	No

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

**CERTIFICATION**

I, the undersigned 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.

NAME OF REPRESENTATIVE _____↑	AUTHORIZED SIGNATURE (UNDERSIGNED) _____↑
DATE _____↑	CAPACITY _____↑



## CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This municipal bidding document (MBD) must form part of all bids<sup>1</sup> 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). <sup>2</sup>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:
  - 3.1. take all reasonable steps to prevent such abuse;
  - 3.2. 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
  - 3.3. 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:

<sup>1</sup> **Includes price quotations, advertised competitive bids, limited bids and proposals.**

<sup>2</sup> **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**

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**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid: **(Tender Number and Description):**

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in response to the invitation for the bid made by:

<b>NAME OF MUNICIPALITY / MUNICIPAL ENTITY</b>





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

I certify, on behalf of (name of bidder):
<b>NAME OF REPRESENTATIVE:</b>

that:

1. I have read and I understand the contents of this certificate.
  2. I understand that the accompanying bid will be disqualified if this certificate is found not to be true and complete in every respect.
  3. I am authorized by the bidder to sign this certificate, and to submit the accompanying bid, on behalf of the bidder.
  4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder.
  5. For the purposes of this certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
    - a. Has been requested to submit a bid in response to this bid invitation;
    - b. Could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
-

- c. Provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>3</sup> 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:
- 7.1 Prices;
  - 7.2 Geographical area where product or service will be rendered (market allocation);
  - 7.3 Methods, factors or formulas used to calculate prices;
  - 7.4 The intention or decision to submit or not to submit a bid;
  - 7.5 The submission of a bid which does not meet the specifications and conditions of the bid; or
  - 7.6 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.

NAME OF REPRESENTATIVE 	AUTHORIZED SIGNATURE (UNDERSIGNED) 
DATE 	CAPACITY 

## GENERAL CONDITIONS OF CONTRACT

The General Conditions of Contract are not included in this document and may be downloaded from the following website – [www.treasury.gov.za/legislation](http://www.treasury.gov.za/legislation)