



MBD1

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE MAKHADO LOCAL MUNICIPALITY					
BID NUMBER:	33 / 2025	CLOSING DATE:	17 JUNE 2025	CLOSING TIME:	12H00PM
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER/ CONSULTANTS TO RENDER ASSIGNMENT FOR INTERNAL AUDIT UNIT FOR MAKHADO MUNICIPALITY FOR THE PERIOD OF THREE (03) YEARS				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					

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

POSTAL ADDRESS:
PRIVATE BAG X 2596, MAKHADO, 0920
STREET ADDRESS
CIVIC CENTRE, 83 KROGH STREET, MAKHADO.0920

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? ☐ Yes ☐ No [IF YES, ANSWER PART B:3]		
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE	R	
SIGNATURE OF BIDDER			DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT	BUDGET AND TREASURY		CONTACT PERSON	MR A KGOPA	
CONTACT PERSON	MS P MUDAU		TELEPHONE NUMBER	015 519 3000	
TELEPHONE NUMBER	015 519 3044		FACSIMILE NUMBER	015 516 6145	
FACSIMILE NUMBER	015 516 6145		E-MAIL ADDRESS	ananiask@makhado.gov.za	
E-MAIL ADDRESS	phophimu@makhado.gov.za				

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:	
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.	
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE	
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.	
2. TAX COMPLIANCE REQUIREMENTS	
2.1. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.	
2.2. BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.	
2.3. APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA .	
2.4. FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.	
2.5. BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.	
2.6. IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.	
2.7. WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.	
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.	

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

Sascoc president lauds Team SA's golden relay team

By NEVILLE KHOZA

Given the success of the SA relay team, after finishing top of the medals table at the World Athletics Relay in Guangzhou, China, on Sunday, SA Sports Confederation and Olympic Committee (Sascoc) president Barry Hendricks has vowed to continue supporting the athletes. The national team earned three medals: two golds in the men's 4x100m and 4x400m events, as well as bronze in the women's 4x400m final. In addition, all three squads have qualified for the World Athletics Championships in Tokyo in September, including the mixed 4x400m team, which finished fifth in their event. Hendricks said the Olympic body was pleased to have invested in the squad through its Operation Excellence programme. "We've shown that SA is going to punch above its weight again because we have the capacity and we have the talent," he told the media after the team's arrival at OR Tambo International Airport on Wednesday.

THIS IS PROOF 'SA CAN PUNCH ABOVE ITS WEIGHT'



The 4x400m relay squad that won a gold medal in China pose with Sascoc president Barry Hendricks (middle) and Athletics SA president James Moloi (3rd from right) on arrival at OR Tambo International Airport on Wednesday. /Cecilia van Bers

International Airport on Wednesday. "They've proven it, and have made us proud as a nation, and we can only build on this now. First and foremost, we support them through the Bidvest Operation Excellence programme, and we want to thank them for that. The second is that we assisted them financially to host the relay camps, and this played a major

role in building their confidence, but also in the synchronisation. "You can see it, if you look at how they performed in the past. They are very confident about the communication between each other, and that's the result of this co-operation between ourselves and ASA [Athletics SA]." Hendricks said they will sit down with

ASA to map out the future as they build towards the World Championships and the 2028 Olympic Games in Los Angeles. "We will support them in any other competitions that they want to participate in and grow. They are on Operation Excellence, as I said, and that's an ongoing project, and then we will work with ASA to determine what their needs are."



MSKC
Metsi a Senqu-Khubelu Consultants
LESOTHO HIGHLANDS DEVELOPMENT PARTNERS

Lesotho Highlands Water Project – Phase II
Metsi a Senqu-Khubelu Consultants Joint Venture
Maseru, Lesotho



Vacancies – Drill & Blast and TBM Inspectors

MSKC Joint Venture are the Professional Services Consultants for the design and construction supervision of the Polihali Transfer Tunnel Lesotho Highlands Water Project-Phase II project. The works via Katse Reservoir, through the Transfer Tunnel and Delivery Tunnel, to the Ash River Outfall between Clarens and Bethlehem in South Africa. From the Ash River, the water flows down the Liebenbergsvlei until it joins the Wilge River near Frankfort, before finally reaching the Vaal Dam in Gauteng, South Africa. We invite applications from qualified personnel for the positions listed below:

Roles: Drill & Blast Inspector and TBM Inspector (2 positions)
Project: Polihali Transfer Tunnel
Employer: MSKC Joint Venture Partner Company or Sub-Consultant
Location: Either at Katse or Polihali tunnel sites in the Lesotho Highlands
Experience: Tunneling experience combined with Civil Engineering works
Education: BSc/B Eng or B Tech or National Diploma in Civil Engineering or similar approved.
High Level Role Description and Duties:

- You will be part of a dynamic team representing MSKC-JV who provide professional services for the design and construction supervision of the Polihali Transfer Tunnel for LHDA.
- The incumbent shall have experience in underground drill & blast or Tunnel Boring Machine operations as a minimum.
- Reports to Senior Inspector/Section Engineer (D&B/TBM).
- Inspects the Whole of the Works to ensure compliance with contract documents, drawings and specifications as well as applicable standards or codes.
- Inspects drill & blast or Tunnel Boring Machine construction activities and construction progress which may include ensuring procedures and materials comply with specifications.
- Observes work in progress to assure conformance with requirements, and acceptable workmanship.
- Checks drawings/plans for compliance with project specifications.
- Notes and communicates any identified discrepancies on the Works.
- Ensures that the Contractor's production teams conduct Toolbox Talks, DSTIs, Task-Based Risk Assessments, etc.
- Prepares Daily Diaries, document inspections, photograph status/conditions of the Works and shares such records with the Senior Inspector and Section Engineers.
- Ensures safe execution of Works by the Contractor and/or Sub-Contractors.

How to apply:
Applications must be accompanied by an application letter detailing which position is being applied for, your detailed CV, Certified Copies of educational certificates, three work related referees with contact details (one should be from current/previous supervisor or employer). Applications should be emailed in read only PDF format to: **info@mskc-jv.com**
Closing date for applications is Friday 30 May 2025 @ 16:30hours. Applications received after closing date will not be considered.

Disclaimer: The response period is 14 days after the closing date. The applicant should regard his/her application as unsuccessful if not contacted during the response period.



MAKHADO
LOCAL MUNICIPALITY



TENDER NOTICE

All suitable service providers are hereby invited to bid for the below mentioned project. Bidders are requested to bid as per specification attached to the bid documents that will be obtainable **23 May 2025 at non-refundable amount of R600.00** per document at the Procurement Office No. B043 Ground Floor, 83 Krogh Street, Civic Center, Makhado or can be downloaded from e-tender portal for free <https://etenders.treasury.gov.za/content/advertised-tender> or www.makhado.gov.za

BID NO:	DESCRIPTION	EVALUATION CRITERIA	COMPULSORY BRIEFING SESSION	SPECIAL REQUIREMENT	TECHNICAL ENQUIRIES	REFERENCE AND NOTICE NO.	CLOSING DATE AND TIME
32 of 2025	Construction, supply, delivery and installation of new weighbridge at the Makhado Landfill site.	80/20 preferential points	27 May 2025 at 11:00am at Makhado new landfill site (Tshikota)	• Attach the certified copy of SANAS certificate	Director community services: Mr. HJ Lukheli or Ms M Murotoba at 015 519 3000	Ref: 8/3/2088 Notice no: 54/2025	06 June 2025 at 12:00pm
33 of 2025	Appointment of a service provider/ consultants to render assignment for internal audit unit for Makhado municipality for the period of three (03) years	80/20 preferential points with functionality		• Be a member of IRBA certificate (attach certified copy of certificate). • Be a member of SAICA certificate (attach certified copy of certificate). • Attach three years audited financial statement (only for those who are required by law to submit)	Manager Internal audit: Mr A Kgopa at 015 519 3000	Ref: 8/3/2089 Notice no: 55/2025	17 June 2025 at 12:00pm

The Municipality is not bound to accept the lowest or any bid and reserves the right to accept any part of a bid. Bids must remain valid for a period of ninety (90) days after closing date of submission thereof. Submitted tenders will be evaluated as per above mentioned table.

Bids which are late, incomplete, unsigned, or submitted in pencil or by telegraph or facsimile or electronically by e-mail, or not having the following documents attached for evaluation or not complying with the tender specifications, will not be evaluated, and will be disqualified: • Valid Tax compliance status pin issued by SARS • A copy of company registration documents (CK) • Certified copy/copies of company owner(s) ID book(s), not older than three (03) months certification. • Attach proof of payment for municipal rates not owing for more than (03) months or formal lease agreement for rental premises or letter from the traditional authority in cases of non-ratable areas. (Attach for both entity and directors of the company) • Copy of central supplier database (CSD) report.

NB:

- All Service Provider doing business with Makhado municipality are required to register on the CSD (Central Supplier Database).
- A copy of a certified copy will not be accepted.

All procurement enquiries should be directed to Ms. P Mudau or Mr M Ramabulana at **Tel no. (015) 519 3044/3024**

Civic Centre
83 Krogh Street
MAKHADO

MR KM NEMANAME
MUNICIPAL MANAGER

DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (VAT INCLUDED)

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

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

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

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.....

YES / NO

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

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

2.2 If yes, provide particulars.

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3 Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract? **YES / NO**

3.1 If yes, furnish particulars

.....

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

4.1 If yes, furnish particulars

.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)

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

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

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of Bidder

TENDER NO. 33 OF 2025

SPECIFICATION FOR APPOINTMENT OF A PANEL OF SERVICE PROVIDERS / CONSULTANTS TO RENDER ASSIGNMENT FOR INTERNAL AUDIT UNIT FOR MAKHADO MUNICIPALITY FOR THE PERIOD OF THREE YEARS

Purpose:	Appointment of a Service/Consultant to Render Assignment for Internal Audit Unit for Makhado Municipality for the Period of Three Years
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TERMS OF REFERENCE

Bid Number: 33 OF 2025

BACKGROUND

Makhado Municipality was first established on the 31st October 1934 as the Louis Trichardt Town Council. With the new municipal demarcations, a number of municipalities were established in 1997.

However, following the Municipal Structures Act of 1998, the municipalities were merged into a NP 344 Municipality that is now known as the Makhado Municipality.

The Internal Audit Function at Makhado Municipality has been established in terms of Section 165 of the Municipal Finance Management Act, 2003 (Act 56 of 2003).

PURPOSE OF THE TERMS OF REFERENCE (TOR)

The purpose of this bid is to appoint a suitably qualified and experienced service provider to provide co-sourced Internal Audit services for a period of three years.

OBJECTIVES / REQUIRED SERVICES

To provide Makhado Municipality with co-sourced internal audit services/seconded(s) to assist the Internal Audit Division with Internal Audit Activities under the leadership and Supervision of the Head Internal Audit of Makhado Local Municipality. The overall objective of this secondment is to assist the Municipality to develop its internal capacity and to accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

The bidder must demonstrate the capability to perform the internal audits in accordance with the Institute of Internal Auditing Standards and Practices, and any relevant legislation. Bidders who have or are providing internal audit services to similar entities are encouraged to submit bids.

SCOPE OF INTERNAL AUDIT WORK

The appointed service provider will be requested to assist the in-house Internal Audit division to render internal audit services for the municipality in terms of the approved annual Internal Audit Plan and the Municipal Finance Management Act, 2003 (Act 56 of 2003).

The successful bidder MAY be required to perform the following services:

- Financial audits;
- Compliance audits;
- Operational audits;
- Performance Management Systems and Performance information audits;
- IT audits;
- Follow-up audits
- Ad hoc projects; and
- Investigative (forensic) audit as and when required.
- Any other consulting related work

The scope of internal audit work entails testing and evaluating the adequacy and effectiveness of Makhado's system of internal control. This includes the following responsibilities:

- To render internal audit services for the municipality as and when required in terms of the approved annual Internal Audit Plan and the Municipal Finance Management Act, 2003 (Act 56 of 2003).
- To act as internal auditors or internal audit seniors, as agreed per assignment, responsible directly to the Head of Internal Audit and responsible for performing internal audit assignments in line with the scope and responsibilities as defined per assignment.
- To provide additional resources as and when required to supplement the In house internal Audit Services.
- Perform special investigations either as part of the agreed internal audit plan or the circumstance dictates.
- Perform specialised internal audits as and when required.
- Service provider must have team-mate licenses for its staff and will be expected to be able to use Team-Mate Audit Software and perform its responsibilities in terms of the Makhado Municipality approved Internal Audit Methodology and working papers.
- The Head Internal Audit at Makhado Municipality will be responsible for presenting the final audit reports in respect of work performed to the Audit and Performance Audit Committee.
- Present the report to APAC as and when invited by the APAC Members or Head of internal audit.

In addition to the above, the scope of the internal audit work entails testing and determining whether the municipality's network of risk management, control and governance processes as designed and represented by management are adequate and functioning in a manner that will ensure:

- Risks are appropriately identified and managed;
- Interaction with various governance groups within the municipality occur as appropriate;
- Financial, managerial and operating information is accurate, reliable and timely;
- Compliance with policies, standards, procedures and applicable laws and regulations;
- Resources are acquired and used economically, efficiently and adequately protected;
- Programmes, plans and objectives are achieved;
- Quality and continuous improvements are fostered in the organisation's control process; and
- All legislative and regulatory issues impacting the organisation are recognised and addressed.

The following will also be regarded as forming part of the normal services:

Liaison with the Makhado Municipality including monthly meetings.

Co-ordinating meetings.

Confirmation of the scope of work with the Makhado Municipality.

Progress reports on a bi-weekly basis to be submitted as per agreed scope of work.
Special attention must be given to training, skills development and skills transfer to Makhado Municipality Internal Audit staff.

The successful bidder's progress and performance on the provision of internal audit services to Makhado Municipality will be monitored on a quarterly basis by Makhado Head of Internal Audit.

ENVISAGED WORKING RELATIONSHIP

Makhado's Head: Internal Audit will facilitate and co-ordinate the projects to be performed by the service provider. The audit assignments will be completed within the following envisaged structures:

Projects performed fully by the Service Provider – this is where the service provider will perform an entire assignment from project planning to issuing the final report.

Joint Teams – this is where resources from both the Service Provider and Makhado's internal audit are involved in an assignment.

Secondment of staff – this is where the resources of the Service Provider will be under the control, supervision and direction of Makhado's Head: Internal Audit.

NOTE: THE SPECIFIC ROLES AND RESPONSIBILITIES OF THE SERVICE PROVIDER AND MAKHADO'S INTERNAL AUDIT UNIT IN RESPECT OF THE ABOVE WILL BE DETERMINED ON A PROJECT BASIS.

EXTENT OF WORK

Performance of audit assignments

Assignments are to be performed in accordance with the Institute of Internal Auditor's International Standards for the Professional Practice of Internal Auditing.

All audit reports and working papers will become the property of Makhado;

The performance of each assignment shall be in accordance with the approved annual internal audit plan;

On a mutually agreed basis, the responsible partner/ director shall meet with the Head Internal Audit or delegate to report on progress of the work;

For planning and conducting its work the internal auditor should seek to identify serious defects in the internal controls, which might result in possible malpractices. Any material defects must be reported immediately to the Audit and Performance Audit Committee without disclosing these to any other members of the staff. This also applies to instances where serious fraud and irregularity is uncovered; and the successful bidder may be required to attend strategic workshops as may be required from time to time. The cost of attendance will be for the account of Makhado.

Timing of assignments

Timing of assignments will be communicated by the Head Internal Audit with at least two weeks' notice to the service provider.

Quality assurance and review of internal audit work

Work should conform to the Standards for the Professional Practice of Internal Auditing. Such work shall further be subject to an external quality assurance as may be considered expedient by the Audit Committee, which shall be conducted periodically by, or on behalf of, the organisation, upon two weeks' notice to the service provider as applicable.

Independence and objectivity of staff

Service providers should ensure that their staff maintains their objectivity remaining independent of the activities they audit. All information obtained as a result of undertaking this assignment needs to be treated in strict confidence and a confidentiality letter needs to be signed in connection herewith.

Monitoring of progress of assignments

On completion of each assignment, the project deliverable will be submitted to the Head Internal audit and Audit Committee as required. Progress reports may be requested from time to time.

Reporting of results

Results e.g. internal audit reports shall be in the format prescribed by the municipality.

Reliance by Auditor General (SA)

Where applicable, Makhado Municipality will require the service provider to perform assignments in such a manner that the AG (SA) may rely on the work of internal audit. Makhado Municipality may also request access to working papers excluding administrative documentation.

Fraud and irregularity

In planning and conducting the work, the service provider should seek to identify serious defects in the internal controls system, which might result in possible malpractice. Any such defects must be reported immediately to the Head Internal Audit, Audit Committee and Accounting Officer without disclosing these to any other members of the staff involved in the possible malpractice. This also applies to instances where serious fraud and irregularity is uncovered.

Resources

Makhado Municipality will have the rights to interview resources allocated for a particular assignment. In the proposals, the experience as well as levels of the resources to be utilized must be clearly indicated

1.FINANCIAL PROPOSAL

- The bidder must provide respective hourly rates of personnel to be involved. The table below provides a guideline which can be used for submissions:

1. Audit Reviews (Risk, ICT, & Regulatory Audit and Investigation)	Professional rate (R) (1 ST YEAR)	Professional rate (R) (2 ND YEAR)	Professional rate (R) (3 RD YEAR)	TOTAL
Director (Partner)	R	R	R	R
Manager	R	R	R	R
Senior Internal Auditor	R	R	R	R
Internal Auditor	R	R	R	R
Trainee	R	R	R	R
TOTAL				R
VAT 15%				R
TOTAL AMOUNT RATES				R

SIGNATURE: _____

DATE: _____

NB: Forensic Audits are chargeable based on the nature of the Assignment.

- Price per points will be in according to the table above
- Pricing will be a major factor in determining the suitability services
- The proposal should also detail the following costs:
 - Travel rates and disbursements
 - Disbursement shall be upon presentation of the approved supporting documentations. Rates for disbursement will be limited to accommodation, bed and breakfast per staff member, subsistence allowance including meals with supporting documents per day (excluding beverages). Travel expenses shall be determined in line with the guidelines issued by the Department of Transport with a maximum of one trip for field workers and managers per week. Payment will be made upon completion of projects and or on the consultant submission of all required supporting documentation e.g. reports, tax invoices, to the Municipality which have to be approved by the Municipality prior to payment
 - Municipality shall make payment into bank account of the consultant the details which shall be set out on each invoice.
- The bidder must indicate all costs including value added tax (VAT).
- Makhado Municipality reserves the right to negotiate any aspect of the proposed fees/pricing and disbursements with the preferred Bidder and shall not be bound to the fees/pricing and disbursements submitted by any Bidder.
- Project hours billed shall not exceed the threshold of 30% of the planned hours as per the

approved internal audit plan. If exceeding the 30% threshold. The variance should be motivated by Head of Internal Audit.

2.VALIDITY OF THE PROPOSAL

- Proposals should be valid for 90 days from the closing date of the submission of proposals, during which time it will remain valid without change, including the personnel proposed for the services together with the proposed lead time for service delivery.

3.CONTRACT PERIOD

Staff at the required levels must be placed at Makhado Municipality for the purpose and duration of internal audit assignments in line with the agreement, for the period one year as will be agreed with the Head: Internal Audit for specific internal audit assignments.

4. EVALUATION CRITERIA

Bids will be evaluated in two (2) phases:

Phase 1 – Technical Requirements

This evaluation will be based on the responses using the functionality requirements, i.e. previous experience, expertise and technical approach

To be responsive the bidder must score 75% or more on functionality.

ELIGIBILITY CRITERIA/ FUNCTIONALITY

Phase 1 (Functionality)

The functionality of the bid weigh **100** points and bidders which score less than **75** points on functionality must be disqualified and not considered for further phases.

Item no	Functionality criteria		points
1. Company experience	Submit a maximum of five (05) relevant and contactable clients (preferably municipalities and public sector) that were serviced in the past 3-5 years consistent with the description criteria. (please attach certified copy of appointment letter with completion certificates or appointment letter with testimonial from the previous employer)	10 points per attachment	50

2. Company capacity	Company or firm be registered as member of ACFE (Attach certified copy of membership certificates)	10 points	10
3. Capacity of experienced team	Chartered accountant – Must be registered with SAICA, IIASA and IRBA and must have at least 05 years' experience in the internal auditing (Attach CV and certified copy of qualifications and Proof of registration)	20	40
	Project leader – Internal Audit or Accounting degree or any relevant qualification. The team leader should have a minimum of five (5) years' experience in Internal Auditing (Attach CV and certified copy of qualifications)	10	
	Staff members- Internal Audit or Accounting degree or any relevant qualification. The team leader should have a minimum of two (2) years' experience in Internal Auditing (Attach CV and certified copy of qualifications)	10	
	Total		100

Phase 2 – Evaluation of price and preferential points

80/20 score Points will be applied to evaluate this bid and Score card of contributor in accordance with the MBD6.1 preferential points claim.

5. LIST OF ATTACHMENTS TO THE BID DOCUMENT (Failure to submit documents below automatically disqualifies the bid/tender)

- Valid Tax compliance status pin issued
- A copy of Company Registration Certificate (CK)
- Certified copy/copies of company owner(s) ID Book(s), not older than 3 months
- Proof of payment of Municipal Bills or Rental agreement or proof of residential from traditional authority in case of a non-ratable area (not older than 3 months) for both entity and directors of the company.
- Be a member with IRBA Certificate
- Be a member with SAICA.
- Attach CSD detailed report

Content of proposals (additional information required)

- All relevant perceived strengths and weaknesses of the service provider tendering for the service, for example, similar previous experience, in-house skills, and other information which will assist the organization to assess the service provider's capabilities, capacity and competitive advantage should be included in proposals.
 - The summary of the service provider's mission statement, vision statement, values and long-term strategies and objectives should be included.
 - A proposed plan of action covering the scope as mentioned above which cover strategies in transferring skills to the in-house function, including detailed costing per staff level should be detailed.
 - A list of references of internal audit appointments.
 - An organogram or list of partners, managers, specialists and clerks together with the curriculum vitae of the staff who will be available for the performance of the work.
 - Details of staff training and development policies and procedures, with specific mention of the service provider's affirmative action policies.
6. A breakdown of the hourly tariff inclusive for services rendered. Service providers should include details of ownership and staff from historically disadvantaged communities of South Africa as well as programmes implemented to promote members of those communities.
7. **Special Terms and Conditions**
- Makhado Municipality reserves the right to accept or reject any submission in full or in part, and to suspend this process and reject all proposals or part thereof, at any time prior to the awarding of the contract, without thereby incurring liability to the affected bidders.
 - This bid and the contract will be subject to the General Conditions of Contract issued in accordance with Treasury Regulations. The special terms and conditions of contract are supplementary to that of the general conditions of the contract.
 - Where, however, the special conditions of contract are in conflict with the general conditions of contract, the general conditions of contract will prevail.

- Makhado Municipality is the sole adjudicator of the suitability of the service provider for the purpose of which it is required. Therefore, the municipality's decision in this regard will be final.
- No bids sent by facsimile or email will be accepted.
- Bids must only be submitted at the Makhado Municipality Office in Makhado by the specified date and time.
- The annexures are part of the bid documentation and must be signed by the bidder and attached to the bid document.
- Failure to comply with the above-mentioned conditions will invalidate the bid.
- Certified copies of the company registration documents or proof of ownership of the company.

8. SUBMISSION OF BID DOCUMENTS

Responses to this bid must be submitted to the Makhado by no later
 than: Date: 17 June 2025
 Time: 12H00

Address: Makhado
 Municipality 83 Krogh Street
 Makhad
 o 0920

9. LATE SUBMISSION

- 9.1** A response to this Request for Bid (RFB) shall be late if it is received by Makhado Municipality at any time after the closing date and time indicated in paragraph 12 above.
- 9.2** A late submission shall be clearly marked as late and shall not be admitted for consideration by Makhado Municipality.

10. CLARIFICATIONS / ENQUIRIES

Telephonic request for clarification will not be considered. Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference or any other aspects concerning the bid is to be requested in writing (letter or e-mail) from the below contact person. The bid reference number should be mentioned in all correspondence.

MAKHADO MUNICIPALITY IS NOT OBLIGED TO ACCEPT THE LOWEST OR ANY BID AND RESERVES THE RIGHT TO ACCEPT ANY BID IN WHOLE OR PART

**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 QUANTITY	DESCRIPTION	BID PRICE IN
RSA CURRENCY NO.		(INCLUDING VAT)

- Required by:

- At:

- Brand and model

-

- Country of origin.....

- Does offer comply with specification? *YES/NO

- If not to specification, indicate deviation(s)

- Period required for delivery

- Delivery: *Firm/not firm

*Delete if not applicable

PRICE ADJUSTMENTS

A NON-FIRM PRICES SUBJECT TO ESCALATION

1. IN CASES OF 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:

$$Pa = (1 - V) Pt + D1 \frac{R1t}{R1o} + D2 \frac{R2t}{R2o} + D3 \frac{R3t}{R3o} + D4 \frac{D4t}{D4o} + VPt$$

Where:

Pa	=	The new escalated price to be calculated.
(1-V) Pt	=	85% of the original bid price. Note that Pt 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
R1t, R2t.....	=	D1,D2...etc. must add up to 100%. Index figure obtained from new index (depends on the number of factors used).
R1o, R2o	=	Index figure at time of bidding.
VPt	=	15% of the original bid price. This portion of the bid price remains firm i.e. it is not subject to any price escalations.

3. The following index/indices must be used to calculate your bid price:

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

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

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

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

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

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

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

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

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:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) & \text{or} & P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)
 \end{array}$$

Where

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

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

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

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	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)
100% Black ownership (attach CSD detail report)	N/A	10	N/A	
Woman Ownership (attach CSD detail report or Certified copy of Smart ID Card)	N/A	05	N/A	

Disability (Attach Disability letter from a Doctor)	N/A	05	N/A	

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:

.....

.....

.....

.....

.....

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 **Makhado Municipality** in accordance with the requirements and task directives / proposals specifications stipulated bid no. **33 OF 2025**. at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of Bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
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 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

2

DATE:

CONTRACT FORM - RENDERING OF SERVICES**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I **KENT MBAVHALELO NEMANAME** in my capacity as **MUNICIPAL MANAGER** accept your bid under reference number **8/3/2/** 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)
APPOINTMENT OF SERVICE PROVIDER OR CONSULTANTS FOR RENDER ASSIGNMENT FOR INTERNAL AUDIT UNIT FOR MAKHADO LOCAL MUNICIPALITY			N/A	

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

SIGNED AT **MAKHADO** ON

NAME (PRINT) **MR KENT MBAVHALELO NEMANAME**

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).	Yes	No
	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.	☐	☐
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.	Ye s	N o
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?	Ye s	N o

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

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality /

Municipal Entity) do hereby make the following statements that I certify

to be true and complete in every respect:

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

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or 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

.....
Date

.....
Position

.....
Name of Bidder

