



**MATATIELE**  
LOCAL MUNICIPALITY

102 Main Street,  
Matatiele  
P.O. Box 35,  
Matatiele, 4730  
**Tel:** 039 737 3135  
**Fax:** 039 737 3611

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**REQUEST FOR QUOTATIONS**

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**NOTICE NO:2023/2024-108**

**PROJECT NAME: CLEANING AND REFUSE REMOVAL BUXTON PARK, NEW JERUSALEM,  
WEST END AREA, PICK N PAY AREA, POLICE STATION AREA AND ROMAN AREA**

**NAME OF THE COMPANY:** \_\_\_\_\_

**CONTACT PERSON:** \_\_\_\_\_

**CENTRAL SUPPLIER DATA BASE NO (CSD):** \_\_\_\_\_

**BID AMOUNT: R** \_\_\_\_\_ **(AMOUNT TO BE INCLUSIVE OF VAT)**

**BID AMOUNT IN WORDS** \_\_\_\_\_

\_\_\_\_\_

**Issued by:**

**BUDGET AND TREASURY OFFICE  
SUPPLY CHAIN MANAGEMENT UNIT  
MOUNTAIN VIEW OFFICES  
MATATIELE  
4730**

**Enquires:**

**Tel: 039 737 8100**

**Fax: 039737 3611**

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**1. CHECKLIST**

**PLEASE ENSURE THAT THE FOLLOWING FORMS HAVE BEEN DULY COMPLETED AND SIGNED AND THAT ALL DOCUMENTS AS REQUESTED, ARE ATTACHED TO THE TENDER DOCUMENT:**

|  |            |  |           |  |
|--|------------|--|-----------|--|
| <b>MBD 1 Invitation to tender?</b>   | <b>Yes</b> |  | <b>No</b> |  |
| <b>Authority to Sign a Bid</b> Is the form duly completed and is a <b>certified copy</b> of the <b>resolution</b> attached?  | <b>Yes</b> |  | <b>No</b> |  |
| <b>Tax Clearance Certificate</b> Is an <b>ORIGINAL</b> and <b>VALID</b> Tax Clearance Certificate attached?  | <b>Yes</b> |  | <b>No</b> |  |
| <b>MBD 4</b> (Declaration of Interest) Is the form duly completed and signed?  | <b>Yes</b> |  | <b>No</b> |  |
| <b>MBD 6.1</b> (Preference Points claim form for purchases/services) Is the form duly completed and signed?  | <b>Yes</b> |  | <b>No</b> |  |
| <b>MBD 6.2 (Local Content Declaration)</b> Is the form duly completed and signed?  | <b>Yes</b> |  | <b>No</b> |  |
| <b>MBD 8</b> (Declaration of Past Supply Chain Practices) Is the form duly completed and signed?   | <b>Yes</b> |  | <b>No</b> |  |
| <b>MBD 9</b> (Certificate of Independent Bid Determination) Is the form duly completed and signed?   | <b>Yes</b> |  | <b>No</b> |  |
| <b>MBD 15</b> (Certificate of Payment of Municipal Accounts) Is the form duly completed and signed? Are the Identity numbers, residential addresses and municipal account numbers of ALL members, partners, directors, etc. provided on the form | <b>Yes</b> |  | <b>No</b> |  |
| SCHEDULE A – CONFIRMATION OF REGISTRATION OF TENDERER ON MATATIELE SUPPLIER DATABASE AND NATIONAL TREASURY DATABASE  |            |  |           |  |
| SCHEDULE B – TENDERER'S PAST EXPERIENCE  |            |  |           |  |
| <b>MBD 7.1</b> (Contract form – Goods)Is the form duly completed and signed?   | Yes        |  | No        |  |

|                     |  |             |  |
|---------------------|--|-------------|--|
| <b>SIGNATURE</b>    |  | <b>NAME</b> |  |
| <b>CAPACITY</b>     |  | <b>DATE</b> |  |
| <b>NAME OF FIRM</b> |  |             |  |

**MATATIELE LOCAL MUNICIPALITY  
REQUEST FOR QUOTATIONS**

|  |   |                      |                      |
|--|---|----------------------|----------------------|
| <b>ADVERTISED ON:</b>  | <b>MUNICIPAL NOTICE BOARD, MUNICIPAL WEBSITE</b>  |                      |                      |
| <b>TENDER DESCRIPTION</b>  |   |                      | <b>NOTICE NO.</b>    |
| <b>CLEANING AND REFUSE REMOVAL BUXTON PARK, NEW JERUSALEM, WEST END AREA, PICK N PAY AREA, POLICE STATION AREA AND ROMAN AREA</b>  |   |                      | <b>2023/2024-108</b> |
| <b>CLEANING AND REFUSE REMOVAL IN MOUNTAIN VIEW &amp; HARRY GWALA</b>  |   |                      | <b>2023/2024-109</b> |
| <b>PUBLISHED DATE:</b>   | <b>25/10/2023</b>   | <b>CLOSING DATE:</b> | <b>31/10/2023</b>    |
| <b>CLOSING TIME:</b>   | 10h00: Tenders will be opened immediately thereafter, in public at Matatiele Local Municipality Mountain View BTO Offices R56 |                      |                      |
| <b>AVAILABILITY OF TENDER DOCUMENTS</b>  |   |                      |                      |
| Bid Documents will be available on Municipal Website as from 26 October 2023   |   |                      |                      |
| <b>TENDER SUBMISSION RULES:</b>  |   |                      |                      |
| <ul style="list-style-type: none"> <li>• Tenders must be completed in accordance with the tender conditions and tender rules contained in the tender document.</li> <li>• The tender document and compulsory attachments/supporting documents must be placed in a sealed envelope and externally endorsed with: Tender Number; Description and Closing Date of the Tender.</li> <li>• Tender documents must only be submitted on the tender document issued by Matatiele Local Municipality<br/>Tender documents must be completed in blank ink only.</li> </ul>         |   |                      |                      |
| <b>MANDATORY DOCUMENTS- FAILURE TO SUBMIT ANYONE OF THEM WILL INVALIDATE YOUR TENDER OFFER.</b>  |   |                      |                      |
| <ul style="list-style-type: none"> <li>• A confirmation from SARS with a verification PIN</li> <li>• Proof of Central Supplier Database (CSD) registration- a full report printed</li> <li>• Completed of all MBD 1-9 Forms and its Annexures in full as attached in tender document</li> <li>• Ethics Commitment Form</li> <li>• Authority to sign Form Prices quoted must be firm and must be inclusive of VAT</li> <li>• Original Certified I.D. Copies of Managing Directors / Owners</li> <li>• Joint Ventures Agreement signed by all parties involved.</li> </ul> |   |                      |                      |
| <ul style="list-style-type: none"> <li>• Tenders will be evaluated in terms of Matatiele Local Municipality Supply Chain Management</li> <li>• Policy Preferential Procurement Policy Framework Act No.5 of 2000</li> <li>• Section 217 of the Constitution Act No 108 of 1996</li> </ul>  |   |                      |                      |
| <b>EVALUATION CRITERIA</b>   |   |                      |                      |
| The Bids will be evaluated on the basis of the Preferential Procurement Policy Framework Act is 80/20 in line with the Preferential Procurement Policy Framework Act (PPFA) of November 2022   |   |                      |                      |

Only competent bidders who are competent in the advertised work and who have exceeded the minimum functionality threshold will be two phases Phase 1= **Functionality=100 Points** and Phase 2= is 80/20 in line with the Preferential Procurement Policy Framework Act (PPPFA) as amended 16 January 2023. Only bidders who obtain 80 points as a minimum functionality threshold will be evaluated further on 80/20.

**Points for functionality will be scored according to the table below: Detailed sub-criteria are contained in the tender document and are binding:**

| Functionality Criteria      | Points |
|-----------------------------|--------|
| Plant and Equipment         | 40     |
| Previous Company Experience | 20     |
| Key personnel               | 20     |
| Accreditation               | 20     |
| Total                       | 100    |

**80/20 Evaluation Criteria**

| Preferential Goals   | 80/20             | Documents required for verification   |
|--|-------------------|---|
| <b>Maximum Points</b>  | <b>20</b>         |   |
| Goal 1- Ownership (Historically Disadvantaged Individuals-HDI) | 6                 | ID Copy of the owner/director and CSD   |
| Goal 2- Youth Ownership 14-35 Years (MLM Enterprises)          | 6                 | CSD, ● Proof of municipal accounts or ●Proof of residence signed by ward councillor or ●Affidavit |
| Goal 3- Women Ownership  | 4                 | ID Copy of the owner/director and CSD   |
| Goal 4-Disability Ownership                                    | 2                 | ID Copy of the owner/director and CSD   |
| Goal 5-Rural Enterprises                                       | 2                 | CSD, ● Proof of municipal accounts or ●Proof of residence signed by ward councillor or ●Affidavit |
| <b>Tender Price</b>  | 80                |   |
| <b>TOTAL</b>   | <b>100 POINTS</b> |   |

**TENDER ENQUIRIES**

All SCM enquiries relating to this bid must be directed to Z.C Matolo, e-mail: zmatolo@matatiele.gov.za during office hours (07h30 – 16h00) weekdays. All Technical enquiries relating to this bid must be directed to Ms D. Leeu, e-mail: DLeeu@matatiele.gov.za during office hours

**TENDER DISCLAIMER**

The Matatiele Local Municipality reserves the right not to appoint a contractor on highest points scored. Value for money, past experience and functionality will be the key determinants of appointment. *The Municipality will not make any award to a person or persons working for the state, or failing to possess relevant credentials as stipulated in the tender requirements.*

**Bidders are warned not to accept any person who request any amount for award for this bid, it is a scam and fraud, that person must be reported to the nearest police station.**

\_\_\_\_\_  
**Mr L.Matiwane**  
**Municipal Manager**

## PART A INVITATION TO BID

|   |  |               |                 |               |       |
|---|--|---------------|-----------------|---------------|-------|
| <b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)</b> |  |               |                 |               |       |
| BID NUMBER:   | 2023/2024-108  | CLOSING DATE: | 31 OCTOBER 2023 | CLOSING TIME: | 10H00 |
| DESCRIPTION   | CLEANING AND REFUSE REMOVAL BUXTON PARK, NEW JERUSALEM, WEST END AREA, PICK N PAY AREA, POLICE STATION AREA AND ROMAN AREA |               |                 |               |       |

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

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

Matatiele Local Municipality

New BTO Offices

Matatiele

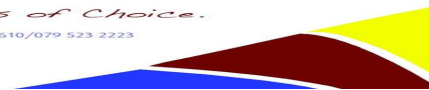
4730

### 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:                      |  |   |                             |  |  |  |  |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED? |  |  | <input type="checkbox"/> Yes |  | <input type="checkbox"/> No |  |                            | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED? |                        | <input type="checkbox"/> Yes |  |   | <input type="checkbox"/> No |  |  |  |  |
|  |  |  | [IF YES ENCLOSE PROOF]       |  |                             |  | [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   |  |  | BTO                          |  |                             | CONTACT PERSON                                   |                            |   | MS D.L LEEU            |                              |  |   |                             |  |  |  |  |
| CONTACT PERSON   |  |  | MR Z.C MATOLO                |  |                             | TELEPHONE NUMBER                                 |                            |   | 0397378100             |                              |  |   |                             |  |  |  |  |
| TELEPHONE NUMBER   |  |  | 0397378263                   |  |                             | FACSIMILE NUMBER                                 |                            |   | 0397373611             |                              |  |   |                             |  |  |  |  |
| FACSIMILE NUMBER   |  |  | 0397373811                   |  |                             | E-MAIL ADDRESS                                   |                            |   | DLeeu@matatiele.gov.za |                              |  |   |                             |  |  |  |  |
| E-MAIL ADDRESS   |  |  | ZMatolo@matatiele.gov.za     |  |                             |  |                            |   |                        |                              |  |   |                             |  |  |  |  |

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Electrical Services: 079 522 9770 Prepaid Sales: 079 523 322 Finance Office: 039 737 3565 Disaster and Fire: 039-2560610/079 523 2223  
Police(SAPS): 039-7379904/9905 Water: 082 520 1476 Ambulance: 10177 Traffic: 079 522 9774



**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 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)? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>  |
| 3.2.  | DOES THE ENTITY HAVE A BRANCH IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>  |
| 3.3.  | DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>   |
| 3.4.  | DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>  |
| 3.5.  | IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>  |
| 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: .....

**ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:**

**Municipality / Municipal Entity:** Matatiele Local Municipality

**Department:** Budget and Treasury Office

**Contact Person:** Chain Management and Fleet Manager: Mr Z.C Matolo

**Tel:** 039 737 8205

**Fax:** 039 737 3611

**ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:**

**Contact Person:** MANAGER Waste and Environment: Ms D.L Leeu

**Tel:** 039 737 8211

**Fax:** 039 737 3611

### 3. AUTHORITY TO SIGN

#### 1. SOLE PROPRIETOR (SINGLE OWNER BUSINESS) AND NATURAL PERSON

1.1. I, \_\_\_\_\_, the undersigned, hereby confirm that I am the sole owner of the business trading as \_\_\_\_\_.

OR

1.2. I, \_\_\_\_\_, the undersigned, hereby confirm that I am submitting this tender in my capacity as natural person.

|             |  |            |  |
|-------------|--|------------|--|
| SIGNATURE:  |  | DATE:      |  |
| PRINT NAME: |  |            |  |
| WITNESS 1:  |  | WITNESS 2: |  |

#### 2. COMPANIES AND CLOSE CORPORATIONS

2.1. **If a Bidder is a COMPANY, a certified copy of the resolution by the board of directors**, duly signed, authorising the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company **must be submitted with this bid**, that is, before the closing time and date of the bid

2.2. In the case of a **CLOSE CORPORATION (CC)** submitting a bid, **a resolution by its members**, authorizing a member or other official of the corporation to sign the documents on their behalf, **shall be included with the bid**.

#### PARTICULARS OF RESOLUTION BY BOARD OF DIRECTORS OF THE COMPANY/MEMBERS OF THE CC

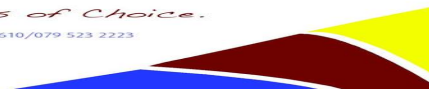
|  |  |
|--|--|
| Date Resolution was taken                          |  |
| Resolution signed by (name and surname)            |  |
| Capacity   |  |
| Name and surname of delegated Authorised Signatory |  |
| Capacity   |  |
| Specimen Signature                                 |  |

|   |  |     |    |
|---|--|-----|----|
| Full name and surname of ALL Director(s) / Member (s) |  |     |    |
| 1.  |  | 2.  |    |
| 3.  |  | 4.  |    |
| 5.  |  | 6.  |    |
| 7.  |  | 8.  |    |
| 9.  |  | 10. |    |
| Is a CERTIFIED COPY of the resolution attached?       |  | YES | NO |

|                                   |  |       |  |
|-----------------------------------|--|-------|--|
| SIGNED ON BEHALF OF COMPANY / CC: |  | DATE: |  |
|-----------------------------------|--|-------|--|

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Police(SAPS): 039-7379904/9905 Water: 082 520 1476 Ambulance: 10177 Traffic: 079 522 9774





|             |  |            |  |
|-------------|--|------------|--|
| PRINT NAME: |  |            |  |
| WITNESS 1:  |  | WITNESS 2: |  |

**3. PARTNERSHIP**

We, the undersigned partners in the business trading as \_\_\_\_\_ hereby authorize Mr/Ms \_\_\_\_\_ to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and /or contract for and on behalf of the abovementioned partnership.

The following particulars in respect of every partner must be furnished and signed by every partner:

| Full name of partner             |  | Signature  |  |
|----------------------------------|--|------------|--|
|                                  |  |            |  |
|                                  |  |            |  |
|                                  |  |            |  |
|                                  |  |            |  |
| SIGNED ON BEHALF OF PARTNERSHIP: |  | DATE:      |  |
| PRINT NAME:                      |  |            |  |
| WITNESS 1:                       |  | WITNESS 2: |  |

**4. CONSORTIUM**

We, the undersigned consortium partners, hereby authorize \_\_\_\_\_ (Name of entity) to act as lead consortium partner and further authorize Mr./Ms.

To sign this offer as well as any contract resulting from this tender and any other documents and correspondence in connection with this tender and / or contract for and on behalf of the consortium.

The following particulars in respect of each consortium member must be provided and signed by each member:

| Full Name of Consortium Member   | Role of Consortium Member | % Participation | Signature |
|----------------------------------|---------------------------|-----------------|-----------|
|                                  |                           |                 |           |
|                                  |                           |                 |           |
|                                  |                           |                 |           |
|                                  |                           |                 |           |
| SIGNED ON BEHALF OF PARTNERSHIP: |                           | DATE:           |           |
| PRINT NAME:                      |                           |                 |           |
| WITNESS 1:                       |                           | WITNESS 2:      |           |



## Ethics Commitment for Suppliers of the Matatiele Local Municipality

**In our dealings with the Matatiele Local Municipality we commit to uphold high standards of ethics. Among other things this means:**

- We will be honest and deal in good faith;
- We will not try to improperly influence any municipal official or decision;
- We will avoid all conflicts of interest;
- We will not engage in any form of corruption (e.g. paying bribes, giving kickbacks);
- We will not give gifts to municipal officials or councillors;
- We will not be involved in collusion with other service providers (i.e. price-fixing);
- We will ensure that all information we submit to the municipality is accurate and truthful (e.g. we will not engage in BBBEE fronting).
- We will inform the Municipality of any unethical behaviour which we become aware of in the procurement process, either related to other suppliers or to municipal officials.\*
- We will, through all our dealings, contribute to building a positive ethical culture in the Matatiele Local Municipality.

This is our commitment to help build an ethical community.

Name of Company: \_\_\_\_\_

Name of authorised person: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\* If you wish to report unethical conduct you can contact or \*If you are aware of any fraud/ corruption within the municipality. These may be reported anonymously, to

The Municipal manager: [IMatiwane@matatiele.gov.za](mailto:IMatiwane@matatiele.gov.za)

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Police(SAPS): 039-7379904/9905 Water: 082 520 1476 Ambulance: 10177 Traffic: 079 522 9774

## **4. MBD 2 TAX CLEARANCE REQUIREMENTS**

IT IS A CONDITION OF BIDDING THAT -

1. The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.
2. The attached form "Application for Tax Clearance Certificate (in respect of bidders)", must be completed in all respects and submitted to the Receiver of Revenue where the bidder is registered for tax purposes. The Receiver of Revenue will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of twelve (12) months from date of issue.
3. In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificates are available at a ny Receiver' s Office.



**APPLICATION FOR TAX CLEARANCE CERTIFICATE  
(IN RESPECT OF BIDDERS)**

1. Name of taxpayer / bidder: .....

2. Trade name: .....

3. Identification number: 

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4. Company / Close Corporation registration number: 

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5. Income tax reference number: 

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6. VAT registration number (if applicable): 

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7. PAYE employer's registration number (if applicable): 

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Signature of contact person requiring Tax Clearance Certificate: .....

Name: .....

Telephone number: Code:..... Number: .....

Address: .....

.....

.....

DATE: 20 \_\_\_\_ / \_\_\_\_ / \_\_\_\_

PLEASE NOTE THAT THE COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE (SARS) WILL NOT EXERCISE HIS DISCRETIONARY POWERS IN FAVOUR OF ANY PERSON WITH REGARD TO ANY INTEREST, PENALTIES AND / OR ADDITIONAL TAX LEVIABLE DUE TO THE LATE- OR UNDERPAYMENT OF TAXES, DUTIES OR LEVIES OR THE RENDITION RETURNS BY ANY PERSON AS A RESULT OF ANY SYSTEM NOT BEING YEAR 2000 COMPLIANT.

**DECLARATION OF INTEREST**

- 1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
- 2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

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

3.2 Identity Number: .....

3.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>):  
.....

3.4 Company Registration Number: .....

3.5 Tax Reference Number: .....

3.6 VAT Registration Number: .....

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

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

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

<sup>1</sup> 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.

<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.

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

3.9.1 If yes, furnish particulars.....

.....

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

3.10.1 If yes, furnish particulars .....

.....

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

3.11.1 If yes, furnish particulars.....

.....

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

3.12.1 If yes, furnish particulars.....

.....

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

3.13.1 If yes, furnish particulars.....

.....

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

3.14.1 If yes, furnish particulars.....

.....

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

| Full Name | Identity Number | State Employee Number |
|-----------|-----------------|-----------------------|
|           |                 |                       |
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.....  
**Signature**

.....  
**Date**

.....  
**Capacity**

.....  
**Name of Bidder**



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

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

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

**1. GENERAL CONDITIONS**

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

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

|  | <b>POINTS</b> |
|--|---------------|
| <b>PRICE</b>                                     | 80            |
| <b>SPECIFIC GOALS</b>                            | 20            |
| <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:

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

#### 3.2.1. POINTS AWARDED FOR PRICE

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

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

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 (90/10 system)<br>(To be completed by the organ of state) | Number of points allocated (80/20 system)<br>(To be completed by the organ of state) | Number of points claimed (90/10 system)<br>(To be completed by the tenderer) | Number of points claimed (80/20 system)<br>(To be completed by the tenderer) |
|--|--|--|--|--|
| Goal 1- Ownership (Historically Disadvantaged Individuals-HDI) |  | 6  |  |  |
| Goal 2- Youth Ownership 14-35 Years (MLM Enterprises)          |  | 6  |  |  |
| Goal 3- Women Ownership  |  | 4  |  |  |
| Goal 4-Disability Ownership                                    |  | 2  |  |  |
| Goal 5-Rural Enterprises                                       |  | 2  |  |  |

**DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name of company/firm.....  
4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

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

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

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

.....

**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....

## DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
  - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
  - b. been convicted for fraud or corruption during the past five years;
  - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

| Item  | Question  | Yes                             | No                             |
|-------|---|---------------------------------|--------------------------------|
| 4.1   | Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?<br><br>(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).<br><br><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> | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.1.1 | If so, furnish particulars:   |                                 |                                |
| 4.2   | Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?<br><br><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>   | Yes<br><input type="checkbox"/> | No<br><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<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.3.1 | If so, furnish particulars:   |                                 |                                |
| Item  | Question  | Yes                             | No                             |

|       |  |                                 |                                |
|-------|--|---------------------------------|--------------------------------|
| 4.4   | Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months? | Yes<br><input type="checkbox"/> | No<br><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<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.7.1 | If so, furnish particulars:  |                                 |                                |

**CERTIFICATION**

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

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Municipal Bidding Document (MBD) must form part of all 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:
  - a. take all reasonable steps to prevent such abuse;
  - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
  
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
  
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

<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.

## MBD 9

### CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<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:
- (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

<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

## 11. CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES

### DECLARATION IN TERMS OF CLAUSE 112(1) OF THE MUNICIPAL FINANCE MANAGEMENT ACT (NO.56 OF 2003) - (To be signed in the presence of a Commissioner of Oaths)

I, \_\_\_\_\_, \_\_\_\_\_ (full name and ID no.), hereby acknowledge that according to SCM Regulation 38(1)(d)(i), the Municipality may reject the tender of the tenderer if any municipal rates and taxes or municipal service charges owed by the Tenderer or any of its directors/members/partners to the Matatiele Local Municipality, or to any other municipality or municipal entity, are in arrears for more than 3 (three) months.

I declare that I am duly authorised to act on behalf of \_\_\_\_\_ (name of the firm) and hereby declare, that to the best of my personal knowledge, neither the firm nor any director/member/partner of said firm is in arrears on any of its municipal accounts with any municipality in the Republic of South Africa, for a period longer than 3 (three) months.

I further hereby certify that the information set out in this schedule and/or attachment(s) hereto is true and correct. The Tenderer acknowledges that failure to properly and truthfully complete this schedule may result in the tender being disqualified, and/or in the event that the tenderer is successful, the cancellation of the contract.

| PHYSICAL BUSINESS ADDRESS(ES) OF THE TENDERER | MUNICIPAL ACCOUNT NUMBER |
|---|--------------------------|
|   |                          |
|   |                          |

#### FURTHER DETAILS OF THE BIDDER'S Director / Shareholder / Partners, etc.:

| Director / Shareholder / partner | Physical address of the Business | Municipal Account number(s) | Physical residential address of the Director / shareholder / partner | Municipal Account number(s) |
|----------------------------------|----------------------------------|-----------------------------|--|-----------------------------|
|                                  |                                  |                             |  |                             |
|                                  |                                  |                             |  |                             |
|                                  |                                  |                             |  |                             |
|                                  |                                  |                             |  |                             |

**NB:** Please attach certified copy(ies) of ID document(s)  
**If the entity or any of its Directors/Shareholders/Partners, etc. rents/leases premises, a copy of the rental/lease agreement must be submitted with this tender.**

| Signature | Position | Date |
|-----------|----------|------|

|  |   |
|--|---|
| <p style="text-align: center;"><b>COMMISSIONER OF OATHS</b></p> <p>Signed and sworn to before me at _____, on this _____ day of _____ 20__</p> <p>by the Deponent, who has acknowledged that he/she knows and understands the contents of this Affidavit, it is true and correct to the best of his/her knowledge and that he/she has no objection to taking the prescribed oath, and that the prescribed oath will be binding on his/her conscience.</p> <p><b>COMMISSIONER OF OATHS:-</b></p> <p>Position: _____</p> <p>Address: _____</p> | <p style="text-align: center;"><b>Apply official stamp of authority on this page:</b></p> |
|--|---|

**12. SCHEDULE A –  
CONFIRMATION OF REGISTRATION OF TENDERER ON NATIONAL TREASURY DATABASE**

| <b>TENDERER NAME</b> | <b>NATIONAL TREASURY DATABASE<br/>REGISTRATION NUMBER</b> |
|----------------------|---|
|                      |   |

A tenderer who is not registered on the Central Supplier Database National Treasury Database ( CSD) is not precluded from submitting a tender; however such tenderer must be registered on the database prior to the finalisation of the evaluation of the tender in order for its bid to be considered responsive.

It is the responsibility of a tenderer to ensure that this requirement is complied with. In the case of Joint Ventures and Consortia, this requirement will apply to each party to the Joint Venture or Consortium.

Note:

**TENDERER'S                      SIGNATURE:** .....

**13. SCHEDULE B –  
TENDERER'S PAST EXPERIENCE**

Tenderers must furnish hereunder, details of similar works/service which they have satisfactorily completed in the past. The information shall include a description of the works/service, the contract value and the name of the employer. All the consultants/experts involved, must have at least performed three different projects in municipal Supply Chain Management environment; (Attach CV's of consultants as evidence of personnel to be involved in the project) Attach the Company profile / projects where team members were involved in and contactable references must clearly be reflected on the proposal.

| SIMILAR COMPLETED / CURRENT PROJECTS |          |                 |      |                |                     |                                     |
|--------------------------------------|----------|-----------------|------|----------------|---------------------|-------------------------------------|
| PROJECT NAME                         | EMPLOYER | EMPLOYER NUMBER | TEL. | AWARDED AMOUNT | CONTRACT START DATE | ANTICIPATED/ ACTUAL COMPLETION DATE |
|                                      |          |                 |      |                |                     |                                     |
|                                      |          |                 |      |                |                     |                                     |
|                                      |          |                 |      |                |                     |                                     |
|                                      |          |                 |      |                |                     |                                     |

.....

**DATE**

.....

**SIGNATURE OF BID**



## 14. MBD 7.2

### CONTRACT FORM - RENDERING OF SERVICES

**THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.**

#### PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
- 2.
3. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Filled in task directive/proposal;
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
    - Declaration of interest;
    - Declaration of Bidder's past SCM practices;
    - Certificate of Independent Bid Determination;
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
4. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
5. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

*Where Nature, Agriculture, Tourism are Investments of Choice.*

Electrical Services: 079 522 9770 Prepaid Sales: 079 523 322 Finance Office: 039 737 3565 Disaster and Fire: 039-2560610/079 523 2223

Police(SAPS): 039-7379904/9905 Water: 082 520 1476 Ambulance: 10177 Traffic: 079 522 9774



- 6. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
- 7. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

|           |       |
|-----------|-------|
| WITNESSES |       |
| 1         | ..... |
|           | .     |

**FAILURE BY THE TENDERER TO COMPLETE THIS FORM IN ITS ENTIRETY INCLUDING SIGNING THE FORM, SHALL DISQUALIFY THE TENDERER'S BID.**



**CONTRACT FORM - RENDERING OF SERVICES**

**PART 2 (TO BE FILLED IN BY THE MATATIELE LOCAL MUNICIPALITY)**

1. I..... in my capacity as..... accept your bid under reference number .....dated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

| DESCRIPTION OF SERVICE | PRICE (ALL APPLICABLE TAXES INCLUDED) | COMPLETION DATE | B-BBEE STATUS LEVEL OF CONTRIBUTION | MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable) |
|------------------------|---------------------------------------|-----------------|-------------------------------------|--|
|                        |                                       |                 |                                     |  |

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT ..... ON .....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

WITNESSES

1 .....

*Where Nature, Agriculture, Tourism are Investments of Choice.*



15. PRICING SCHEDULE

**MBD3.3**

**PRICING SCHEDULE**

**(CLEANING AND REFUSE REMOVAL BUXTON PARK, NEW JERUSALEM, WEST END AREA, PICK N PAY AREA, POLICE STATION AREA AND ROMAN AREA)**

|                       |                    |
|-----------------------|--------------------|
| Name of Bidder: ..... | Bid Number: .....  |
| Closing Time: .....   | Closing Date ..... |

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

| Item No. | Description   | 1 Month | Quantity  | Bid Price (R) including VAT |
|----------|---|---------|-----------|-----------------------------|
|          |   |         |           | AMOUNT                      |
| 1        | Local Labour ( all rates must be as per dept. of labour.)   |         | 18        |                             |
| 2        | Supervisor ( all rates must be as per dept. of labour.)   |         | 1         |                             |
| 3        | Driver ( all rates must be as per dept. of labour)  |         | 1         |                             |
| 3        | PPE (uniform, gloves, googles etc.)   |         | <b>40</b> |                             |
| 5        | Equipment (street broom, Rakes, Wheel Barrow etc. (list the quantity and all types of equipment required) |         |           |                             |
| 6        | Material (Black Plastic Bags (quantity and description e.g type, litres), Sack etc. (list )               |         |           |                             |
| 7        | 8 ton truck ( with rails with cover or van bodies )/ compactor Truck                                      |         |           |                             |
|          | <b>Total</b>  |         |           |                             |
|          | <b>Vat @15 %</b>  |         |           |                             |
|          | <b>Grand Total</b>  |         |           |                             |





**NOTE:**

1. All delivery costs **MUST** be included in the bid price, for delivery at the prescribed destination.
2. Document **MUST** be completed in non-erasable black ink.
3. **NO correction fluid/tape may be used.**  
In the event of a mistake having been made, it shall be crossed out in ink and be accompanied by an initial at each and every alteration.

I / We \_\_\_\_\_

(full name of Bidder) the undersigned in my capacity as of the firm

hereby offer to Matatiele Local Municipality to render the services as described, in accordance with the specification and conditions of contract to the entire satisfaction of the Matatiele Local Municipality and subject to the conditions of tender, for the amounts indicated hereunder:

# MATATIELE LOCAL MUNICIPALITY



## TERMS OF REFERENCE

**CLEANING AND REFUSE REMOVAL BUXTON PARK, NEW JERUSALEM, WEST END AREA, PICK N PAY AREA, POLICE STATION AREA AND ROMAN AREA**

## 1. PROJECT BACKGROUND:

The project falls within the Environment and Waste Unit

## 2. AIMS OF THE PROJECT:

- 2.1. To clean, sweep and collect waste in the mentioned residential areas
- 2.2. To open & clean water channels/ drainage lines
- 2.3. To open drains and keep clear from waste and blockages
- 2.4. To transport waste and dispose it to Matatiele landfill site
- 2.5. To clean, pick up papers in the contracted area and Open Spaces
- 2.6. To Sweep all streets in contacted area
- 2.7. To clear all illegal dumping in their work vicinity
- 2.8. To collect garden refuse from households

## 3. SUPPLY OF EQUIPMENT AND CONSUMABLES

- 2.1 The service provider will be required to provide all of the required waste management equipment and consumables for the rendering of the service including those to be used for ad-hoc services.
- 2.2 It will be the Service Providers responsibility to ensure that all equipment is available, maintained and accounted for on a periodic basis.
- 2.3 The service provider will be responsible for providing and maintaining all the equipment necessary to render the contracted services effectively and without interruption.

## 4. PERFORMANCE MANAGEMENT

The service provider will:

- 3.1 At all times during the rendering of the contracted services ensure strict and effective supervision of the work and of its employees.
- 3.2 At all times respond to the reasonable instructions or requests of Matatiele LM Waste supervisor, Waste officer and Waste Manager.
- 3.3 Furnish MLM with a monthly report stating services delivered as well as progress made in implementation of the plan/schedule furnished to MLM.
- 3.4 Furnish MLM with plans to deliver on undelivered services and reasons for omitted services as part of the monthly report. Plans to prevent reoccurrences will also be part of the report.

## 5. SPECIFICATIONS

| ITEM | DESCRIPTION                                     | TIME FRAME     |
|------|---|----------------|
| 1.   | Cleaning/ sweeping of streets                   | 06h00 to 18h30 |
| 2    | Collection of domestic & garden waste           | 06h00 to 18h30 |
| 3    | Cleaning of waste in drains and existing Dongas | 06h00 to 18h30 |

**Collection of waste and disposal to be done by 13:00**

**(18:30 allocated for allowance in case of breakdown.)**

The service provider is required to have a **LETTER OF GOOD STANDING**

The Service Provider will be required to ensure timely collection of, but not limited to, the following waste types:

Collection and transportation of *general waste and garden refuse*, from household kerbside.

The service provider will be required to take cognizance of the following when removing, transporting and disposing of waste collected from the residential areas:

Ensure the safe and correct disposal of general waste to permitted/registered landfill site.

Ensure that the truck used does not cause spillages on the road

Ensure that the truck is suitable for waste collection

Ensure that a net is used where necessary to prevent spillages

Ensure that the truck has cover

| <u>Contract streets</u>                                    |   |
|--|---|
| 1.Main Street - Fette Street to West Street                | 6. school   |
| 2.High Street - Fette Street to Low Water Bridge           | 7. Temple   |
| 3.Long Street – Fette to Stream/ river                     | 8. Popelane   |
| 4.North Street - Fette Street to Stream/ river             | 9. High street  |
| 5.Station Road - Fette Street to West Street               | 10. Raymond Rodgers   |
| 11.Railway Road - Fette Street to Green Street             | 20.Area above Police station                                      |
| 12.Jagger Street – Station Road to Mountain 13.View Street | 21.Taylor   |
| 14.Green Street – Railway Road to Taylor Street            | 22.Johnson  |
| 15. Fette Street – Railway Road to Main Street             | 23.leach  |
| 16.Hawkins   | 24.east   |
| 17. Mayors Walk  | 25.Seymour  |
| 18.Area above Rest Haven                                   | 26.Area above Pick n Pay to the households close to Matatiele Dam |
| 19.West end Area   | 27.Area below Roman Catholic Church                               |
| All other unnamed streets in the in the New Jerusalem,     |   |

|  |  |
|--|--|
| Buxton Park and West End residential areas |  |
|--|--|

**CONTRACT DAYS**

**Mondays and Thursdays: Household and kerbside (sweeping, collection and disposal of Waste at the landfill site)**

**Tuesday and Friday (streets sweeping, opening drains and clearing pavements, open spaces of any waste and collection. Rectifying any backlogs caused by rain, breakdown etc.)**

**Wednesday (Collection from schools Hospital and clinic & street sweeping and cleaning of drains)**

**As an when required**

**Sunday cleaning and clearing of all waste on the Main road (R56)**

**6. DELIVERABLES**

6.1. Signing of a Service Level Agreement or a contract with the Matatiele Local Municipality.

**7. EXPECTED OUTCOME.**

7.1. The service provider is expected to comply with the above terms of reference

**8. PROJECT TIMEFRAME**

8.1. The commencement of work should commence within 2 working days from date of appointment.

The project is a period of one (1) Month

**9. EVALUATION CRITERIA:**

Only competent bidders who are competent in the advertised work and who have exceeded the minimum functionality threshold will be two phases Phase 1= **Functionality=100 Points** and Phase 2= is 80/20 in line with the Preferential Procurement Policy Framework Act (PPPFA) of November 2022. Only bidders who obtain 80 points as a minimum functionality threshold will be evaluated further on 80/20.

## FUNCTIONALITY(100)

| No | Description   | Points   | Total Points |
|----|---|--|--------------|
| 1. | <p>Fleet:</p> <p>1. 8 tons with steel rails with cover or van bodies / Compactor truck</p> <p>Ownership or Lease agreement must attach logbook of truck or the original of registration and licensing document).</p> <p>Please note: The reference will be done through ENATIS on logbooks. Lease agreement must be signed by both lesser and lessee.</p>   | <p>1. <b>Ownership:</b>8 tons with steel rails with cover or van bodies / Compactor truck (40)</p> <p>2. <b>Lease agreement</b> (logbook and agreement signed by both parties) : Compactor Truck (40)</p>  | <b>40</b>    |
| 2. | <p><b><u>Company work experience</u></b></p> <p>a) 4 projects (awarded for 6 months and above)<br/>b) 2 to 3 projects (awarded for 6 months and above)<br/>c) 1 Projects (awarded for 6 months and above)</p> <p>Please note:<br/>Attach proof of appointment letter and completion letter from your previous experience for <b>Municipality waste removal and disposal projects.</b></p>   | <p>a) 20<br/>b) 15<br/>c) 10</p>   | <b>20</b>    |
| 3. | <p><b><u>Full time Supervisor:</u></b></p> <p>Experience mention traceable companies (number of years): in waste supervision / waste management</p> <p><b>10.</b> years and above: 20 points<br/>3-4 years: 15<br/>1-2 years: 10</p> <p>Please attach CV and recommendation from the Companies or Service providers worked in the Municipality rendering waste services.<br/>(Non-submission of abovementioned documents will lead to no Points.)</p> | 20 points  | 20           |
| 4. | <p><b>BIDDER CERTIFICATION / AFFILIATION REQUIREMENTS</b></p> <p>The bidder must be a registered member of IWMSA – Institute of Waste Management of Southern Africa.</p>  | <p>Valid copies of documentation (certificate/ letter/ license) as proof that the bidder is member of the Institute of Waste Management of Southern Africa (IWMSA).</p> <p><b>NOTE:</b> MLM reserves the right to verify the information provided.</p> | <b>20</b>    |
| 5  | <b>Total Points</b>   |  | <b>100</b>   |

**A bidder that scores less than 80 points out of 100 in respect of “functionality” will be regarded as submitting a non-responsive bid/ quote and will be disqualified.**

Bids that qualify will proceed to the next stage where they will be evaluated in terms of the 80/20 preference points system.

The Points will be allocated as follows:

**80 points = for Price**

**20 points = for Specific Goals**

|   |                   |
|---|-------------------|
| <b>1 Tender Price</b>                                 | <b>80 points</b>  |
| <b>2. HDI – Equity ownership</b>                      | <b>6 points</b>   |
| <b>3. Youth-Enterprises 14-35 years (MLM)</b>         | <b>6 points</b>   |
| <b>3. Women – Equity ownership</b>                    | <b>4 points</b>   |
| <b>4. Disability – Equity ownership</b>               | <b>2 points</b>   |
| <b>5. Rural Enterprises (will be verified by CSD)</b> | <b>2 points</b>   |
| <b>Total</b>  | <b>100 points</b> |

## INSTRUCTIONS TO BIDERS

## PUBLICATION REFERENCE

In submitting their bid, bidders must respect all instructions, forms, Terms of reference, contract provisions and specifications contained in this bid dossier. Failure to submit a bid containing all the required information and documentation within the deadline specified will lead to the rejection of the bid.

## SUBMISSION REQUIREMENTS AND SELECTION CRITERIA

Bidders are required to submit the following documents (copies must be certified):

- **Original** Valid Tax Clearance Certificate from SARS;
- Proof of Company Registration with CSD

**Invalid or non-submission of the documents listed above will lead to the disqualification** and where the bidder is registered on the Municipal Database System reference can be made to such document and it is the bidders responsibility to ensure that the document does exist and verification of such registration will be done by the municipality and where the bidder is found to be not registered or have submitted incorrect registration details will be regarded as non-responsive and be disqualified from the bid.

### 1. Services to be provided

The services required by the Contracting Authority are described in these Terms of Reference.

### 2. Participating and sub-contracting

- 2.1 Participation in this bid is open to everyone.
- 2.2 Bids should be submitted by the same service provider or consortium, which has submitted the proposal on the basis of the above. **No change whatsoever in the identity or composition of the bidder is permitted;**
- 2.3 Short-listed service provider or consortia are allowed to form alliances with any other firms or to sub-contract to each other for the purpose of this contract;
- 2.4 Sub-contracting will be allowed, only in so far as it was stated in the initial bid.
- 2.5 Duplication of bid document is prohibited.

### 3. Contents of Bids

- 3.1 Each bid must comprise of a Technical offer and a financial offer, each of which must be submitted separately.

### 4. Presentations / Adjudication

- 4.1 The Evaluation Committee may call for presentation by the short-listed bidders, after having established its written provisional conclusions but before concluding the technical evaluation.



**4.2** The date and time of any such presentation will be confirmed or notified to the short-listed bidders at least seven days in advance. If a bidder is prevented from attending presentation by force majeure, a mutually convenient alternative appointment may be arranged with the bidder. If the bidder is unable to attend this second appointment, its bids will be eliminated from the evaluation process.

## **5. Variant solutions**

5.1 Any variant solutions will not be taken into consideration.

## **6. Period during which Bid are binding**

6.1 Bidders are bound by their bids for 90 days after the deadline for the submission of bids. In exceptional cases, before the period of validity expires, the Contracting Authority may ask bidders to extend the period for a specific number of days, which may not exceed 60.

6.2 The successful bidder must maintain its bid for a further 60 days from the date of notification that its bid has been selected for the contract.

## **7. Additional information before the deadline for submission of bidders**

7.1 The bid dossier should be clear enough to avoid the Contracting Authority from having request additional information during the procedure. If the Contracting Authority, either on own initiative or in response to the request of a short-listed candidate, provides additional information on the bid dossier, such information will be sent in writing to all other bidders at the same time.

7.2 Bidders may submit questions in writing to the following address up to 7 days before the deadlines for submission of bids, specifying the **publication reference** and the **bid title**:

Attention: Mr Z Matolo  
Matatiele Local Municipality  
102 Main Street  
P.O. Box 35  
MATATIELE  
4730

7.3 Any prospective bidders seeking to arrange individual meetings with either the Contracting Authority during the bid period may be excluded from the bid procedure.

7.4 Any clarification of the bid dossier will be communicated simultaneously in writing to all bidders at the latest 3 calendar days before the deadline for submission of bids. No further clarifications will be given after this date.

7.5 Visit by individual prospective bidder during the bid period are not permitted other than the site visits for good reasons.

## **8. Submission of Bids**

8.1 Bids must be submitted in English such that they are received before the deadline specified by in the letter of invitation to bid.

8.2 Any infringement of these rules (e.g. unsealed envelopes) is to be considered a breach of the rules, and will lead to rejection of the bid.

The envelope should carry the following information:

- a) The address for submission of bid indicated above;
- b) The words “Not to be opened before the bid opening sessions”;
- c) The pages of the Technical and Financial offers must be numbered.

## **9. Alterations or Withdrawal of Bids**

**9.1** Bidders may alter or withdraw bids by written notification prior to the deadline for submission of bids. No bid may be altered after this deadline.

**9.2** Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with clause 8. The envelope must be marked “Alteration” or “Withdrawal” as appropriate.

## **10. Costs for preparing Bids**

10.1 No costs incurred by the bidder in preparing and submitting the bid shall be reimbursable. All such costs shall be borne by the bidder. In particular, if proposed key members were interviewed, all costs shall be borne by the bidder.

## **11. Ownership of Bids**

11.1 The Contracting Authority retains ownership in all bid received (this excludes intellectual property for all but the successful bidder) under this tendering procedure. Consequently, bidders have no right to have their bids returned to them.

## **12. Confidentiality**

12.1 The entire evaluation procedure, from the drawing up of the shortlist to the signature of the contract, is confidential. The Evaluation / Adjudication Committee’s decisions are collective and its deliberations are held in closed session. The members of the Evaluation / Adjudication Committee are bound to secrecy.

12.2 The evaluation reports and written records, in particular, are for official use only and may be communicated to neither the bidders nor to any party other than the Contracting Authority.

### **13. Ethics clauses / Corruptive practices**

- 13.1 Any attempt by a bidder to obtain confidential information, enter into unlawful agreements with competitors or influence the Evaluation / Adjudication Committee or the Contracting Authority during the process of examining, clarifying, evaluating, comparing and adjudication bid will lead to the rejection of its bid and may result in administrative penalties.
- 13.2 The bidder must not be affected by any potential conflict of interest
- 13.3 The Matatiele Local Municipality reserves the right to suspend or cancel funding to this project if corrupt practices of any kind are discovered at any stage of the award process or during the implementation of a contract, if the Contracting Authority fails to take all appropriate measures to remedy the situation. For the purposes of this provision, “corrupt practices” are the offer of a bribe, gift, gratuity or commission to any person as an inducement or reward for performing or refraining from any act relating to the award of a contract or implementation of a contract already concluded with the Contracting Authority.
- 13.4 Bids will be rejected or contracts terminated if it emerges that the award or execution of a contract has given rise to unusual commercial expenses. Such unusual commercial expenses are commissions not mentioned in the main contract or not stemming from a properly concluded contract referring to the main contract, commissions not paid in return for any actual and legitimate service, commissions paid to a payee who is not clearly identified or commissions paid to a company which has every appearance of being a front company.
- 13.5 Failure to comply with one or more of the ethics clauses may result in the exclusion of the bidder or contractor from other Community contracts and in penalties.

### **14. Documentary evidence required from the successful bidder**

- 14.1 The successful bidder will be informed in writing that its bid has been accepted (notification of award). Before the Contracting Authority signs the contract with a Successful bidder, a successful bidder may be requested to provide additional information as deemed necessary by the Contracting Authority.
- 14.2 This evidence or these documents must carry a date, which cannot be more than 180 days in relation to the deadline for the submission of the bidder. In addition, a sworn statement shall be furnished stating that the situations described in these documents have not changed since then.
- 14.3 If the successful bidder fails to provide these documents or is found to have provided false information, the award will be considered null and void. In such a case, the Contracting Authority may award the bid to another bidder or cancel the bid procedure.

## 15. Signature of contract(s)

- 15.1 Within 7 days of receipt of the contract already signed by the Contracting Authority, the selected bidder shall sign and date the contract and return it to the Contracting Authority.
- 15.2 Failure of the selected bidder to comply with this requirement may constitute grounds for the annulment of the decision to award the contract. In such a case, the Contracting Authority may award the bid to another bidder or cancel the bid procedure.
- 15.3 The other candidates will be informed that their bids were not accepted, by means of a standard letter.

## 16. Cancellation of the Bids procedure

- 16.1 In the event of cancellation of the bid procedure, bidders will be notified of the cancellation by the Contracting Authority. If the bid procedure is cancelled before the envelopes of any bid has been opened, the unopened and sealed envelopes will be returned to the bidders.

### 17. Cancellation may occur when:

- 17.1 The bid procedure has been unsuccessful, i.e. no qualitatively or financially worthwhile bid has been received or there is no response at all.
- 17.2 The economic or technical data of the project have been fundamentally altered;
- 17.3 Exceptional circumstances or *force majeure* render normal performance of the contract impossible;
- 17.4 All technically compliant bids exceed the financial resources available;
- 17.5 There have been irregularities in the procedure, in particular where these have prevented fair competition.
- 17.6 In no event shall the Contracting Authority be liable for any damages whatsoever including, without limitation, damages for loss of profits, in any way connected with the cancellation of a bid even if the Contracting Authority has been advised of the possibility of damages.
- 17.7 The publication of a procurement notice does not commit the Contracting Authority to implement the programme or project announced.

## 18. Cession

- 18.1. No **cession agreement** will be entered to between the municipality and any Service Provider.