

..... TOTAL AMOUNT:

..... NAME OF BIDDER:

VDM/PLAN/07/11/2023/01

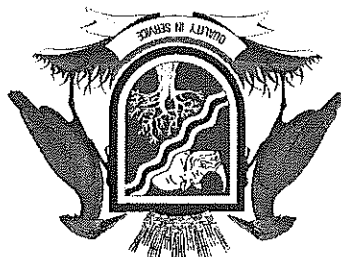
DEVELOP OF TOURISM MAGAZINE

DEVELOPMENT PLANNING DEPARTMENT

TEL: (015) 960 2000
FAX: (015) 960 1017

VHEMBE DISTRICT MUNICIPALITY
P/BAG X5006
THOHAYANDOU
0950

TERMS OF REFERENCES



The Radzuma brothers' murder trial continued in the Limpopo High Court in Thohoyandou, where they appeared again on Tuesday, 6 February. One of the accused brothers was pointed out as the one who had shot and killed the late SAMWU member Ronald Mami in 2019.

Mami (50) and Timson Musetshe (50), both SAMWU members in the Vhembe District Municipality (VDM), were shot and killed in separate incidents in January 2019 after criticising the VDM's illegal investment of R300 million into the now-defunct VBS.

Mr Koyhanani Makhada, witness number 22, told the court that he still remembered what had happened on 30 January 2019, the evening when Mami was shot and killed at the Singo tavern in Itzani village. Makhada said he and Mami had been friends for more than 10 years and used to meet at the Singo tavern after work for a few drinks. He said that, at about 19:30 that evening, Mami had sent him to buy two beers, and when he had come back with the drinks, Mami had kept receiving calls on his phone from an unknown person, but when he had tried to answer the calls, no one was speaking at the other end. Not long after that, he said, a gunshot was fired.

"I saw a young man in a black jacket, holding a gun. After he fired the shot, he immediately left the scene, and then I saw Mami fall over. He was certified dead when the EMS personnel arrived at the scene. I saw the person who killed Mami, and I can show the court who he is."

Makhada then walked straight to where the Radzuma brothers were seated and pointed Simon Radzuma out as the gunman who had shot and killed Mami. During cross-questioning, Simon's legal representative, Adv Grundo Lidovyo, asked Makhada how he was able to identify the gunman when he was still sitting in the car at the time, to which Makhada replied that, as the gunman's face was not covered, he was positive that Simon was the one.

Judge Thogomelani Tshidada warned the Radzuma brothers' legal representatives, Adv Ntsako Hlongwane and Adv Lidovyo, to avoid causing unnecessary delays by calling unim-

portant witnesses to testify in court as the trial continues.

Hlongwane told the court that his client, Pery Radzuma, insisted that SABC TV should come and film the proceedings as he had something important to reveal about Mami and Musetshe's murders, and he wanted the whole nation to watch what he had to say. The trial will resume from 17 to 15 March.



VHEMBE
District Municipality

VHEMBE
District Municipality

Private Bag X5006 • Thohoyandou • 0950 • Tel: 015 960 2000

REQUEST FOR TENDERS/PROPOSALS

BID NUMBER	DESCRIPTION	COMPULSORY BRIEFING SESSION	CLOSING DATE	TECHNICAL ENQUIRIES
VDM/TECH/05/12/2023/01	Appointment of service provider to Conduct Sludge Management Plan	28th February 2024 at 10H00 at the Entrance of Vhembe District Municipality Offices.	08th March 2024 at 12H00	General Manager Technical Services Department Mr Maluleke W at 015 960 2000
VDM/TECH/11/01/2024/01	Appointment of service provider to Conduct Annual sewer Reticalulation system Inspection at Thohoyandou and Rietvlei WWTW	28th February 2024 at 10H00 at the Entrance of Vhembe District Municipality Offices	08th March 2024 at 12H00	General Manager Technical Services Department Mr Maluleke W at 015 960 2000
VDM/TECH/05/12/2023/02	Appointment of service provider to Develop and Review process Audit at Water and Wastewater Treatment Works	28th February 2024 at 10H00 at the Entrance of Vhembe District Municipality Offices	08th March 2024 at 12H00	General Manager Technical Services Department Mr Maluleke W at 015 960 2000
VDM/PLAN/07/11/2023/01	Develop of Tourism Magazine	28th February 2024 at 11H00 at the Entrance of Vhembe District Municipality Offices	08th March 2024 at 12H00	Acting General Manager Development Planning Department Daswa S.S at 015 960 2000
VDM/CORP/24/10/2023/01	Procurement of Personnel Assessment and Verification for the period of 36 Months (03 years) Re-Advert	No compulsory Briefing	05th April 2024 at 12h00	General Manager Corporate Services Department Mr Tshikova N.C at 015 960 2000

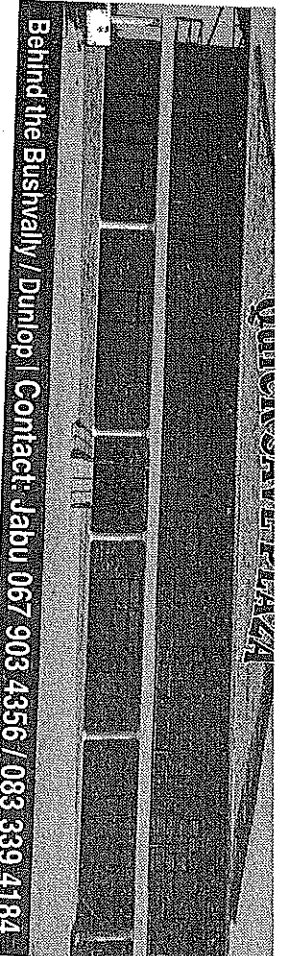
BID FEE R1898,00.00 Non Refundable or Freely Downloaded in the Vhembe District Municipality Website

Completed Tender document sealed in an envelope marked the above mentioned bids, Must be deposited in the bid box, next to the entrance of Vhembe District Municipality Offices, next to Khoroni Hotel (Former Venda Tusk Hotel) wherein the bids will be opened in public.

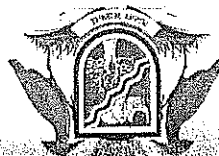
The following documents are required and shall form part of the bid: CSD summary report, Tax clearance compliance status letter or tax clearance compliance number, Company Registration Certificate, Proof of Purchased tender document receipt for only purchased tender documents, Bidders Certified copy of ID Document, Proof that the bidder municipal business account or any of the directors municipal account is not in arrears (N.B. Municipal Clearance not older than three months) or NB: letter from Traditional authority indicating that they are not paying Municipal rates and taxes and Audited financial statements.

Late bid, telegraphic, e-mails or telefax transmission documents will not be accepted. Vhembe District Municipality reserves the right to accept a tender as a whole or in part and does not bind itself to accept the lowest or any tender.

NB: All service providers/bidders are requested to pre-number and initial their documents before submission
No bid will be accepted from person in the service of the state.
Administrative enquiries can be directed to Supply Chain Practitioners of Vhembe District Municipality at telephone number (015) 960 2129/2130/2131/2132 & 2133.



M. KUTAMA Z.N. (MUNICIPAL MANAGER) VHEMBE DISTRICT MUNICIPALITY



DEVELOPMENT OF TOURISM MAGAZINE (VDM/PLAN/07/11/2023/01)

NO	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL PRICE
1.	Magazine	50		
2.	Videos	50		
3.	Collection of data (The Magazine must contain information, photographs, a database of all sites, a database of all accommodations establishments/resorts/heritage sites/museums/travel agents/registered tour guides, routes and tour operators found within the Vhembe District Municipality space)	01		
			SUB-TOTAL	
			VAT (15%)	
			GRAND TOTAL	



VHEMBE DISTRICT MUNICIPALITY

BID NAME: DEVELOP OF TOURISM MAGAZINE (VDM/PLAN/07/11/2023/01)

EVALUATION CRITERIA

1. Company's Experience & References

No.	Target goals	Weighting	Points Allocated
1.	Relevant experience in same project. Attach purchase order or appointment letter as proof of experience with a completion letter or delivery note.	03 and above projects=30 points 02 projects=20 points 01 project=10 points	30
	SUB-TOTAL		

Note: Please attach appointment letters/purchase orders with the completion letter/delivery note.

2. QUALIFICATIONS FOR KEY STAFF

NO	WEIGHTING	POINTS ALLOCATED
1.	Data collectors: Grade 12 certificate	20 points
	SUB-TOTAL	20 points

3. METHODOLOGY

NO	TARGET	WEIGHTING	POINTS ALLOCATED
1	Study area	04	
	Thulamela 01 point Makhado 01 point		

SUMMARY OF TABLE 1-4

No.	Target goals	Weighting	Points Allocated
1.	Tenderer submitted bank details proof attached	03 points	
2.	Bank rating "C" or better	12 points	
	Registered financial institution's full details as guarantor in the amount of 10% as specification for surety purposes shall be submitted	05 points	
	SUB-TOTAL: financial references	20 points	

4. Financial References

	SUB-TOTAL		
2	Stakeholders engagement	Inception report : 04 points Interview: 04 points Meetings: 14 points Desk top information: 04 points	26
	Collins Chabane 01 point Musina 01 point		
			30

NO	SUMMARY OF TABLE	WEIGHTING	SCORE
1	Company's Experience & References	30	
2	Qualifications for key staff	20	
3	Methodology	30	
4	Financial Reference	20	
	PRICE	80	
	SPECIFIC GOALS	20	

SPECIFIC GOALS 20

Specific goals for 80/20 will be allocated as follows

NO	SPECIFIC GOALS	POINT ALLOCATION	VERIFICATION DOCUMENT
1	HDI	10	CSD
2	Locality	4	CSD
3	Youth	02	ID or CSD
4	Women	02	ID or CSD
5	Disability	02	Medical Certificate must be attached

NB: Locality points will be allocated as follows:

04 points within the district

02 points within Limpopo Province

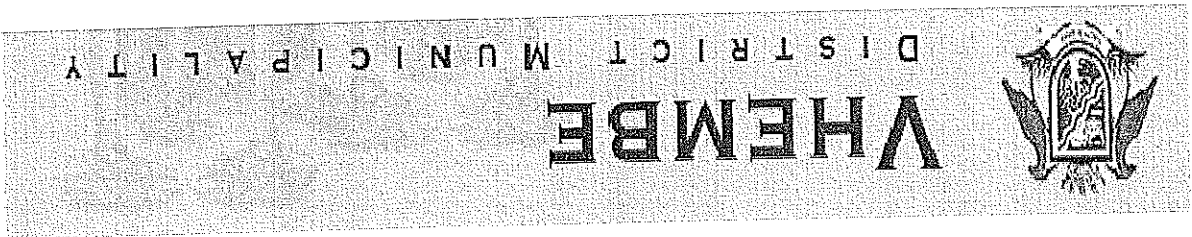
01 point within South Africa (CSD report of the bidder will be used to verify the locality of the bidder

Minimum functionality score

70

The bidder must obtain a minimum score of 70% of points allocated for quality (functionality) to qualify for further evaluation.

Terms of reference
Development of the
Vhembe District Municipality
Tourism Magazine



Terms of reference Development of the Vhembe District Municipality Tourism Magazine.

1. Introduction

1.1 Purpose

To develop the Vhembe District Municipality (VDM) Tourism Marketing Magazine referred to above as a brochure and a tourism marketing video.

1.2 Background

The VDM is a Category C Municipality. It was established in the year 2000 in terms of Local Government Municipal Structures Act No. 117 of 1998. It is a municipality with a Mayoral Executive System, which allow for the exercise of executive authority through an executive mayor who is assisted by a mayoral committee. The District has four local municipalities namely, Thulamela, Musina, Makhado and Collins Chabane.

The District is located at the Northern most part of South Africa in the Limpopo Province. It is bordered by Zimbabwe to the north and Botswana to the northwest. The Limpopo river valley forms the border between the District and its international neighbours. Through the Kruger National Park the Vhembe District also borders Mozambique on its Eastern side. Within South Africa the Kruger National Park to the east, the Mopani District to the Southeast, and the Capricorn District to the Southwest border the Vhembe District.

One of the VDM's competitive advantages is tourism and it has been identified as one of the most important economic sectors through which poverty, food security and unemployment in the district can be addressed.

Also one of the function of the VDM is the promotion of local tourism. One of the major factors influencing consumer decisions to purchase a product or service is information sources about the product or service. A tourism marketing magazine not only have an influence on interest on traveling to a destination in general, but also on decisions related to specific destination and activity selection. Video marketing is powerful because it offers a visual and immersive experience that can grab and hold a potential tourist's attention.

2. Expected outputs

- 2.1 The magazine must contain maps, photographs, all tourism attractions sites, a database of all accommodation establishments (baseline is available)/(resorts/heritage sites/museums/art and crafts centres/potteries/dams/game reserves/nature reserves/game farms (hunting)/festivals and cultural events (activities)/TFCA/golf courses/caves/shows/races/hiking trails/ landing strips/conservancies safaris/waterfalls/major rivers and mountains/boxing (gyms) and bare knuckle fighting/ passes/gorges/sacred sites/information centres/agro tourism attractions/tertiary institutions offering tourism/historic graves/travel agents/national parks/stadia/UNESCO sites/VBR/rare (found in Vhembe only) species/casinos/parks/lakes/hiking trails/cable cars/ zip lines/spinning (motorsport)/botanical gardens/waterfalls/crafters/ registered tourist guides/ routes/tour operators, etc. found within the VDM space.
- 2.2 All content to be supplied by the service provider.
- 2.3 A5 size
- 2.4 Glossy paper
- 2.5 Full colour
- 2.6 VDM Tourism Marketing Video

3. The Development should include the following

- 3.1 Costs
- 3.2 Estimated time frames
- 3.3 Methodology

4. Copyright

The magazine developed, CDs and USBs will remain the sole property of the VDM.

5. Duration

The project is expected to be undertaken within maximum four (4) months.

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (VHEMBE DISTRICT MUNICIPALITY)

BID NUMBER: VDM/PLAN/07/11/2023/01 CLOSING DATE: 08TH MARCH 2024 CLOSING TIME: 12H00

DESCRIPTION: DEVELOP OF TOURISM MAGAZINE

The successful bidder will be required to fill in and sign a written Contract Form (MBD 7).

BID DOCUMENTS MAY BE POSTED TO:

VHEMBE DISTRICT MUNICIPALITY
OLD PARLIAMENT BUILDING
DENGA MPHIGALALE STREET
THOHAYANDOU

OR

DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

OLD PARLIAMENT BUILDING, DENGA MPHIGALALE STREET, THOHAYANDOU, 0950
BOX SITUATED NEXT TO THE ENTRANCE

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

The bid box is generally open 24 hours a day, 7 days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (as defined in Regulation 1 of the Local Government: Municipal Supply Chain Management Regulations)

THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

NAME OF BIDDER

POSTAL ADDRESS

STREET ADDRESS

TELEPHONE NUMBER

CODE NUMBER

CELLPHONE NUMBER

FACSIMILE NUMBER

NUMBER

E-MAIL ADDRESS

VAT REGISTRATION NUMBER

YES/NO

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN ATTACHED? (MBD 2)

YES/NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (MBD 6.1)

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

-
-
-

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)
A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN NATIONAL ACCREDITATION SYSTEM (SANAS)

A REGISTERED AUDITOR

(Tick applicable box)

(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)

ARE YOU THE ACCREDITED REPRESENTATIVE

IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED ?

YES/NO

(IF YES ENCLOSE PROOF)

SIGNATURE OF BIDDER

DATE

CAPACITY UNDER WHICH THIS BID IS SIGNED

TOTAL BID PRICE

TOTAL NUMBER OF ITEMS OFFERED

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Municipality: VHEMBE DISTRICT MUNICIPALITY

Department: TECHNICAL SERVICES DEPARTMENT

Contact Person: SUPPLY CHAIN PRACTITIONERS

Tel: 015 960 2130/2131/2132/2133

ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact Person: MR MALULEKE W.

Tel: 015 960 2000

**PRICING SCHEDULE – FIRM PRICES
(PURCHASES)**

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

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of Bidder.....
Bid Number: VDM/PLAN/07/11/2023/01
Closing Time: 12H00
Closing Date: 08 TH MARCH 2024

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

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
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- Required by:
- At:
- Brand and Model
- Country of Origin
- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s)
- Period required for delivery
- Delivery basis

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

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

*Delete if not applicable

PRICING SCHEDULE – NON-FIRM PRICES
(PURCHASES)

NOTE: PRICE ADJUSTMENTS WILL BE ALLOWED AT THE PERIODS AND TIMES SPECIFIED IN THE BIDDING DOCUMENTS.

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of Bidder:
Bid number: VDM/PLAN/07/11/2023/01
Closing Time : 12:00
Closing Date: 08 TH OF MARCH 2024

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

ITEM	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY
NO.** (ALL APPLICABLE TAXES INCLUDED)			

- Required by:.....
- At:.....
- Brand and model
- Country of origin.....
- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s).....
- Period required for delivery
- Delivery: *Firm/Not firm

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

*Delete if not applicable

PRICE ADJUSTMENTS

A NON-FIRM PRICES SUBJECT TO ESCALATION

- 1. IN CASES OF PERIOD CONTRACTS, NON FIRM PRICES WILL BE ADJUSTED (LOADED) WITH THE ASSESSED CONTRACT PRICE ADJUSTMENTS IMPLICIT IN NON FIRM PRICES WHEN CALCULATING THE COMPARATIVE PRICES
- 2. IN THIS CATEGORY PRICE ESCALATIONS WILL ONLY BE CONSIDERED IN TERMS OF THE FOLLOWING FORMULA:

$$Pa = (1-V)P_f \left(D1 \frac{R_{10}}{R_{1f}} + D2 \frac{R_{20}}{R_{2f}} + D3 \frac{R_{30}}{R_{3f}} + D4 \frac{R_{40}}{R_{4f}} \right) + VP_f$$

Where:

- Pa = The new escalated price to be calculated.
- (1-V) Pf = 85% of the original bid price. Note that Pf must always be the original bid price and not an escalated price.
- D1, D2... = Each factor of the bid price eg. labour, transport, clothing, footwear, etc. The total of the various factors D1,D2...etc. must add up to 100%.
- R1f, R2f..... = Index figure obtained from new index (depends on the number of factors used).
- R10, R20 = Index figure at time of bidding.
- = 15% of the original bid price. This portion of the bid price remains firm i.e. it is not subject to any price escalations.
- VPf = The following index/indices must be used to calculate your bid price:

Index..... Dated..... Index..... Dated.....
 Index..... Dated..... Index..... Dated.....

- 3.
- 4.

FURNISH A BREAKDOWN OF YOUR PRICE IN TERMS OF ABOVE-MENTIONED FORMULA. THE TOTAL OF THE VARIOUS FACTORS MUST ADD UP TO 100%.

FACTOR	(D1, D2 etc. eg. Labour, transport etc.)
PERCENTAGE OF BID PRICE	

MBD 3.2

B PRICES SUBJECT TO RATE OF EXCHANGE VARIATIONS

1. Please furnish full particulars of your financial institution, state the currencies used in the conversion of the prices of the items to South African currency, which portion of the price is subject to rate of exchange variations and the amounts remitted abroad.

PARTICULARS OF FINANCIAL INSTITUTION	ITEM NO	PRICE	CURRENCY	RATE	PORTION OF PRICE SUBJECT TO ROE	AMOUNT IN FOREIGN CURRENCY REMITTED ABROAD
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		

2. Adjustments for rate of exchange variations during the contract period will be calculated by using the average monthly exchange rates as issued by your commercial bank for the periods indicated hereunder: (Proof from bank required)

DATE FROM WHICH NEW CALCULATED PRICES WILL BECOME EFFECTIVE	DATE DOCUMENTATION MUST BE SUBMITTED TO THIS OFFICE	AVERAGE MONTHLY EXCHANGE RATES FOR THE PERIOD:	DATE DATE DOCUMENTATION MUST BE SUBMITTED TO THIS OFFICE

PRICING SCHEDULE
(Professional Services)

Name of Bidder:	Closing Time: 12H00
Bid Number: VDM/PLAN/07/12/2023/01	Closing Date: 08 TH MARCH 2024

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

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
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1. The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION HOURLY RATE DAILY RATE

.....	R-----
.....	R-----
.....	R-----
.....	R-----
.....	R-----
.....	R-----

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

.....	R-----	days
.....	R-----	days
.....	R-----	days
.....	R-----	days

5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED RATE QUANTITY AMOUNT

.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....

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

5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED RATE QUANTITY AMOUNT

.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....

TOTAL: R.....

6. Period required for commencement with project after acceptance of bid

7. Estimated man-days for completion of project

8. Are the rates quoted firm for the full period of contract? *YES/NO.

9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.....

*Delete if not applicable

.....
.....
.....

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjusting 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?):
- 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.

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

- (a) a member of -
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
 - (b) a member of the board of directors of any municipal entity;
 - (c) an official of any municipality or municipal entity;
 - (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
 - (e) a member of the accounting authority of any national or provincial public entity; or
 - (f) an employee of Parliament or a provincial legislature.
- ² Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

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

3.9.1 If yes, furnish particulars.

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

3.10.1 If yes, furnish particulars.

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

3.11.1 If yes, furnish particulars

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

3.12.1 If yes, furnish particulars.

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

3.13.1 If yes, furnish particulars.

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

3.14.1 If yes, furnish particulars:

.....
.....

.....
Name of Bidder

.....
Capacity

.....
Date

.....
Signature

State Employee Number	Identity Number	Full Name

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

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 80/20 preference point system.

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

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

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

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$\begin{matrix} 80/20 & \text{or} & 90/10 \\ P_s = 80 \left(1 - \frac{P - P_{min}}{P_{min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P - P_{min}}{P_{min}} \right) \end{matrix}$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

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

(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 lowest acceptable tender will be used to determine the applicable preference point system;

(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;

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—

4. POINTS AWARDED FOR SPECIFIC GOALS

Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = Price of highest acceptable tender

Where

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

80/20 or 90/10

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

3.2.1. POINTS AWARDED FOR PRICE

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

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

HDI	Locality	Youth	Women	Disability
<p>The specific goals allocated in terms of this tender</p>	<p>Number of points allocated (80/20 system) (To be completed by the organ of state)</p> <p>HDI=10</p> <p>• 04 points within the district</p> <p>02 point within Limpopo Province 01 point within South Africa(CSD report of the bidder will be used to verify the locality of the bidder</p> <p>Youth=02</p> <p>Women=02</p> <p>Disability(Attach proof the Doctor)=02</p>	<p>Number of points allocated (90/10 system) (To be completed by the organ of state)</p> <p>HDI=10</p> <p>Locality=04</p> <p>• 04 points within the district</p> <p>02 point within Limpopo Province 01 point within South Africa(CSD report of the bidder will be used to verify the locality of the bidder</p> <p>Youth=02</p> <p>Women=02</p> <p>Disability(Attach proof the Doctor)=02</p>	<p>Number of points claimed (90/10 system) (To be completed by the tenderer)</p> <p>HDI=10</p> <p>Locality=04</p> <p>• 04 points within the district</p> <p>02 point within Limpopo Province 01 point within South Africa(CSD report of the bidder will be used to verify the locality of the bidder</p> <p>Youth=02</p> <p>Women=02</p> <p>Disability(Attach proof the Doctor)=02</p>	<p>Number of points claimed (80/20 system) (To be completed by the tenderer)</p> <p>HDI=10</p> <p>Locality=04</p> <p>• 04 points within the district</p> <p>02 point within Limpopo Province 01 point within South Africa(CSD report of the bidder will be used to verify the locality of the bidder</p> <p>Youth=02</p> <p>Women=02</p> <p>Disability(Attach proof the Doctor)=02</p>

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 CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011 and the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes provision for the promotion of local production and content.

1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.

1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.

1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.

1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as required in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on <http://www.thedti.gov.za/industrialdevelopment/ijsp at no cost>.

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. Definitions

- 2.1. "bid" includes written price quotations, advertised competitive bids or proposals;
- 2.2. "bid price" price offered by the bidder, excluding value added tax (VAT);
- 2.3. "contract" means the agreement that results from the acceptance of a bid by an organ of state;
- 2.4. "designated sector" means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;
- 2.5. "duty sign" means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility (close corporation, partnership or individual).
- 2.6. "imported content" means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour and intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
- 2.7. "local content" means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 2.8. "stipulated minimum threshold" means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.9. "sub-contract" means the primary contractor's assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.

3. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

4. Does any portion of the services, works or goods offered have any imported content? *(Tick applicable box)*

YES	NO
-----	----

4.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by the SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

5. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the Accounting Officer / Accounting Authority provide directives in this regard.

LOCAL CONTENT DECLARATION

(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Municipality / Municipal Entity):

NB

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thediti.gov.za/industrialdevelopment/isp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C, Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below. Declarations D and E should be kept by the bidder for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names), do hereby declare, in my capacity as (name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011;
- (c) The local content percentages (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C;

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Municipality / Municipal Entity has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Municipal / Municipal Entity imposing any or all of the remedies as provided for in Regulation 13 of the

Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution) *Vhembe District Municipality* in accordance with the requirements and specifications stipulated in bid number *VDM/PLAN/07/11/2024/01* at the price/s quoted. My offer/ remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.

2. 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);
 - Technical Specification(s);
 - Specific goals
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - General Conditions of Contract; and
 - Other (specify)
- (ii)
- (iii)

3. 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 goods and/or works 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.

4. I accept full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

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

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	1	DATE:
	2	DATE:

**CONTRACT FORM - PURCHASE OF GOODS/WORKS
PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I in my capacity as.....
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	BRAND	DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

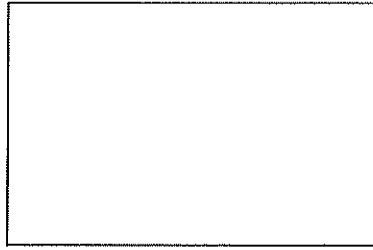
4. I confirm that I am duly authorized to sign this contract.

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP



WITNESSES	1.	DATE
	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) **Vhembe District Municipality** in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number **VDM/PLAN/05/11/2023/01** at the prices quoted. My offer/ 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. 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;
 - Specific goals
 - 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)

- 3. 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.
- 4. I accept full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
- 5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
- 6. I confirm that I am duly authorised to sign this contract.

	NAME (PRINT)	CAPACITY	SIGNATURE	DATE
	NAME OF FIRM	CAPACITY	SIGNATURE	DATE
	NAME (PRINT)	CAPACITY	SIGNATURE	DATE
	NAME OF FIRM	CAPACITY	SIGNATURE	DATE
	NAME (PRINT)	CAPACITY	SIGNATURE	DATE
	NAME OF FIRM	CAPACITY	SIGNATURE	DATE

WITNESSES	
1	
2	
DATE:	

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

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 PRODUCT ON AND CONTENT (if applicable)

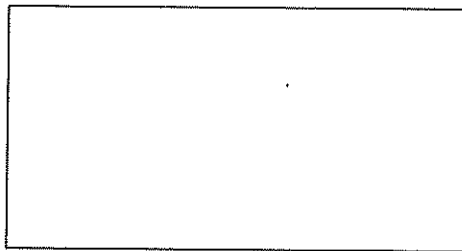
4. I confirm that I am duly authorised to sign this contract.

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP



WITNESSES

1

2

DATE:

CONTRACT FORM - SALE OF GOODS/WORKS

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to purchase all or any of the goods and/or works described in the attached bidding documents from (name of institution) **VHEMBE DISTRICT MUNICIPALITY** in accordance with the requirements stipulated in (bid number) **VDM/PLAN/07/11/2023/01** at the prices/quoted. My offer/remain binding upon me and open for acceptance by the seller during the validity period indicated and calculated from the closing time of bid.

2. 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);
 - Declaration of interest;
 - Declaration of Bidder's past SCM practices;
 - Special Conditions of Contract;
 - General Conditions of Contract; and
 - Other (specify)
- (ii)
- (iii)

3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) be at my own risk.

4. I accept full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

5. I undertake to make payment for the goods/works as specified in the bidding documents.

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	DATE:
2	DATE:

**CONTRACT FORM - SALE OF GOODS/WORKS
PART 2 (TO BE FILLED IN BY THE SELLER)**

1. I, in my capacity as dated for the purchase of goods/works indicated hereunder and/or further specified in the annexure(s).
2. I undertake to make the goods/works available in accordance with the terms and conditions of the contract.

ITEM NO.	DESCRIPTION	PRICE (ALL APPLICABLE TAXES INCLUDED)		

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

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES	1.	2.	DATE
-----------	---------	---------	------------

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

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?	<input type="checkbox"/>	<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?	<input type="checkbox"/>	<input type="checkbox"/>
4.7.1	If so, furnish particulars:		

CERTIFICATION

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

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

Signature

Date

Position

Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *de 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) must be completed and submitted with the bid:
 - 1 Includes price quotations, advertised competitive bids, limited bids and proposals.
 - 2 Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

MBD 9

- (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

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:

(Name of Bidder)

I certify, on behalf of: _____ that:

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

VHEMBE DISTRICT MUNICIPALITY

in response to the invitation for the bid made by:

VDM/PLAN/07/12/2023/01

DEVELOP OF TOURISM MAGAZINE

I, the undersigned, in submitting the accompanying bid:

CERTIFICATE OF INDEPENDENT BID DETERMINATION

MBD 9

MBD 9

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

- 6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
- 7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of 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.

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

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Position

.....

Name of Bidder

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