



Umkhandlu wakwa - **NONGOMA** - Local Municipality

Tel: (035) 831 7500|Fax: (035) 831 3152|P.O. Box 84|Nongoma 3950

Lot 103|Main Street|Nongoma 3950

QUOTATION DOCUMENT

REFERENCE: 9/1/1-RFQ068/2026/27

REQUEST FOR QUOTATION OF PROVISION OF EMATHENI TRADITIONAL SETTLEMENT MASTER PLAN

CLOSING TIME	: 12H00PM
CLOSING DATE	: WEDNESDAY, 14 OCTOBER 2026

Proposals must be properly received and deposited in the Quotation box on or before the closing date and before the closing time. No late Quotation offers will be accepted under any circumstances. Quotation offers must be submitted in a sealed envelope properly marked in terms of the Quotation number and Quotation description as indicated above, at the Municipal Office situated at Lot 103, Main Street, Nongoma, 3950. No Quotation offers will be accepted via facsimile or telegram.

SERVICE PROVIDER'S DETAILS

Name of Service Provider:	
Contact Person:	
Telephone Number:	() Code
Fax Number:	() Code
Physical Address:	
Postal Address:	
Quoted Amount	

NOTE:

The Service Provider shall be deemed to have satisfied himself/herself/themselves as to all the conditions and circumstances affecting this Quotation, including the physical aspects of working areas, and by the submission of a Quotation, will confirm acceptance of the conditions and circumstances applicable to any subsequent contract.

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		BIDDER (INITIAL)	EMPLOYER(INITIAL)

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Service Providers are advised to check the number of pages and, should any be missing, duplicated, reproduction indistinct, description is ambiguous, or this document contain any obvious errors, they shall inform the Supply Chain Management Unit of Nongoma Municipality at once, and have the same rectified. No liability whatsoever will be incurred in respect of errors in any quotation document due to the service provider’s failure to observe this requirement.

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MBD 1

RE-INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE NONGOMA MUNICIPALITY

RFQ NUMBER: 9/1/1-RFQ068/2026/27 CLOSING DATE: 14 OCT. 2026 CLOSING TIME: 12:00PM

Request for Quotation

Nongoma Municipality invites qualified prospective service providers for Provision of Ematheni Traditional Settlement Master Plan.

Specification is attached:

The Supplier/ Service Provider/ Bidder will be required to provide all resources necessary as outlined on the above specification, to carry out the work to the satisfaction of the Head of Department, Community Services. All work must be carried out in a manner, which is fully in accordance with all applicable safety legislation. Payments under the contract will be made upon satisfactory delivery of a required service.

Quotation documents must be submitted in a sealed envelope, marked "**Provision of Ematheni Traditional Settlement Master Plan, Ref. No.9/1/1-RFQ068/2026/27**" and deposited in the municipality 's **quotation box** located at the reception in Lot 103, Main Street, Nongoma, 3950 no later than **12H00PM on Wednesday, 14 October 2026**. Quotation shall be valid for **60 days**. Incomplete, faxed, emailed and late proposal documents will not be considered.

NOTE: Bidder must sign a register/ confirmation of submission in **office number 1 (Registry Office)** prior putting the quotation in the quotation box.

Quotation documents can be downloaded as from **5 October 2026** in the Municipal website www.nongoma.gov.za and e-tenders portal www.etenders.gov.za. Enquiries should be addressed to the HOD Planning and LED, Mr. GA. Ndaba, 035 831 7500 or email: gcinan@nongoma.gov.za. Quotation document will be evaluated using Responsiveness Criteria, Functionality and 80/20 of the PPPFA with its 2022 Regulations. The Municipality reserves the right not to accept the lowest or any quotation.

Claim for Specific Goals for 20 Points Allocation

To claim 20 points for specific goals, the company must have the following ownership:

<u>GOALS</u>	<u>POINTS</u>	<u>VERIFICATION METHOD</u>
<u>Historically Disadvantaged Individual (HDI) Black Person</u>	<u>10 MAX</u>	Submit Full CSD Report not Older than 2 Months
100% Black Person Owned	10	
Equal or Greater than 51% Black Person Owned	05	
<u>Historically Disadvantaged Individual (HDI) Woman</u>	<u>10 MAX</u>	Submit Full CSD Report not Older than 2 Months
100% Woman Owned	10	
Equal or Greater than 51% Woman Owned	05	

Yours Faithfully

.....

Mr. M. Zondi - Supply Chain Management (SCM) Manager

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CONDITIONS OF QUOTATION

PLEASE NOTE THAT THIS QUOTATION IS SUBJECT TO SCM REGULATIONS ISSUED AND SUPPLY CHAIN MANAGEMENT POLICY AND THE GENERAL CONDITIONS OF CONTRACT.

1. Any alteration made by the Service Provider must be initialled.
2. Use of correcting fluid is prohibited
3. Quotations will be opened in public as soon as possible after the closing time of quote.
4. Where practical, prices are made public at the time of opening quotations.
5. This quotation is subject to the Preferential Procurement Policy Framework Act and the Preferential Procurement Regulations, 2022; the General Conditions of Contract (GCC) and if applicable any other Special Conditions of Contract.
6. Suppliers are advised that the 80/20 preference points system shall be applied in the evaluation of this quotation. To qualify for preference points suppliers are required to submit CIPC registration document in order to claim for HDP points.
7. Suppliers must duly complete and sign the attached Municipal Bid Documents, i.e MBD 1, MBD 3.3, MBD 4 -Declaration of interest form, MBD 6.1, MBD 8 - Declaration of Suppliers past performance form and the MBD 9 - Certificate of Independent Bid Determination. Failure to complete these documents may result in your quotation being invalid.
8. Quotations must be in accordance with the specifications, unless otherwise stipulated.
9. The official quotation form must be used. Should the allocated pricing page/information be insufficient, you may include an additional copy of the price page.
10. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.
11. Applications must be deposited in QUOTATION BOX situated as indicated on the quotation request form. Suppliers should ensure that quotations are delivered timeously to the correct address. If the quotation/offer is late, it will not be accepted for consideration.
- 1.1. Nongoma Municipality is under no obligation to accept the lowest or any bid. Further, the municipality reserves the right not to appoint or to appoint one service provider or more than one service providers.
12. The financial standing of Service Providers and their ability to manufacture or to supply goods or render services may be examined before their bids are considered for acceptance.
13. Pricing on the form of offer must be written same amount both in figures and words, failing of which your proposal shall be disqualified with an indication of **“no offer”** on the quotation closing (if applicable).
14. Each page of this quotation document must either be initialled or signed by the authorized signatory to sign on behalf of a Bidder.
15. Bidder must sign a register/ confirmation of submission in **office number 1 (Registry Office)** prior putting the quotation in the quotation box, failing of which a bidder may be disqualified.
16. **Registration on National Treasury's Central Supplier Database (CSD) is compulsory.** For more information on how to register go to www.csd.gov.za . Failure to submit a CSD supplier registration number **will** result in the disqualification of proposals.

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SPECIAL TENDER CONDITIONS

- This tender and its acceptance will be subject to the terms and conditions described below. Nongoma Municipality is/will not be liable for any costs incurred in preparation and delivery of tenders.
- All documents, samples and materials submitted as part of a tender becomes the property of the Municipality, and yet in any event Nongoma Municipality will not be liable for loss or damage to any documents, samples and materials submitted.
- The municipality reserves the right to cancel part or whole of the bid should it found that there is a material irregularity in the procurement processes.
- **TENDER DOCUMENTS MARKING**
 - a. Failure on the part of the tenderer to sign/mark this tender form and thus to acknowledge and accept the conditions in writing or to complete the attached forms, questionnaires and specifications in all respects, may invalidate the tender.
 - b. Tenders must be completed in black ink where mechanical devices are not used, such as typewriters and printers.
 - c. Tenderers will check the numbers of the pages and satisfy themselves that none are missing or duplicated. No liability will be accepted with regard to claims arising from the fact that pages are missing or duplicated.
 - d. Tenders should be hand delivered to the address provided on the Invitation to Quote above so as to reach the destination no later than the closing date and time.
 - e. No tenders transmitted by telegram, telex, facsimile, E-mail or similar apparatus will be considered.
- **VAT, DUTIES AND OTHER TAXES**
 - a. Prices and must be quoted inclusive of VAT and all other relevant taxes and duties (where applicable) should be shown separately.
 - b. The full price under this tender must be quoted in South African Rand (ZAR).
- **TENDER DEFAULTERS AND RESTRICTED SUPPLIERS**
 - a. No tender shall be awarded to a bidder whose name (or any of its members, directors, partners or trustees) appear on the Register of Tender Defaulters kept by National Treasury, or who have been placed on National Treasury's List of Restricted Suppliers. Nongoma Municipality reserves the right to withdraw an award, or cancel a contract concluded with a Bidder should it be established, at any time, that a bidder has been blacklisted with National Treasury by another government institution.

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➤ **TAX COMPLIANCE**

- a. No tender shall be awarded to a bidder who is not tax compliant. Nongoma Municipality reserves the right to withdraw an award made, or cancel a contract concluded with a successful bidder in the event that it is established that such bidder was in fact not tax compliant at the time of the award, or has submitted a fraudulent Tax Clearance Certificate to the Municipality, or whose verification against the Central Supplier Database (CSD) proves non-compliant. Nongoma Municipality further reserves the right to cancel a contract with a successful bidder in the event that such bidder does not remain tax compliant for the full term of the contract.
- b. The Central Supplier Database (CSD) and the tax compliance status PIN are the approved methods of verifying the tax compliance of a bidder. The South African Revenues Services (SARS) does not issue Tax Clearance Certificates anymore but has introduced an online provision via eFiling, for bidders to print their own Tax Clearance Certificates which they can submit with their bids or price quotations.
- c. Nongoma Municipality will therefore accept printed or copies of Tax Clearance Certificates submitted by bidders but will verify their authenticity on SARS eFiling or Central Supplier Database (CSD).

➤ **PRECEDENCE**

This document will prevail over any information provided during any briefing session whether oral or written, unless such written information provided, expressly amends this document by reference.

➤ **INDEMNITY**

If a bidder breaches the conditions of this bid and, as a result of that breach, Nongoma Municipality incurs costs or damages (including, without limitation, the cost of any investigations, procedural impairment, repetition of all or part of the bid process and/or enforcement of intellectual property rights or confidentiality obligations), then the bidder indemnifies and holds the Municipality harmless from any and all such costs which the Municipality may incur and for any damages or losses Nongoma Municipality may suffer.

➤ **CONFLICT OF INTEREST, CORRUPTION AND FRAUD**

- a. **Nongoma Municipality** reserves its right to disqualify any bidder who either itself or any of whose members (save for such members who hold a minority interest in the bidder through shares listed on any recognised stock exchange), indirect members (being any person or entity who indirectly holds at least a 15% interest in the bidder other than in the context of shares listed on a recognised stock exchange), directors or members of senior management, whether in respect of Nongoma Municipality or any other government organ or entity and whether from the Republic of South Africa or otherwise ("Government Entity")
- b. engages in any collusive tendering, anti-competitive conduct, or any other similar conduct, including but not limited to any collusion with any other bidder in respect of the subject matter of this bid;

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- c. seeks any assistance, other than assistance officially provided by a Government Entity, from any employee, advisor or other representative of a Government Entity in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Government Entity;
 - d. makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of Nongoma Municipality officers, directors, employees, advisors or other representatives;
 - e. makes or offers any gift, gratuity, anything of any value or other inducement, to any Government Entity's officers, directors, employees, advisors or other representatives in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Government Entity;
 - f. accepts anything of value or an inducement that would or may provide financial gain, advantage or benefit in relation to procurement or services provided or to be provided to a Government Entity;
 - g. pays or agrees to pay to any person any fee, commission, percentage, brokerage fee, gift or any other consideration, that is contingent upon or results from, the award of any tender, contract, right or entitlement which is in any way related to procurement or the rendering of any services to a Government Entity;
 - h. has in the past engaged in any matter referred to above; or (h) has been found guilty in a court of law on charges of fraud and/or forgery, regardless of whether or not a prison term was imposed and despite such bidder, member or director's name not specifically appearing on the List of Tender Defaulters kept at National Treasury.
- **CONDITIONS OF PAYMENT**
- a. No service should be provided to the Municipality in terms of this tender and no amount will become due and payable by the Nongoma Municipality;
 - b. an official purchase order or similar written instruction has been issued to the supplier where service delivery will be within the specified time scale after the receipt of the official purchase order or similar written instruction; and unless otherwise determined in the contract or other agreement, all payments due to creditors will be settled within 30 days from receipt of a proper invoice or, in the case of civil claims, from the date of settlement or court judgment. This implies that amounts owing will be paid within 30 days from receipt of invoice if the goods, works or services were delivered to the satisfaction of the Municipality.
- **CONTRACTUAL IMPLICATIONS**
- a. The tenderer must complete all documents in full and submit these with the proposal. Failure to comply with these requirements may invalidate the tenderer or disqualify the proposal.

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- b. Upon submission of the tender response, the Tenderer is unconditionally bound by the terms and conditions of the Request for Proposal (RFP) and the tender response. In the event of any conflict or confusion arising between the terms and conditions of the RFP and the tender response, the RFP shall prevail.
- c. The Tenderer acknowledges that awarding of the Tender is based solely on the information supplied in the tender response, accordingly the relevant Terms and Conditions of the Request for Proposal and the tender response will be incorporated in the subsequent written agreement, unless otherwise provided by the Nongoma Municipality.
- d. Other than providing rights to Nongoma Municipality, nothing in this Tender Request and tender response should be construed to give rise to the Municipality having any obligations or liabilities whatsoever, express or implied.
- e. The successful Tenderer shall only be entitled to render services and/or provide goods to the Nongoma Municipality once a separate written contract, which should be aligned to "GOVERNMENT PROCUREMENT GENERAL CONDITIONS OF CONTRACT" (Please visit <http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/default.aspx>) for further information issued in 2010 in this respect) and a service level agreement, has been signed by both the Tenderer and Nongoma Municipality, whereupon the Request for Proposal and tender response will cease to have force and effect.

Full Names of a Bidder's Representative

Signature of a Bidder's Representative

(Accepting all the above listed conditions of tender)

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RESPONSIVENESS AND VALUATION CRITERIA

NB: Nongoma Municipality may verify any information submitted in terms of this bid and any information that is incorrect may result in that bid being automatically disqualified and not considered further.

RESPONSIVENESS CRITERIA

No bid will be considered by Nongoma Municipality unless it meets the following responsiveness criteria (for the bid to be considered responsive, the bid **must** meet the following requirements amongst others):

COMPULSORY RETURNABLE DOCUMENTS:

- The **official Bid document** must be fully completed in indelible black ink. Where the information requested does not apply to the Bidder and the space is left blank, it will be deemed to be incomplete and may be disqualified.
- Each page of this quotation document must be initial by the authorized signatory to sign on behalf of a Bidder.
- The Bidder must be in **good standing** to do business with the public sector (not listed in the database of tender defaulters)
- The bidder must adhere to the **Pricing Instructions**,
- The **Municipal Bid Documents (MBDs) 1, 3.3, 4, 6.1, 8, and 9** must be duly completed and signed by the bidder.
- Central Supply Database (CSD) Number
- Valid Tax Clearance Certificate/ Verification PIN,
- ID certificate(s) of all company directors, members and/or shareholders/ Owner,
- Certificate of Authority for Signatory
- Copy of CIPC company registration documents except Sole Traders,
- Company Account Confirmation Letter from the Bank
- Company directors' proof of resident, utility bill **on rates** proving no arrears for more than 3 months and must not be older than 2 months from the closing date, in the case where the director/ shareholder/ owner resides in areas where municipal charges are not applicable, Proof of Address from either Ward Cllr/ Inkosi must be submitted or signed lease agreement and municipal utility bill (under landlord's name) **on rates** where a director/ shareholder/ owner is renting.
- Company municipal utility bill **on rates** with a matching physical or street address to the one on CSD, proving no arrears for more than 3 months and must not be older than 2 months from the closing date, in the case where the company is operating in areas where municipal charges are not applicable, Proof of Company Address (Ward Cllr/ Inkosi) must be submitted or signed lease agreement and municipal utility bill (under landlord's name) **on rates** where a company is renting.
- Record of addendum (if applicable)

OTHER RETURNABLE DOCUMENTS THAT MAYBE SUBMITTED:

- Central Supply Database Report (CSD),
- VAT Registration certificate.

Signature:

Date:

(Of a person authorized to sign on behalf of the Tenderer)

(By signing, you are agreeing to all the above-required documents)

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AUTHORITY OF SIGNATORY TO SIGN

(To be completed when the Tender is submitted by a Company, Corporation or Firm)

I, the undersigned, hereby declare that I am authorized to enter into this Contract on behalf of

.....

by virtue of resolution/letter dated, a certified copy of which is attached.

Signature:

Name (in capital letters) :

In his/her capacity as :

Date :

As Witnesses:

1. Signature: Name:

2. Signature: Name:

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MBD1

PART A RE-INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE NONGOMA LOCAL MUNICIPALITY					
BID NUMBER:	9/1/1-RFQ068/2026/27	CLOSING DATE:	14 OCT. 2026	CLOSING TIME	12H00 PM
DESCRIPTION	PROVISION OF TRANSPORT SERVICES FOR WOMEN'S MONTH CELEBRATION IN MULTIPURPOSE HALL				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					

QUOTATION RESPONSE DOCUMENTS SHALL BE DEPOSITED IN THE
QUOTATION BOX SITUATED AT NONGOMA MUNICIPALITY:

Lot 103, Main Street, Nongoma, 3950 and be deposited in the municipality's **quotation box** located at Municipality's Main Office no later than **12H00 on Wednesday, 14 October 2026**. Incomplete, faxed and late proposal documents will not be considered.

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 PIN	OR	CSD No:
CIPC REGISTRATION	☐ Yes ☐ No		

In order to claim 20 points for specific goals, the company must have the following ownership

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	
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	FINANCE SERVICES/ SCM UNIT	DEPARTMENT	PLANNING & LED
CONTACT PERSON	MSAWENKOSI ZONDI	CONTACT PERSON	MR. GA. NDABA
TELEPHONE NUMBER	035 831 7500	TELEPHONE NO.:	035 831 7500
FACSIMILE NUMBER	035 831 3152	FACSIMILE NO.:	035 831 3152
E-MAIL ADDRESS	scmmanager@nongoma.gov.za	E-MAIL ADDRESS	gcinan@nongoma.gov.za

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PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

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

2. TAX COMPLIANCE REQUIREMENTS

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

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

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

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

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

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PRICING SCHEDULE (Professional Services)

Name of Bidder:RFQ Number: RFQ.....

Closing Time:H.....

Closing Date/...../ 2026

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

Item	Description	Qty	Rate	Amount
1	Ematheni Traditional Master Plan	01	R	R
	Sub Total		R	
	Add VAT 15%		R	
	Total tendered price		R	

The accompanying information must be used for the formulation of proposals.

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

R.....

3. Persons who will be involved in the project and rates applicable (certified invoices must be rendered in terms hereof)

4. **PERSON AND POSITION**

HOURLY RATE DAILY RATE

..... R R

..... R R

..... R R

..... R R

TOTAL

R.....

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5. Period required for commencement with project after acceptance of bidDays
6. Estimated man-days for completion of project Days
7. Are the rates quoted firm for the full period of contract? ***YES/ NO.**
8. **If not** firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.....
.....
.....

Signature:

Date:

(Of a person authorized to sign on behalf of the Tenderer)

(By signing, you are agreeing to all the above-required documents)



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TERMS OF REFERENCE



Umkhandlu wakwa
NONGOMA
Local Municipality

TRADITIONAL SETTLEMENT MASTER PLAN



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APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER TO PREPARE THE EMATHENI TRADITIONAL SETTLEMENT MASTER PLAN FOR NONGOMA LOCAL MUNICIPALITY

1. Background

Nongoma Local Municipality intends to appoint a suitably qualified and experienced professional service provider to prepare the eMatheni Traditional Settlement Master Plan. The Master Plan will serve as a long-term strategic planning framework to guide sustainable settlement development, land allocation, infrastructure investment, environmental management, economic development, and service delivery within the eMatheni Traditional Authority area.

The Master Plan will promote integrated planning by aligning traditional land administration with municipal planning legislation, while supporting the objectives of the Constitution, the Spatial Planning and Land Use Management Act (SPLUMA), the Municipal Systems Act, the National Development Plan (NDP), the Provincial Growth and Development Plan (PGDP), the Municipal Spatial Development Framework (SDF), the Integrated Development Plan (IDP), and other applicable legislation.

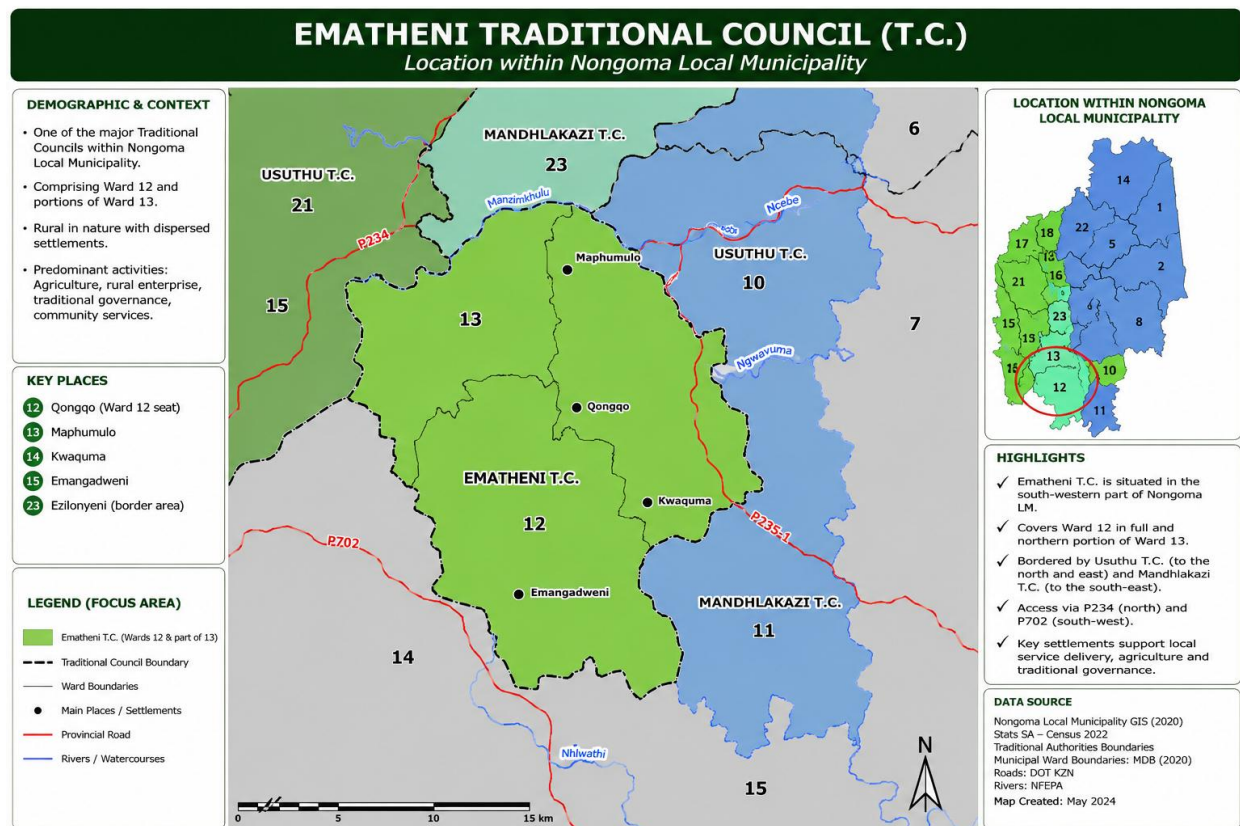
2. Problem Statement

The main objective of the project is to formulate a comprehensive plan of action towards enhancing rural development in Nongoma areas of jurisdiction. Such comprehensive plan should comprise a clear set of objectives, strategies, projects, and a phased implementation programme related to rural development.

Rural communities are still characterised by poverty, inequality, limited access to basic social infrastructure, underdevelopment, lack of economic opportunities, fragmented spatial patterns and environmental degradation. Previously rural communities relied more on agriculture and subsistence farming for food and income/exchange benefits. The rural parts of the country are still associated with high levels of poverty, poor spatial planning, lack of economic opportunities and poor access to basic services.

The inequality of the past is more vivid in rural areas since spatial planning had neglected these areas for quite a long time. Land use practices in these areas were in most cases done in unsustainable manner with no proper plans in place to manage and guide development to maximise improvement of livelihoods of the rural communities, as a result these areas have been left displaced, segregated, underdeveloped and impoverished. Above all, these plans need to ensure transformation of rural South Africa into socially cohesive and stable communities with viable institutions, sustainable economies and universal access to social amenities

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3. Study area

The eMatheni Traditional Council is one of the three Traditional Councils within Nongoma Local Municipality in the Zululand District Municipality, KwaZulu-Natal. It comprises predominantly rural settlements characterised by dispersed homesteads under traditional land tenure administered by the IngonyamaTrust. The current reigning king is his Majesty Melizwe Zulu. The eMatheni Traditional Council comprises Wards 12, 13 and 23.

4. Purpose of the Terms of Reference

The purpose of this Terms of Reference (ToR) is to guide the preparation of a comprehensive eMatheni Traditional Settlement Master Plan for the Nongoma Local Municipality. It outlines the scope of work, objectives, deliverables, and requirements that prospective service providers must address in their project proposals.

Project proposals must clearly demonstrate the consultant's understanding of the assignment and provide a detailed approach to the development of the Traditional Settlement Master Plan.

5. Objectives

The eMatheni Traditional Settlement Master Plan aims to provide a long-term framework for guiding sustainable, orderly, and inclusive development within the eMatheni Traditional Council area while respecting traditional governance, customary land tenure, and environmental resources. The plan should be aligned with the Constitution, SPLUMA, municipal Spatial Development Framework (SDF), Integrated Development Plan (IDP), and other applicable national and provincial planning policies.

The successful service provider shall:

- Undertake a comprehensive situational analysis of the study area.
- Assess current settlement patterns and future growth trends.
- Develop a spatial vision for the Traditional Authority area.

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- Identify suitable areas for future residential expansion.
- Prepare a land use framework.
- Develop environmental management guidelines.
- Identify infrastructure backlogs and future infrastructure requirements.
- Prepare disaster risk and climate adaptation strategies.
- Develop agricultural and rural development proposals.
- Identify economic development opportunities.
- Prepare implementation, monitoring and investment plans.
- Ensure extensive stakeholder consultation throughout the project.



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6. Scope of Work

The appointed service provider shall undertake, but not be limited to, the following work streams.

STEP	PHASE	TIMEFRAME	ACTIONS FOR THE TRADITIONAL SETTLEMENT MASTER PLAN PROCESS
1.	Inception meeting	0 days	Inception Meeting ▪ Tabling the TOR to the PSC for approval ▪ Develop project methodology ▪ Prepare stakeholder engagement plan ▪ Confirm project milestones ▪ Introduction of service provider to the Ematheni TC ▪ Prepare and deliberation on fee payment schedule ▪ Skills transfer methodology
2.	Situational analyses	4 weeks	Situational Analyses: Conduct a comprehensive assessment covering: ▪ Demographic profile ▪ Population projections ▪ Settlement patterns ▪ Existing land uses ▪ Land ownership ▪ Land tenure systems ▪ Customary land allocation ▪ Socio-economic profile ▪ Housing trends ▪ Existing planning policies ▪ Institutional arrangements ▪ SWOT analyses for Matheni Spatial Vision

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3.	Analysis & planning	3 weeks	▪ Settlement Vision ▪ Development Principles ▪ Spatial Development Concept ▪ Growth Management Strategy ▪ Rural settlement structure ▪ Infrastructure Assessment ▪ Economic Assessment ▪ Spatial Development Proposals ▪ Implementation Framework ▪ Environmental and Biophysical Assessment
4	1st Draft Report meeting	4 weeks	Draft Document ▪ Draft document presentation ▪ Draft document ▪ Implementation plan with projects, programme, funder and proposed budget
5	Public Participation	4 weeks	Public Participation ▪ PED Portfolio Committee ▪ Municipal EXCO ▪ Municipal Libraries and public spaces ▪ Other interested and affected party ▪ eMatheni Tribal
6	2nd Draft Report meeting	3 weeks	2nd Meeting report ▪ Presenting the 2st draft report ▪ Final input to the document ▪ Present the document to the eMatheni TC

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7	Final eMatheni Traditional Settlement Master Plan	4 weeks	Final Document ▪ Table the final document to PED portfolio, Exco ▪ Table the document to Council for approval
8.	Implementation, Monitoring and Evaluation Process	2 weeks	▪ Monitoring and evaluation framework
9.	Project Close-Out	1 week	▪ Submission of Final Deliverables ▪ Presentation of the Final Master Plan ▪ Handover of Project Documentation ▪ Capacity Building and Knowledge Transfer ▪ Capacity Building and Knowledge Transfer ▪ Final Invoice payment

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7.PROJECT STEERING COMMITTEE (PSC)

7.1. Roles and Responsibilities of Key Stakeholders

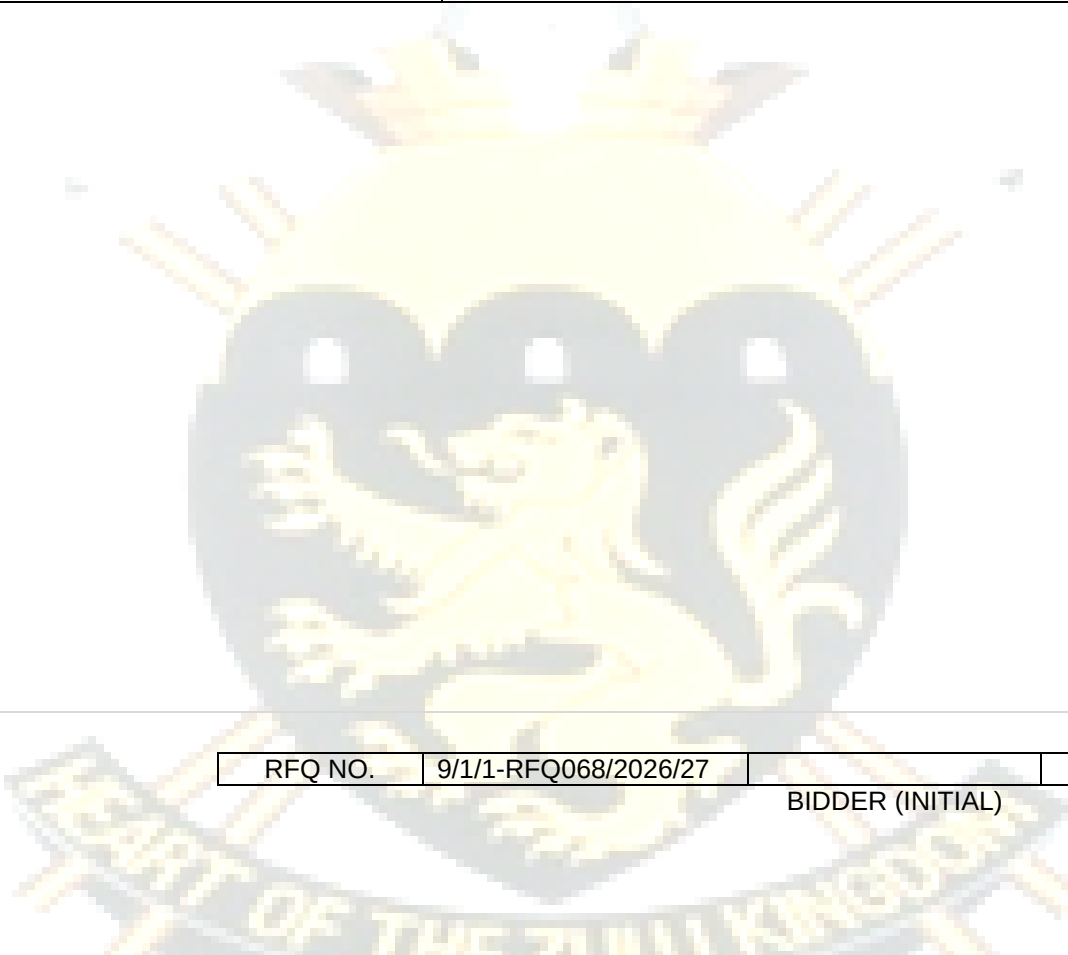
The appointed Service Provider shall facilitate meaningful consultation with the following stakeholders to ensure that the Traditional Settlement Master Plan is informed by local knowledge, government policies, legislative requirements, and sector-specific development priorities.

The Service Provider shall ensure that all stakeholder comments and recommendations are adequately documented, considered, and incorporated, where appropriate, into the Traditional Settlement Master Plan. A comprehensive Stakeholder Engagement Report, including attendance registers, meeting minutes, issues raised, responses provided, and evidence of consultation, shall be submitted as part of the final project deliverables.

STAKEHOLDER	ROLE IN THE TRADITIONAL SETTLEMENT MASTER PLAN
Nongoma Local Municipality	Coordinator
Zululand District Municipality	Represent the interests of Town Planning issues.
Induna	Provide traditional leadership and strategic direction, validate settlement boundaries, identify culturally significant areas, guide land allocation practices, and endorse proposed development interventions within traditional communities.
Ingonyama Trust Board (ITB)	Provide guidance on land tenure and land administration within Ingonyama Trust land, advise on land rights and lease arrangements, and ensure that proposed developments comply with applicable legislation governing Trust land.
Department of Cooperative Governance and Traditional Affairs (COGTA)	Provide policy guidance on traditional governance, spatial planning, and municipal planning legislation, ensure alignment with provincial planning frameworks, and support integrated rural development initiatives.
Department of Agriculture	Identify high-potential agricultural land, advise on the protection of agricultural resources, food security initiatives, and sustainable land use practices.
Department of Human Settlements	Provide guidance on housing policies, settlement upgrading, informal settlement interventions, housing demand, and future human settlement planning initiatives.
Department of Water and Sanitation (DWS)	Provide information on water resources, bulk water infrastructure, sanitation services, floodlines, water availability, and water-related development constraints.
Department of Economy Development Tourism and	Provide environmental policy guidance, identify environmentally sensitive areas, protected ecosystems, biodiversity constraints, and advise on environmental compliance and sustainable

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Environmental Affairs	development principles.
Department of Transport	Provide information on existing and planned transportation infrastructure, road hierarchy, mobility planning, public transport routes, and accessibility requirements. (occasionally)
Eskom	Provide information on existing and planned electricity infrastructure, electrification programmes, servitudes, network constraints, and future electricity supply requirements. (occasionally)
Community Representatives	Represent the interests and needs of local communities, identify development challenges and opportunities, validate local information, participate in visioning exercises, and provide input into proposed development strategies and implementation priorities.
Committee Secretary	Prepare agendas, issue meeting notices, record minutes, maintain attendance registers, track action items, and manage project documentation



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8. Deliverables

8.1. FINAL SUBMISSION

The final documentation should be three copies of each in the form of both hard and electronic versions of core documents and maps. Mapping should be submitted in ArcGIS format (i.e., shapefiles, layer files, mxd files) for use in the Nongoma Municipality. The Service Provider should ensure that all GIS data and metadata is fully compatible with Nongoma Municipality and Zululand District Municipality GIS for each phase of the project before invoices are submitted for payment.

The documents and communication media should be prepared well in advance and the stakeholder engagement process should be to the satisfaction of the Steering Committee. Innovation and the use of isiZulu where appropriate is required for stakeholder engagements; The Service Provider will be expected to submit draft reports and associated Development Communication Media and appropriate mapping for each phase of the project.

8.2. The Final Consolidated Report which consists of:

Agreed upon number of copies of the Consolidated Report encompassing the relevant aspects of the previous phase outcomes including all maps, tables, registers and figures in both hardcopy (printed) and softcopy (electronic such as MS

word and PDF documents);

Maps at A0 level with appropriate transparent overlays;

Public Participation Report & associated comments;

The format of delivery of spatial data to Nongoma Local Municipality shall be in ArcGIS shapefile (.shp) and map package(.mpk) format. The data must be 100% clean and free of any undershoots, overshoots and duplicate entities.

All lines must intersect with zero tolerance should the data be line data. All polygon datasets shall be free of silver polygons. The coordinate system to be used is the WGS 84 on a Hartebeeshoek 94 datum.

Metadata must be supplied in the South African National Metadata Standard (SANS 1878) format. The most compliant metadata style for SANS 1878 in ArcGIS/Pro is the North American Profile ISO19115 2003.

A geodatabase of the final product showing a series of all the maps in the reports, with all data used, while working on

this project. This should be packaged using ESRI ArcReader or ArcExplorer software to enable spatial analysis.

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All maps contained in SDF textual document must be provided as electronic image files (e.g. jpeg, windows Bitmap, GIF, etc.).

8.3. Documents in Word document and pdf document

- Environmental sensitive areas
- Infrastructure Assessment Report
- Socio-economic Assessment Report
- Disaster Risk Assessment Report
- Spatial Development Framework and Concept Plan
- Draft Traditional Settlement Master Plan
- Final Traditional Settlement Master Plan
- Spatial Data (Shapefiles and Geodatabase)
- High-resolution maps
- Executive Summary
- PowerPoint presentation

9. SOLUTION PARAMETERS / INFORMATION GATHERING

The successful service provider is expected to make contact with all the relevant and required officials and units within and outside government to obtain relevant information that is required for the project. Existing information on SDFs/ Local Plans which are available within Nongoma Local Municipality generally will be made available to the successful service provider. However, the responsibility for collecting information necessary for the successful execution of the project remains entirely with the service provider.

10. CAPACITY BUILDING AND SKILLS TRANSFER

The municipality consider skills development as an integral part of the out-sourcing process. The process should ensure that skills development and transfer is achieved within the municipality. Proposals should indicate how skills development and transfer would be achieved in the municipality.

11. RELEVANT SKILLS AND EXPERIENCE

The proposed team of experts in different discipline is crucial for this project ranging from Town Planning, rural development, environmental planning and management, infrastructure planning, socio-economic, statistical, economic, economic geography, agronomy, sociology, development planning, Geographic Information Science and project management who are experienced in the field of spatial planning frameworks and in town planning theory and practice.

The successful service provider will also be expected to have an understanding of and experience in spatial planning regulations of the country. The service provider should have

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experience in auditing projects, ability to interact with a variety of stakeholders as well as good research and report writing skills

The Project Team leader must be registered with SACPLAN as a Professional Planner in terms of the Planning Profession Act, 2002 (a Copy of valid certificate and proof of payment of fees and good standing is to be attached). Provinces should identify who should lead the project from a range of professionals: Town Planner, Agricultural Economist, Economist, Economic Geographer etc. as may be preferred per provincial differentiation.

The successful service provider will be expected to enter into a service level agreement with the Municipality in respect of the deliverables of the project.

The following is a list of a selection criterion for service providers/consortium:

- Proven technical competence in the fields of town and regional planning, geographic information services (GIS) and rural development.
- Technical competence in agricultural and rural economies
- Expertise in managing and coordinating a multi-disciplinary project (Project management skills).
- Appropriate portfolios and project team competencies.
- Quality of presentation of the proposal:
- Methodology or approach;
- Understanding of project purpose
- Outline of expected outputs;
- Indicators and means of verifying progress.
- Ability to read and understand a variety of spatial information and analysis.
- Understanding of relevant rural development policy and legislation.
- Expertise in development of rural development plans.
- Proven GIS expertise
- Sound experience in working with Traditional Authorities;
- Sound Participatory Planning experience
- Project Management;
- Facilitation and translation skills;
- Research, analytical, writing and communication skills;
- Ability to think strategically; and
- Use of Development Communication Media and innovative approach

It is recommended that the Service provider submit a list of people who will be directly involved in the project containing, among other things, names, qualifications and their experience. This should clearly indicate what roles each team member will play.

The team leader and selected team members shall stay the same for the duration of the project and cannot be changed without prior discussions with and approval from the Nongoma

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Municipality. It is expected that the team leader will be available for all meetings and engagements

12. Project Duration and Budget

It is expected that the project be completed by the end of 31March 2027 in line with the project milestones and legislative requirements above. The service provider is expected to prepare a clear work-plan illustrating how the project targets will be met as well as budget split over milestones within the project period and in keeping with legislative requirements.

The budget should be in keeping with the phases of the project. All costs such as travel, accommodation, workshop catering and disbursements, should be consolidated into single project budget estimates for each phase. The Steering Committee will assume that all expenditure relating to the project is anticipated by the Service Provider and is consolidated into the budget estimates for each phase. Only the consolidated budget for each phase should be shown in the proposal submitted and in subsequent invoices submitted to the Municipality.

13. RETENTION

The Municipality shall retain 15% of the total project cost in the case of late or non-delivery of the council approved eMatheni Traditional Settlement Master Plan.

The service provider shall forfeit the total payment per milestone in the case of the project being delayed for longer than 30 days after milestone due date.

The service provider may apply to the Municipality for an extension on the delivery date on any milestone – provided that the service provider gives valid reason(s) to the sole satisfaction of the Municipality.

14. EXTRA WORK

Any costs for extra work by the service provider, incurred over and above this bid which, in the sole opinion of the Chief Director: Integrated Spatial Planning are due to reasons attributable to the service provider during any phase of the project shall be borne by the service provider.

15. REPORTING AND ACCOUNTABILITY

During the execution of the project, the service provider must submit regular progress reports and attend meetings at intervals as determined by the project team or steering committee managing the service provider.

All information captured and or used to generate the outputs of the project remains the property of the Municipality and must be handed over in its totality when the project is closed. The Municipality will retain copyright and all associated intellectual rights thereof. This document together with all agreements to be or reached during the course of the project become part of the contract. The information must be captured and provided in a digital format as agreed (in writing) between the service provider and the

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Municipality. This agreement must be reached and signed off together with the project plan before the project commences.

The project will be signed off by the HOD: Planning and economic Development when:

- all the end products (refer to list) have been delivered and (all deliverables per phase to be approved by the Project Steering Committee),
- a formal presentation has been made to the Chief Directorate: Integrated Spatial Planning, and
- The Chief Director: Integrated Spatial Planning is satisfied that all requirements have been met.

15.1. PSC Meeting Requirements

- **Meeting Frequency:** PSC meetings shall be held at key project milestones and, where necessary, monthly during active project implementation.
- **Notice of Meeting:** The Secretariat shall circulate the meeting invitation, agenda, and supporting documents at least **7 working days** before each meeting.
- **Submission of Deliverables:** The Service Provider shall submit all reports and supporting documents at least **7–10 working days** before the scheduled PSC meeting to allow members sufficient time for review.
- **Review Comments:** PSC members shall provide consolidated written comments within **5 working days** after the meeting, unless otherwise agreed.
- **Minutes:** Draft minutes shall be prepared by the Secretariat and circulated to all PSC members within **5 working days** after the meeting.
- **Approval of Minutes:** Minutes shall be confirmed and adopted at the next PSC meeting.
- **Proceeding to the Next Phase:** The Service Provider shall only commence the next project phase after: the PSC has reviewed the relevant deliverable; comments have been addressed to the satisfaction of the Municipality; and

written approval to proceed has been issued by the Municipal Project Manager or Chairperson of the PSC

15.2. Absence of the Chairperson

If the Chairperson is unable to attend a meeting:

1. The Chairperson shall nominate a representative in writing before the meeting, where possible.
2. If no nomination has been made, the meeting shall elect an **Acting Chairperson** from among the municipal senior officials present, preferably:
3. The Acting Chairperson shall have the same authority as the Chairperson for the duration of that meeting.

15.3. Failure to Achieve a Quorum

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- If a quorum is not achieved within **45 minutes** of the scheduled meeting time, the meeting shall be postponed.
- The Secretariat shall, in consultation with the Chairperson, schedule a new meeting within **7 working days**.
- No formal decisions or approvals may be made at a meeting that is not quorate.



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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, hareholder²):

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.

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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 **ONLY** as per the below table requirements:
Where space provided is not sufficient, please attach a similar table

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Director Name	CSD Number	Company Status		
		Active	Inactive	Deleted

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

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BIDDER (INITIAL)

EMPLOYER(INITIAL)

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

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for **Specific Goals**.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of R30 000.00 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 The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

1.3.1 The maximum points for this bid are allocated as follows:

	POINTS
1.3.1.1 PRICE	80
1.3.1.2 SPECIFIC GOALS	20
Total points for Price and Specific Goals	100

1.4 Failure to submit CIPC Registration document and/or Central Data Base Report.

- 2.1. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

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3. DEFINITIONS

- 2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **“Highest acceptable tender”** means a tender that complies with all specifications and conditions of tender and that has the highest price compared to the other tenders;
- 2.3 **“lowest acceptable tender”** means a tender that complies with all the specifications and conditions of tender and has lowest price compared to the other tenders;
- 2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“price”** means an amount of money tendered for goods or services and includes all applicable taxes less all unconditional discounts;
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** 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;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.10 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.11 **“non-firm prices”** means all prices other than “firm” prices;
- 2.12 **“person”** includes a juristic person;
- 2.13 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.14 **“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

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project in terms of the contract;

- 2.15 **“specific goals”** means specific goals as contemplated in section 2 (1)(d) of the Act which may include contracting with persons or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 November 1994;
- 2.16 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.17 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for specific goals.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for specific goals, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

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

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

80/20 or 90/10

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

- P_s = Points scored for comparative price of bid under consideration
- P_t = Comparative price of bid under consideration
- $P_{\min}$ = Comparative price of lowest acceptable bid

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5. Points awarded for a Specific Goals

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for a specific goal stated in the tender advert in accordance with the table below:

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

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

Specific Goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Number of points allocated (80/20 system) To be completed by the bidder	Verification Method, a Bidder must submit:
<u>Historically Disadvantaged Individual (HDI) Black Person</u>	<u>10 MAX</u>		Submit Full CSD Report not Older than 2 Months
100% Black Person Owned	10		
Equal or Greater than 51% Black Person Owned	05		
<u>Historically Disadvantaged Individual (HDI) Woman</u>	<u>10 MAX</u>		Submit Full CSD Report not Older than 2 Months
100% Woman Owned	10		
Equal or Greater than 51% Woman Owned	05		
TOTAL POINTS	20		

6 DECLARATIONS WITH REGARD TO COMPANY/FIRM

- 6.1 Name of firm :
- 6.2 VAT registration number :
- 6.3 Company registration number :

6.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

6.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

6.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier

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BIDDER (INITIAL)

EMPLOYER(INITIAL)

- ☐ Professional service provider
☐ Other service providers, e.g. transporter, etc.
 [TICK APPLICABLE BOX]

6.7 MUNICIPAL INFORMATION

Municipality where business is situated

Registered Account Number

Stand Number

6.8 TOTAL **NUMBER OF YEARS** THE COMPANY/FIRM HAS BEEN IN BUSINESS.

6.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the Specific Goals indicated in paragraph 5 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 5, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the Specific Goals has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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

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WITNESSES:

1.

SIGNATURE(S) OF BIDDER(S)

2.

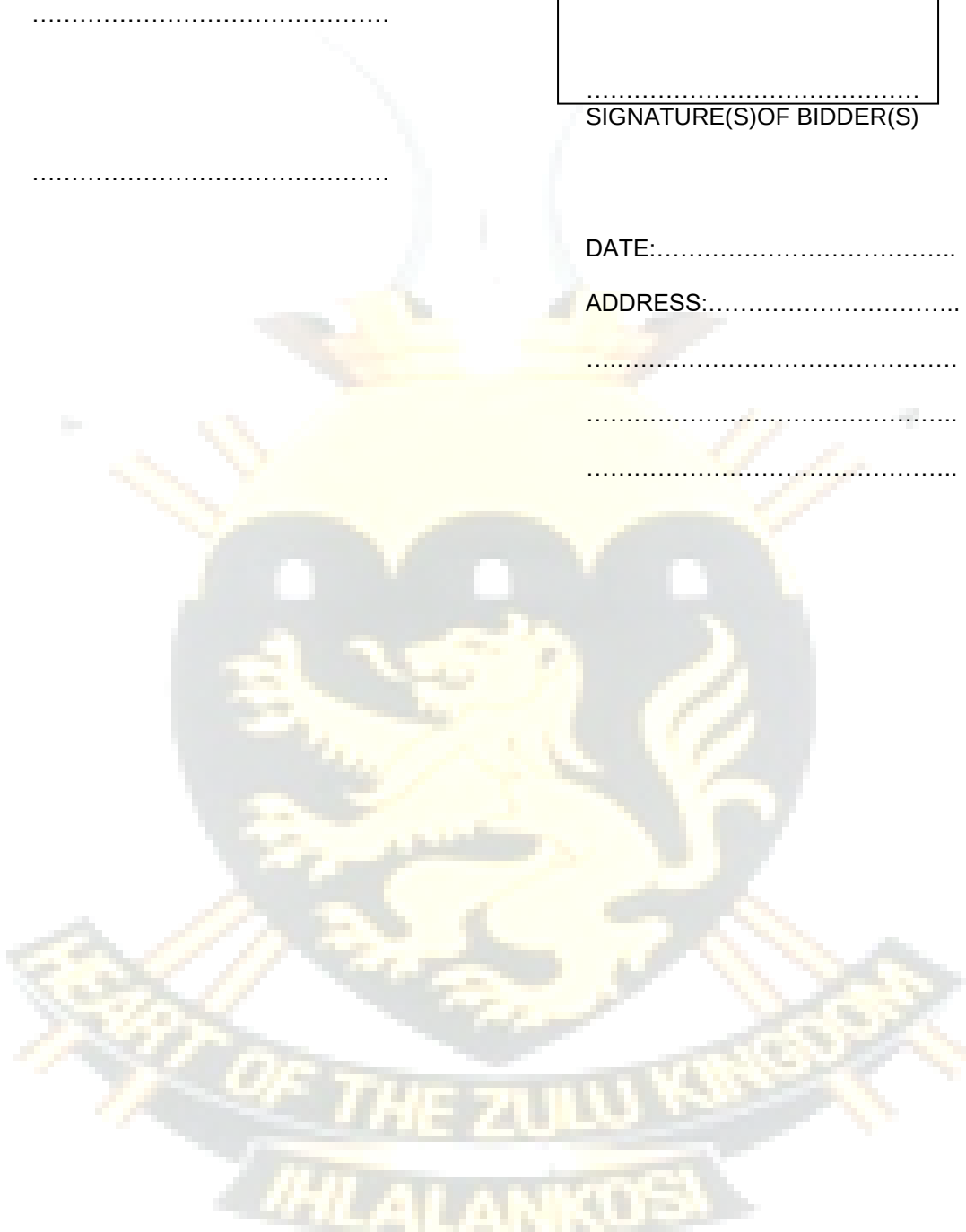
DATE:.....

ADDRESS:.....

.....

.....

.....



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BIDDER (INITIAL)

EMPLOYER (INITIAL)

MBD 7.1**CONTRACT FORM – PURCHASE OF GOODS/ SERVICES**

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) **Nongoma Municipality** in accordance with the requirements and specifications stipulated in bid number **RFQ:** 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,
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Technical Specification(s);
 - Preference claims for specific goals in terms of the Preferential Procurement Regulations 2022;
 - 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:

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

1. I **MPUMELELO B. MNGUNI** in my capacity as **ACTING MUNICIPAL MANAGER** accept your bid under reference number **9/1/1-RFQ068/2026/27** date.....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	SPECIFIC GOALS POINTS
1			Days	HDI Black – 10 Points
2				HDI Women – 10 Points
3				
4				

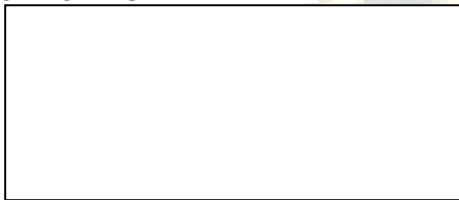
4. I confirm that I am duly authorized to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP



WITNESSES

1.

2.

DATE

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BIDDER (INITIAL)

EMPLOYER(INITIAL)

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

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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.	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
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:		

**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

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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.

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		BIDDER (INITIAL)	EMPLOYER(INITIAL)

I, the undersigned, in submitting the accompanying bid:

RFQ Number _____

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

The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any

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		BIDDER (INITIAL)	EMPLOYER(INITIAL)

competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.

6. 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.
7. 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.
8. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....

Signature Date

.....

Position Name of Bidder

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BIDDER (INITIAL)

EMPLOYER(INITIAL)