



TERMS OF REFERENCES

**VHEMBE DISTRICT MUNICIPALITY
P/BAG X5006
THOHOYANDOU
0950**

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

OFFICE OF THE MUNICIPAL MANAGER

**REQUEST FOR APPOINTMENT OF SERVICE PROVIDER TO
SUPPLY AND IMPLEMENT A FULLY INTERGRATED CLOUD
BASED INTERNAL AUDIT SOFTWARE SOLUTION WITH
MAINTANANCE AND SUPPORT FOR THE PERIOD OF 36
MONTHS**

BID NUMBER: VDM/MM/17/07/2024/01

NAME OF BIDDER

TOTAL AMOUNT.....

black entrepreneurs as they based on race.

"White people have it easy in accessing funds and capital for their businesses but for black entrepreneurs, there are challenges and a blockage for us to get funding and support system to also build our businesses" Monageng said.

"Being a black business owner in South Africa is challenging. Recent statistics reveal a 34.6% increase in general business liquidations in January 2024, compared to the previous year. Moreover, research indicates that approximately 70% to 80% of local small businesses fail within five years. This underscores the urgent need for support and intervention to prevent further business failures and promote economic recovery. The added hurdles faced by black businesses exacerbate these challenges for previously disadvantaged communities.

"It is crucial for black entrepreneurs to have a market access, a facilitation of admission to markets and procurement opportunities for black-owned businesses is critical.

"We urge the government to implement these measure. We need to have a strategic vision and proper implementation of saving township economy in order for us to provide goods and services to our own people as this will enhance viable opportunities for our business to grow and also contribute massively to the GDP." This week cabinet approved the establishment of an advisory body within the Department of Small Business Development. Government announced "the establishment of an advisory body to ensure representation and promotion of the interest of small enterprises as contemplated in the National Strategy for the Development and Promotion of Small Enterprises in South Africa."

"The primary function of the advisory body will be to advise the minister on broad areas that affect small enterprise

pertaining to small enterprise development and regulation.

"The advisory body will provide government with evidence-based expert advice on the functioning of various aspects of the small enterprise support ecosystem, to enable more effective policy reforms, legislative amendments, and design of interventions to support micro, small and medium enterprises and cooperatives." Dieketseng Morolong from Thokozazi, who is in the motor repair business, raised concern about access to funding. "We are trying our best to have as-

businesses. However, it becomes painful to get such funding as we are regarded as high risk and liabilities. This is a painful reality we are facing."

Siphelele Nkabinde from Inanda in KwaZulu-Natal who is in the business of designing high end clothing, said: "Fashion business is mainly occupied by white people and for us as black designers to get in, it's a big challenge as we don't have means. We have to pay money to be part of fashion weeks, and the money paid there is not a child's play"

Masitise's journey began in an unlikely place - his school's Formula One competition. It was here that he discovered his profound interest in engineering, sparked by exposure to computer-aided design.

His passion for mining roof support drove him to seek support from the National Empowerment Fund, which enabled the establishment of Anchor Flex and Shortcrete products tailored for the industry.



VHEMBE
District Municipality
Private Bag X5006 • Thohoyandou • 0950 • Tel: 015 960 2000

VHEMBE

District Municipality

REQUEST FOR TENDERS/PROPOSALS

BID NUMBER	DESCRIPTION	CIDB GRADING	CLOSING DATE	TECHNICAL ENQUIRIES
VDM/MM/17/07/2024/01	Request for appointment of service provider to supply and implement a fully integrated cloud based internal audit software solution with maintenance and support for a period of 36 months	None	8 th October 2024 at 12H00	Manager: Internal Audit Ms Khaidzha M at 015 960 2000
VDM/TECH/23/07/2024/01	Supply and Delivery of protective clothing for EPWP Participants	None	13 th September 2024 at 12H00	General Manager: Technical Services Mr Maitlaka W at 015 960 2000

BID FEE R1991.00 Non Refundable or Freely Downloaded in the Vhembe District Municipality Website

Complete 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 Khononi 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 and 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 NBI letter from Traditional authority indicating that they are not paying Municipal rates and taxes

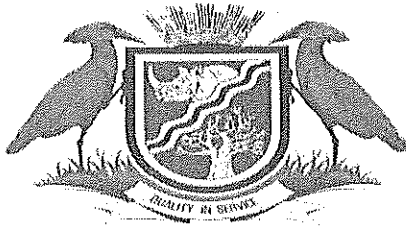
Late bid, telegraphic e-mails or telefax transmission documents will not be accepted. Vhembe District Municipality reserves the right to accept a tender as a whole or in part and does not bind itself to accept the lowest or any tender.

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 2075/2093/2107/2163 & 2168.

MR. KUTAWA ZIN (MUNICIPAL MANAGER) VHEMBE DISTRICT MUNICIPALITY



REQUEST FOR APPOINTMENT OF SERVICE PROVIDER TO SUPPLY AND IMPLEMENT A FULLY INTERGRATED AUDIT MANAGEMENT CLOUD BASED SOFTWARE SOLUTION FOR THE PERIOD OF 36 MONTHS (VDM/MM/17/07/2024/01)

NO	DESCRIPTION	Once-Off	TOTAL		
1.	System Implementation of fully integrated audit management cloud based software solution	R	R		
NO	DESCRIPTION	YEAR 1 -R	YEAR 2 -R	YEAR 3 -R	TOTAL
2.	4(Four) Annual licence fees: NB!! 2.1. Annual full system Access Licences for 3 years 2.2. 2 Annual System Access Licenses with limited permissions but ability to work on projects allocated for 3 years				
3.	Annual Maintenance and Support fee				
Sub Total					

VAT 15%				
Grand Total				

SCOPE OF WORK AND DELIVERABLES

■ PURPOSE

Vhembe District Municipality seeks to appoint a suitable service provider to supply and implement a fully integrated Internal Audit Management Cloud Based Software Solution with the ability to perform continuous Audit monitoring and robotics through built in data analytics, which will support, maintain the Internal Audit Methodology in line with the new IIA Standards for a period of 36 Months.

■ SUCCESSFUL SERVICE PROVIDER WILL BE REQUIRED TO FACTOR IN THE FOLLOWING DELIVERABLES:

1. Supply the fully integrated Audit Cloud Based Software System with data analytics and robotic capabilities where data is hosted in South Africa
2. Provide licenses for users as follows:
 - 2 Full System Access Licenses:
 - 2 System Access Licenses with limited permissions but ability to work on projects allocated.
3. Full Implementation of the system (including customization, development/ configuration).
4. Maintenance, and support of the system for a period of 3 years.
5. Data Migration and information from Excel/Word documents currently used on SharePoint to the new system.
6. Provide resources as part of the service provided that will allow for self-paced refresher training, separate from training provided as part of the implementation.
7. System Testing and securing approvals required before go-live.
8. Provide Comprehensive Training on the Audit and Data Analytics System to all the System Users.
9. The system must be rated by a research rating agency (Mandatory)
10. The system must be able to grow with the Municipality allowing for combined assurance, where there is an ability to add a module for risk and compliance in future. (Mandatory)

■ SCOPE OF WORK REQUIREMENTS

1. AUDIT MANAGEMENT SYSTEM WITH DATA ANALYTICS BUILT IN THE SOLUTION

1.1 SYSTEM CONFIGURATION, INTEGRATION AND CAPABILITIES

- Must support the entire Internal Audit Management Lifecycle as per the IIA (Institute of Internal Auditors).
- The system should be compatible and flexible so that it can be integrated with the Municipality's systems (existing ERP system and any other systems that may require exchanging of data for the Vhembe District Municipality) for the purpose of sharing of any required information to different departments i.e Finance, SCM , HR and Payroll

- The solution should be a cloud-based solution.
- Complement the existing ICT infrastructure and security standards of the Vhembe District Municipality both internal and clouding environment
- Compatibility with Microsoft Office products: Office 365
- Support Microsoft Windows operating systems.
- Provide multiple security levels in the application that allow for separation of duties.
- Number of users: 2 Full System Access licenses and 2 System Access Licenses with limited permissions but ability to perform work/tasks/testing allocated.

1.2 AUDIT MANAGEMENT

1.2.1 Audit Planning

- Ability to create an Audit Universe and develop an annual operational plan based on risk assessments or other criteria.
- Provide budgeting support for audit plans that will report on deviations from projected to actual project time.
- Create a draft and final plan of the yearly audit schedule.

1.2.2 Electronic Workpapers - Ability to record the following information associated with each audit project:

- Ability to customize/configure the system to meet Vhembe District audit methodology
- System / Process description/walkthroughs.
- Provide flexibility to add/delete/modify audit steps in standard audit programs.
- Audit programme (Objectives, Risks, Controls and Audit procedures/test).
- Evidence obtained in performing audit testing including attaching scanned documents and annotate documents (Word, Excel, PowerPoint, and PDF) with standard tick marks/comments from within the application.
- Must provide two-way cross-reference between documents, and support point-to-point hyperlinks for Word, Excel, PowerPoint and PDF files.
- Results from tests (i.e. raising of findings).
- Assign action plans to responsible person for implementation and implementation date.
- Recommendations.
- Management responses and agreed action plans for exceptions/observations reported.
- Audit review and sign-off.
- Review notes and team correspondence.
- Ability to write review notes with links to targeted work papers.
- Ability to assign specific audit step to individual auditor.
- Ability to print completed workpapers, review notes, audit programs, and other electronic documentation created within the system for backup purposes.
- Allow for search capabilities within audit findings, projects, and the document library.
- Ability to assign a severity rating to findings.

1.2.3 Audit Reporting

- Provide standard reports for tracking of audit planning, project tracking, outstanding issues.
- The solution should include template working programs, including controls and testing procedures.
- The solution should include functionality allowing for the archiving and roll-forward of audit engagements.

1.2.4 Audit Follow-up and Findings Tracking

- Must provide on-line portal or reporting option that allows management to respond directly to findings/queries raised in the system to be automatically populated in the system.
- Allow for client satisfaction surveys to be generated and sent to auditees, allowing them to completed the questionnaire online and feedback to be recorded.
- Ability to track and report on issues in a variety of ways including audit project, audit manager, or departmental area.
- Notify the relevant audit clients on action plans that are due for implementation.
- Allow internal audit to generate a report of the status of implementation of the action plans (Implemented and in-progress)
- Track and automatically follow up on all pending findings based on action/implementation, dates as agreed with management on the audit report, and through sending out reminder e-mails.
- Allow management to upload evidence for implemented action plans.
- Generate reports of open items (findings not resolved, partially resolved, resolved), and repeat findings, statistical summaries, etc.
- Allow the capture and monitoring of audit findings not raised only by the internal audit team but also external parties e.g., Auditor General.

1.2.5 Time Reporting

- Ability to capture and track time for chargeable activities, e.g audit projects, training, committee meetings, etc. and non-chargeable activities e.g., annual leave. Allow for comments to be included with the non-chargeable activities.
- The ability to report on actual versus budgeted time.
- Ability to generate administrative reports

1.2.6 Document Library - Must provide indexed and searchable repository for:

- Standard audit programs including Tests and controls,
- Provide a set of standard reports that can be generate in a single click;
- Allow for the creation of custom reports;
- Ability to export the reports, both standard and custom, in a variety of formats (Word, Excel and pdf)

1.3 DATA ANALYTICS AND CONTINUOUS AUDITING/MONITORING

1.3.1 The system should allow for the following capabilities or functionality:

- Import of data, not only from file based data sources such as Excel, CSV, etc. but also be able to directly connect to systems or databased. The connection should be read-only.;
- Data analysis functionality should include but not be limited to:
 - Joining/Relating data tables;
 - Filtering;
 - Creation of calculated fields for recalculation testing and comparisons;
 - Statistical analysis of data including summarization, classification, high, low and mean value identification;
 - Identification of gaps;
 - Identification of duplicates; and
 - Sampling of data.

- Functionality to download the results of testing to various formats such as Excel, CSV, etc. or incorporate the testing into audit working papers.
- Testing should be conducted from either the User Interface or through scripting.
- The ability to automate tests performed to execute on a monthly, weekly, daily or set scheduled basis.
- Create visualizations of testing performed.
- Create and share dashboards of testing performed for use by the Audit team or to share with Municipal Management.
- Functionality to allow for the follow-up of results of testing and upload of supporting documentation.
- The ability to log all analytics procedures performed for reference.

1.3.2 The proposed solution must cater for Fraud Risk Analytics and deliver analytic scripts with the following details:

a) Finance

- Invoices greater than approved purchase orders
- Duplicate payments
- Invoices for one-time vendors
- Frequently changed vendor bank account details
- Debtor balances compared with credit limits

b) Human resources

- Identify invalid IDs
- Identify blank IDs
- Identify duplicated IDs
- Employees terminated within 120 days of their hire date
- Employee Masterfile changes made over a weekend
- Multiple changes to basic salaries of employees

c) Billing

- Accounts with actual or interim charges but not linked to a meter
- Accounts billed using interim or basic charges where meter readings were taken
- Accounts with inconsistent tariff rates
- Stands or Erfs not charged property rates
- Accounts with no readings for water or electricity
- Meters not linked to an accounts
- Accounts/meters with no charges
- Duplicate billing transactions

d) Procurement

- Vendors with similar names
- Vendors with the same bank accounts
- Blank critical data (telephone numbers +bank details)
- Vendors with the same VAT registration number
- Purchase orders created and approved by the same user
- Duplicate purchase orders
- Compare purchase orders to purchase requisitions
- Purchase orders with no purchase requisitions

1.4 REPORTING AND DECISION-MAKING

- Consolidated reporting dashboards for the executive management and governing structures at a consolidated and combined assurance level.
- Central point for uploading Audit evidence.
- Customisable reports.
- Visual aids and transparency in reporting.

1.5 GOVERNANCE (AUDIT AND CONTROLS TESTING) - NB: The integration and modules should not be quoted for at this time the focus is only audit, however the ability should be demonstrated as confirmation.

- Capabilities to integrate with the risk management and Compliance to have a view of the risks identified there.
- Be able to obtain controls/areas to be tested from the risk module.
- Capability for the results of audit testing to feedback to risk management, highlighting/providing insight into areas that have been evaluated and re-assess for risk levels.

FUNCTIONALITY EVALUATION CRITERIA – POINTS SCORING (STAGE 1)		
	Stage 1 - Functionality Category & Description:	Points Allocation
	Non-submission of the Portfolio of Evidence for the criteria below shall deem a bidder non-responsive.	
1.	Experience and ability to execute Similar projects that were successfully implemented and supported in the past 10 years. Appointments/ Purchase Orders with corresponding reference letters to be provided to claim full points.	Total Max Points = 20
	+4 Appointment Letters/ Purchase Orders with corresponding reference letters=3	(20)
	3 Appointment Letters/ Purchase Orders with corresponding reference letters	(15)
	2 Appointment Letters/ Purchase Orders with corresponding reference letters	(10)
	1 Appointment Letters/ Purchase Orders with corresponding reference letters	(5)
	No Appointment Letters/ Purchase Orders with corresponding reference letters	(0)
	NB: A full set of appointment letters/Purchase Orders with corresponding reference letters for each project is required to claim points and no partial award of points will be allocated for partial submissions.	
2.	Expertise and experience of Key Staff Bidders are required to submit CVs and Qualifications of suitably qualified and experienced resources that will be responsible for the provision, Implementation and Support of the services to Vhembe District Municipality.	Total Max Points = 20
	<ul style="list-style-type: none"> • Lead Partner - Honours Degree in IT or Auditing and CISA/SAICA/IIA Affiliated Lead Partner to oversee Implementation (5) <ul style="list-style-type: none"> ▪ 5 – 10 Years proven experience (5) ▪ 2 – 4 Years proven experience (2) ▪ 0 – 1 Year proven experience (0) 	
	<ul style="list-style-type: none"> • Certified IT Software Developer – Software Development or IT Degree/ Diploma (5) <ul style="list-style-type: none"> ▪ 5 – 7 Years proven experience (5) ▪ 2 – 4 Years proven experience (2) ▪ 0 – 1 Year proven experience (0) 	
	<ul style="list-style-type: none"> • Certified Project Manager – CAPM, PRINCE 2 or PMBOK Certification (5) <ul style="list-style-type: none"> ▪ 5 – 7 Years proven experience (5) ▪ 2 – 4 Years proven experience (2) ▪ 0 – 1 Year proven experience (0) 	
	<ul style="list-style-type: none"> • 3 x Support and Maintenance Consultants – Internal Audit or IT Degree and System Certification (5) 	

	<ul style="list-style-type: none"> ▪ 3 Consultants with relevant qualifications ▪ 2 Consultants with relevant qualifications ▪ 1 Consultant with relevant qualifications 	(5) (2) (1)
3.	<p>Methodology Proposed Approach and Methodology to the project Execution. Methodology should include:</p> <ul style="list-style-type: none"> a) Clear Response/ Proposal covering the entire Scope of this project. b) Project implementation approach and methodology c) Draft project implementation plan covering major milestones and deliverables. d) Comprehensive training plan e) Support and Maintenance turnaround timeframes f) Stakeholder Management Plan g) Testing Plan 	Total Max Points = 20
	<ul style="list-style-type: none"> • A detailed approach and methodology has been provided encompassing all points (a) to (g) 	(20)
	<ul style="list-style-type: none"> • A detailed methodology has been provided encompassing any 5 - 6 points (Testing plan is mandatory) 	(10) (5)
	<ul style="list-style-type: none"> • A detailed methodology has been provided encompassing any 2 - 4 points(Testing plan is mandatory) 	(0)
	<ul style="list-style-type: none"> • No methodology has been provided or a detailed methodology has been provided encompassing less than 2 or none of the listed points 	
4.	<p>Rating Agency Listing and Authorised Reseller Letter The bidders must provide a copy of a product rating report proving the rated strength of the proposed solution in relation to its competitors and a copy of an OEM or a Authorised Reseller Letter. If the bidder has developed their own system, the bidder must provide a copy of system ownership letter.</p>	Total Max Points = 10
	<ul style="list-style-type: none"> • A product rating report • A valid reseller/ownership letter 	(5) (5)
	NB: Vhembe District Municipality reserves the right to verify the rating reports and Reseller or ownership letter submitted by the bidders.	
TOTAL		70

NB: Bidders who will meet the threshold of 60 points on functionality will proceed to the next evaluation phase where required to conduct a demonstration as per the Terms of Reference.

FUNCTIONALITY EVALUATION CRITERIA – POINTS SCORING (STAGE 2)		
	Stage 2 - Functionality Category & Description: Non-Attendance to the system demonstration and not address the below topics/ scope of work criteria below shall deem a bidder non-responsive.	Points Allocation
1.	<p>System Demonstration of the required Internal Audit and Data Analytics Management Software Tool</p> <p>The software tool presented addresses ALL aspects of the provided demonstration scope of work as per the below in an innovative and efficient way. Additionally, the Service Provider has presented an excellent targeted presentation on how the organisation plans to execute the project, with a comprehensive training and support offering.</p>	<p>Total Max Points = 30</p> <p>Weighting scale below</p>
TOTAL		30

Bidders need to score 85 points and above for both stage 1 and stage 2 combined in order to proceed to price and preference points phase.

Criteria for Demonstration requirements.

Vhembe DM's Requirements for Stage 2 System Demonstration	Comply (Yes/No)	Points allocated	Points attained
1) Functionalities Required for Data Analytics Module		13	
a) Should have read only access capabilities to protect the source data integrity.		2	
b) Should have the ability to visually identify patterns, trends and exceptions and present/report these in a graphical format		2	
c) The tool must have capabilities to read data file types at the minimum Delimited Text File, Print Image, XML, File, Microsoft Excel, Access File, PDF File .		2	
d) Must cater for Fraud Risk Analytics and have the ability to create scripts that can be integrated below: <ul style="list-style-type: none"> • Accounts with actual or interim charges but not linked to a meter • Accounts billed using interim or basic charges where meter readings were taken • Meters not linked to an accounts • Accounts/meters with no charges 		5	

<ul style="list-style-type: none"> • Duplicate billing transactions • Vendors with the same bank accounts and same name • Compare purchase orders to purchase requisitions • Identify invalid/Blank IDs 			
e) Functionality to download the results of testing to various formats such as Excel, CSV, etc. or incorporate the testing into audit working papers		2	
2) Functionalities Required for Audit Management Module		13	
a) Ability to create an Audit Universe and develop an annual operational plan based on risk assessments or other criteria.		2	
b) Provide flexibility to add/delete/modify audit steps in standard audit programs		2	
c) Assign action plans to responsible person for implementation and implementation date. Ability to assign specific audit step to individual auditor and the ability to review notes and team correspondence.		2	
d) Provide standard reports for tracking of audit planning, project tracking, outstanding issues in line with IIA Standards		2	
e) Ability to capture and track time for chargeable activities, e.g audit projects, training, committee meetings, etc. and non-chargeable activities e.g., annual leave. Allow for comments to be included with the non-chargeable activities and the ability to report on actual versus budgeted time.		2	
f) Provide a set of customised standard reports that can be generate in a single click;		1	
g) The ability to send out assessments/ questionnaires to people who do not have a system license, are not users of the system or employees of the municipality.		2	
3) Generic Requirements		4	
a) The software must be able to support Microsoft Office 365. The system must be able to send email notifications of assigned tasks to the required recipients and escalate in the system if respondent does not action.		1	
b) The software must be cloud hosted and allow the users to login with the device supporting Windows and MAC operating systems.		1	

c) After the software is opened, the system should automatically identify the login user's access right to provide the user with access to the relevant authorized functionaries. The system must only show projects assigned to the user and not other projects. There should be segregation of duty.		1	
d) All Reports should be able to export into MS Excel format/ PDF and Word		1	
Total		30	

PRICE	80
SPECIFIC GOALS	20
HDI	10
Locality 04 points within the district ,02 points within Limpopo Province and 01 point within South Africa (CSD report of the bidder will be used to verify the locality of the bidder	4
Youth	2
Women	2
Disability	2

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ENTITY)

BID NUMBER:

CLOSING DATE:

CLOSING TIME:

DESCRIPTION:

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

BID DOCUMENTS MAY BE POSTED TO:

OLD PARLIAMENT BUILDING
VHEMBE DISTRICT MUNICIPALITY
THOHOYANDOU
0950

OR

DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

OLD PARLIAMENT BUILDING, NEXT TO THE ENTRANCE OF VHEMBE DISTRICT MUNICIPALITY
THOHOYANDOU
DENGA MPHIGALALE STREET
0950

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

CODE.....

NUMBER.....

E-MAIL ADDRESS

VAT REGISTRATION NUMBER

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)
YES/NO

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 / Municipal Entity: VHEMBE DISTRICT MUNICIPALITY

Department: BUDGET AND TREASURY

Contact Person: SUPPLY CHAIN PRACTITIONERS

Tel: 015 960 2130/2131/2132/2133

ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact Person:

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:
Closing Time:	Closing Date:

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: Firm/Not firm
- 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:
Closing Time:	Closing Date:

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

ITEM NO. ** <small>(ALL APPLICABLE TAXES INCLUDED)</small>	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY
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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: *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

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=		

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)

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

MBD 4

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

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

3.2 Identity Number:

3.3 Position occupied in the Company (director, trustee, shareholder²):.....

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

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

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

3.8.1 If yes, furnish particulars.

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:

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

Full Name	Identify Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

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

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

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

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- 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	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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

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

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- P_{min} = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

- P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{max} = 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) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state) HDI=10 Locality=04 • 04 points within the district 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) Youth=02 Women=02 Disability(Attach proof the Doctor)=02	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer) HDI=10 Locality=04 • 04 points within the district 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) Youth=02 Women=02 Disability(Attach proof the Doctor)=02
HDI				
Locality				
Youth				
Women				
Disability				

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:



MBD 6.2

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/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) 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. "duly 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.thedti.gov.za/industrial_development/ip.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 bidders 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
of (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 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.

- (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 (PPPFA), 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 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 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;
- (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 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 fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment 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	.....
2.	.....
DATE:	.....

CONTRACT FORM - PURCHASE OF GOODS/WORKS

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I in my capacity
as.....

accept your bid under reference number dated.....for the supply
of goods/works indicated hereunder and/or further specified in the annexure(s).

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)

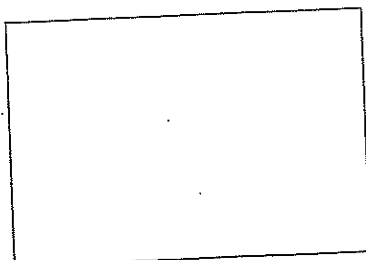
4. I confirm that I am duly authorized to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

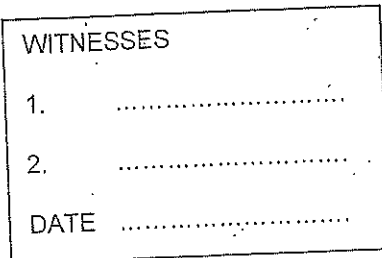


WITNESSES

1.

2.

DATE



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 Numberat 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. 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 fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment 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	.....
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 PRODUCTION AND CONTENT (if applicable)

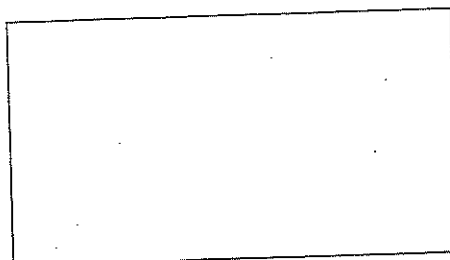
4. I confirm that I am duly authorised to sign this contract.

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP



WITNESSES	
1	.....
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) at the price/s quoted. My offer/s 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;
- (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) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) cover all my obligations and I accept that any mistakes regarding price(s) and calculations will be at my own risk.

4. 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.

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	.....
2	.....
DATE:	

CONTRACT FORM - SALE OF GOODS/WORKS

PART 2 (TO BE FILLED IN BY THE SELLER)

1. I..... in my capacity as..... accept your bid under reference numberdated.....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 ATON.....

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	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>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.</p>	<input type="checkbox"/>	<input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	<input type="checkbox"/>	<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?	<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 *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
- a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

.....
.....

in response to the invitation for the bid made by:

~~VHEMBE DISTRICT MUNICIPALITY~~

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

I certify, on behalf of: _____ that:
(Name of Bidder)

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

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.

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

.....
Position

Date

.....
Name of Bidder