



## ELIAS MOTSOLEDI LOCAL MUNICIPALITY

QUOTATION NO. RFQ 23/02/2022

REQUEST FOR QUOTATIONS OR SERVICES  
( R 30 000 TO R 200 000.00 )

### ADVERTISEMENT OF SENIOR MANAGEMENT POSTS ON THE NATIONAL NEWSPAPER

<b>CLOSING DATE:</b>	<b>23/02/2022</b>	<b>TIME</b>	<b>09H00</b>
----------------------	-------------------	-------------	--------------

<b>NAME OF COMPANY</b>	
<b>TOTAL AMOUNT</b>	
<b>CENTRAL SUPPLIER DATABASE NUMBER</b>	MAAA
<b>CONTACT PERSON</b>	
<b>TELEPHONE NUMBER</b>	
<b>FAX NUMBER</b>	

<b>ENQUIRIES REGARDING QUOTATION PROCEDURES</b>		<b>TECHNICAL ENQUIRIES</b>	
DIRECTORATE FINANCIAL SERVICES: SUPPLY CHAIN MANAGEMENT UNIT		DIRECTORATE: COPORATE SERVICES	
<b>M..P MTHIMUNYE</b>		<b>L MAFIRI</b>	
<b>MANAGER SCM</b>		<b>MANAGER: HUMAN RESOURCE</b>	
<b>TEL. NUMBER</b>	<b>013 262 3056</b>	<b>TEL. NUMBER</b>	<b>013 262 3056</b>
<b>QUOTATION ISSUED BY</b>			
FINANCE DEPARTMENT			
SUPPLY CHAIN UNIT			
<b>TEL NUMBER</b>	013 262 3056		
<b>ELIAS MOTSOLEDI LOCAL MUNICIPALITY</b>	P.O. BOX 48 , GROBLERSDAL, 0470		

**QUOTATION DETAILS**

TENDER TITLE	<b>ADVERTISEMENT OF SENIOR MANAGEMENT POSTS ON THE NATIONAL NEWSPAPER</b>					
CLOSING DATE	<b>23/02/2022</b>		CLOSING TIME		<b>09H00</b>	
SITE MEETING	DATE	<b>N/A</b>	TIME	N/A	COMPULSORY	<b>NO</b>
SITE MEETING ADDRESS	<b>N/A</b>					
CIDB GRADING REQUIRED	<b>NO</b>		LEVEL AND CATEGORY		<b>N/A</b>	
QUOTATION DOCUMENT FEE	FREE OF CHARGE		PREFERENCE POINT SYSTEM		<b>80/20</b>	
QUOTATION BOX SITUATED AT	<b>2<sup>nd</sup> Grobler Avenue, Groblersdal, Elias Motsoaledi local Municipality</b>					
OPERATING HOURS	The bid box is open during office hours, Monday to Friday from 7h30 to 16h15					
OFFER TO BE VALID FOR	90	DAYS FROM THE CLOSING DATE OF QUOTATION.				

**PLEASE NOTE:**

1. Prospective suppliers must be registered on CSD prior to submitting quotation and copy of said document must be attached to quotation.
2. Quotations that are deposited in the incorrect box will not be considered.
3. Mailed, telegraphic, telex, or faxed quotations will not be accepted.
4. No late quotations after closing date and time will be accepted.
5. Quotations not clearly marked and unnamed will not be accepted.
6. Quotations may only be submitted on the quotation documentation provided by the municipality.
7. No awards will be made to a person:
  - i. Who is in the service of the state,
  - ii. If that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state
  - iii. Who is an advisor or consultant contracted with the municipality or municipal entity

# QUOTATION NOTICE & INVITATION

## ELIAS MOTSOLEDI LOCAL MUNICIPALITY

QUOTATION NO: **RFQ 23/02/2022**

**CLOSING DATE: 23/02/2022 AT 09H00**

### ADVERTISEMENT OF SENIOR MANAGEMENT POSTS ON THE NATIONAL NEWSPAPER

In terms of Section 110 of the Municipal Finance Management Act, 2003 (No. 56 of 2003), quotations are hereby invited for **ADVERTISEMENT OF SENIOR MANAGEMENT POSTS ON THE NATIONAL NEWSPAPER**

Quotation documents and specifications are available on the municipal website( [www.emlm.gov.za](http://www.emlm.gov.za))

The closing time for receipt of quotations is **09:00am on 23/02/2022**. Telegraphic, telephonic, telex, facsimile, e-mail, unmarked and **late quotations** will under no circumstances be considered and accepted. .

Any technical enquiries relating to the quotation document may be directed to SCM Department on 013 262 3056.

NB; All quotations i.e responses received in terms of procurement mechanisms below the value of R200 000 (Vat included) are excluded from public bid openings

Fully completed quotation documents, clearly marked "**Quote No: RFQ23/02/2022-02, ADVERTISEMENT OF SENIOR MANAGEMENT POSTS ON THE NATIONAL NEWSPAPER**" with "**NAME of SUPPLIER**" must be placed in a sealed envelope and placed in the **quotation box** at 2<sup>nd</sup> Grobler Avenue, Elias Motsoaledi local Municipal Building, **Groblerdal 0470 by no later than 09h00 on 2022/02/23**. The envelope must be endorsed with number, title and closing date as indicated above.

A preferential point system shall apply whereby a contract will be allocated to a tenderer in accordance with the Preferential Procurement Policy Framework Act, Act No. 5 of 2000: Preferential Procurement Regulation 2017 and as defined in the Conditions of Tender in the tender document, read in conjunction with the Supply Chain Management Policy of Elias Motsoaledi Local Municipality. Bidders will be evaluated on Price and BBBEE.

No awards will be made to a person:

- Who is not registered on the Central Supplier Database
- Who is in the service of the state;
- If that person is not a natural person , of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; and/or
- Who is an advisor or consultant contracted with the municipality or municipal entity.

The municipality reserves the right to withdraw any invitation to quote and/or to re-advertise or to reject any quote or to accept a part of it. The municipality does not bind itself to accepting the lowest quotation or award a contract to the bidder scoring the highest number of points.

#### **Minimum Requirements**

The following documents have to be attached:

- Central Supplier Database registration report (Detailed/Summary)
- Valid copy of company registration document
- Original Certified B-BBEE Certificate issued by **SANAS VERIFICATION AGENCY**; original Sworn Affidavit from commissioner of oath or Original / Certified copy of CIPC Sworn Affidavit.
- Fully Completed MBD 1, MBD4, MBD 6.1; MBD,8 and MBD 9 Forms
- Proof of Municipal rates and taxes or services charges of the company and its directors not in arrears for more than 90 days or confirmation from the municipality if municipal rates and taxes are not levied (Both for the company and its directors) as per CK / PTY address; statement or tax invoice not older than 3 months; if leasing, a signed lease agreement by the lessor and the lessee and statement of municipal rates in the name of the lessor must be attached
- Any alterations must be signed (**NB: not initialed**)
- Signed each page (**NB: not initialed**)
- Original certified Copy of ID of Director(s) (not older than 6 months)
- CIPC Abridged certificate for annual returns (**Figures / Amount page**)
- Fully completed Quotation documents (bidders will be disqualified for incomplete document)

## PRICING SCHEDULE

### PRICING INSTRUCTIONS

- a) These pricing instructions provide the tenderer with guidelines and requirements with regard to the completion of the pricing schedule. These pricing instructions also describe the criteria and assumptions which will be assumed in the contract to have been taken into account by the tenderer when developing his prices.
- b) The pricing schedule shall be read with all the documents which form part of this contract.
- c) The rates to be inserted in the pricing schedule are to be full inclusive for the work described under the specification. Such rates shall cover all costs and expenses that may be required in and for the execution of the work described, and shall cover the cost of all general risks, liabilities, and obligations set forth or implied in the documents on which the tender is based, as well as overhead charges and profit.
- d) A rate is to be entered against each item in the Schedule of Fees and Disbursements. An item against which no rate is entered will be accepted as a rate of nil having been entered against such items and covered by the other prices or rates in the schedule.
- e) All rates and sums of money quoted in the pricing schedule shall be in Rands and whole cents.
- f) All travelling costs, accommodation, meals and other incidental costs are to be included in the time based costs.
- g) Provisional amounts shall only be expended on the specific instruction of the Employer.
- h) All prices and rates entered in the pricing schedule must be **inclusive of Value Added Tax (VAT)**.
- i) If VAT registered, then should be added below the schedule. If not VAT registered indicate zero or N/A
- j) Only firm prices will be accepted. Non-firm prices (including prices subject to rates of exchange variations) will not be considered.
- k) In cases of contract periods longer than 12 months and price adjustments is applicable, it will be based on CPI. If higher inflation is required indicate CPI + and number %.

## BOQ

### ADVERTISEMENT OF SENIOR MANAGEMENT POSTS ON THE NATIONAL NEWSPAPER

DESCRIPTION	QTY	UNIT PRICE	TOTAL AMOUNT
Advertisement of Senior Management Posts on the National newspaper (Information to be advertised is on page 6- 13)	7	R	R
TOTAL AMOUNT			R
VAT (15%) If applicable			R
TOTAL AMOUNT (VAT INCLUDED)			R

**NB: ADVERTISEMENT ON THE NATIONAL NEWSPAPER THAT CIRCULATE IN LIMPOPO PROVINCE.**

**THE SUCCESSFUL SERVICE PROVIDER WILL BE REQUIRED TO ADVERTISE THE POST FOR 30 DAYS BEFORE THE CLOSING DATE (25/03/2021), THE MUNICIPALITY RESERVES THE RIGHT TO CHANGE THE DATES IF NECESSARY.**

**Mr M.M Kgwale  
Municipal Manager**

# ELIAS MOTSOLEDI LOCAL MUNICIPALITY

P O BOX 48  
GROBLERSDAL  
0470  
Tel: 013-262 3056



Civic Centre  
2<sup>nd</sup> Grobler Avenue  
GROBLERSDAL,  
0470

Elias Motsoaledi Local Municipality with its seat in Groblersdal Limpopo Province subscribes to principles of employment equity and thus committed to the achievement and maintenance of equity in employment, especially with respect to race, gender and disability in the filling of these vacancies. The objectives of s195 (1)(i) of the Constitution of the Republic of South Africa, 1996, Employment Equity imperatives as defined by the Employment Equity Act 55 of 1998 and relevant Human Resources prescripts will be considered in filling these vacant posts. Suitably qualified candidates (including those who previously applied for the re-advertised vacancies marked "RE-ADVERT") are hereby invited to apply for vacancies hereunder.

## EXTERNAL / INTERNAL ADVERTISEMENT:

The annual total remuneration packages of the positions below are determined in terms of the Local Government: Upper Limits of Total Remuneration Packages Payable to Municipal Managers and Managers Directly Accountable to Municipal Managers *GN 351, GG 43122 of 20<sup>th</sup> March 2020*). **The positions are fixed term contracts which contracts shall be for a fixed term of employment not exceeding a period ending one year after the election of the next council of the municipality.** The incumbents shall be subjected to signing of contracts of employment, performance agreements, disclosure of financial interests and undergo screening, security vetting and competency assessments. The leading and core competencies of the positions are as per applicable prescripts and incumbents will be stationed at Elias Motsoaledi Local Municipality.

**POST: MUNICIPAL MANAGER** (Annual Total Remuneration Package: **Minimum R1, 067, 587 Midpoint R1, 227, 113 and Maximum R1, 386, 637**).

**REQUIREMENTS:** At least a Bachelor Degree in Public Administration, Political Sciences / Social Sciences / Law or equivalent\* 5 years relevant experience at the senior management level and proven successful institutional transformation within public or private sector\*. **KNOWLEDGE:** Advanced knowledge and understanding of relevant policy and legislation\* Advanced understanding of institutional governance systems and performance management\* Advanced understanding of Council operations and delegation of powers\* Good governance\* Audit and risk management establishment and functionality\* Budget and finance management. **ADDED ADVANTAGE:** Registration with a recognized relevant professional body\* CPMD/MFMP from an accredited and recognized body in the unit standards prescribed for financial and supply chain management. **KEY**

**PERFORMANCE AREAS:** As the head of the administration and accounting officer advise municipal political office bearers\* Responsible for establishment and maintenance of a strategic management system for the municipality as a whole to ensure the achievement of the municipality's strategic objectives and its developmental and service delivery obligations\* Responsible and accountable for financial management duties contained in the Local Government: Municipal Finance Management Act 56 of 2003 to ensure the accountability of the municipality's finances. Responsible and accountable for economical, efficient and responsive administration to ensure achievement of value for money\* Ensure development, implementation and monitoring of the Integrated Development Plan (IDP) and Performance Management System (PMS)\* Ensure development, implementation and monitoring of Council policies\* Ensure implementation of Council resolutions\* To perform and be accountable for municipal transformation and organizational development, basic service delivery, local economic development, municipal financial viability and management, good governance and public participation inclusive of support to internal and external auditors and spatial planning and land use management\* Be responsible for stakeholder engagements and overall municipal performance, duties, responsibilities, roles and delegations as contained in the Local Government: Municipal Systems Act 32 of 2000 and other legal prescripts, regulations applicable to municipal government, municipal policies or provisions which may from time to time be issued by the Municipality and made binding upon you.

**POST: CHIEF FINANCIAL OFFICER (CFO) - RE-ADVERT:** (Annual Total Remuneration Package: **Minimum R894, 447, Midpoint R1, 022, 226 and Maximum R1, 133, 463**).

**REQUIREMENTS:** At least a Bachelor Degree in Accounting, Finance or Economics or a relevant qualification registered on the National Qualifications Framework at a NQF level 7 with a minimum of 360 credits\* Minimum of 5 years work-related experience at middle management level\* **ADDED ADVANTAGE:** Registration with a recognized relevant professional body\* CPMD/MFMP from an accredited and recognized body in the unit standards prescribed for financial and supply chain management. **KEY PERFORMANCE AREAS:** Administratively take charge of the budget and treasury office\* Advise the accounting officer of the exercise of powers and duties assigned to the accounting officer in terms of the Local Government: Municipal Finance Management Act 56 of 2003\* Assist the accounting officer in the administration of the municipality's bank accounts and in the preparation and implementation of the municipality's budget\* Advise senior managers and other senior officials in the exercise of powers and duties assigned or delegated to them\* Perform such budgeting, accounting, analysis, financial reporting, cash management, debt management, supply chain management, financial management, review and other duties as may be delegated by the accounting officer to CFO\* Development of medium term financial framework within which the

municipality can operate\* Provide and administer framework for financial accountability and ensure that it is complied with\* Provide inputs to make budget and treasury efficient and effective to ensure compliance with the applicable laws/prescripts\* Ensure and maintain efficient and effective financial systems\* Exercise overall financial management responsibilities in a diligent manner\* Ensure proper and safeguarding of departmental documentation for audit and other reference purposes\* Direct and manage departmental human resource capital\* Responsible for departmental performance management and Other duties, responsibilities, roles and delegations are contained in legal prescripts, regulations applicable to municipal government, municipal policies or provisions which may from time to time be issued by the Municipality and made binding upon you.

**POST: SENIOR MANAGER DEVELOPMENT PLANNING AND LOCAL ECONOMIC DEVELOPMENT (LED) - RE-ADVERT:** (Annual Total Remuneration Package: **Minimum R894, 447, Midpoint R1, 022, 226 and Maximum R1, 133, 463**).

**REQUIREMENTS:** At least a Bachelor of Science Degree in Building Sciences / Architect / Bachelor Degree in Town and Regional Planning or Development Studies or equivalent\* Minimum of 5 years work-related experience at middle management level\* Have proven successful Professional Development / Town and Regional Planning experience. **KNOWLEDGE:** Good knowledge and understanding of relevant policy and legislation\* Good understanding of institutional governance systems and performance management\* Good knowledge of supply chain management regulations and the Preferential Procurement Policy Framework Act 5 of 2000\* Knowledge of geographical information systems\* Knowledge of spatial, town and development planning. **ADDED ADVANTAGE:** Project management certificate or diploma or registration as a Professional Planner in accordance with the Planning Professions Act 36 of 2002\* A qualification relating to National Treasury Competencies requirements obtained from an accredited and recognized body (CPMD/MFMP) core competency in the unit standards prescribed for financial and supply chain management areas in terms of Local Government: Municipal Finance Management Act Municipal Regulations on Competency Levels, will be an added advantage. **KEY PERFORMANCE AREAS:** Provide strategic management to Development Planning and Local Economic Development Department\* Develop, review and implement land use and spatial planning prescripts\* Facilitate town planning and township establishment\* Attend to human settlements matters\* Ensure implementation of SPLUMA and that the Municipality complies with the provisions of all statutory requirements\* Co-ordinate, implement and facilitate Local Economic Development (LED)\* Improve productivity of agriculture, tourism and related sectors to grow local economy\* Exercise departmental financial management responsibilities in a diligent manner\* Direct and manage departmental human resource capital\* Responsible for departmental performance management\*

Maintain positive relationship with traditional leaders and other stakeholders\* Provide inputs to make the Department efficient and effective to ensure that the Department is compliant with the applicable laws/prescripts\* Advise the accounting officer on matters relating to planning, land, economic development and take reasonable steps to ensure that all information required by the accounting officer is submitted timeously\* Ensure proper and safeguarding of departmental documentation for audit and other reference purposes\* Other responsibilities are contained in planning law, applicable municipal policies or provisions which may from time to time be issued by the Municipality and made binding upon you.

**POST: SENIOR MANAGER INFRASTRUCTURE DEVELOPMENT - RE-ADVERT:** (Annual Total Remuneration Package: **Minimum R894, 447, Midpoint R1, 022, 226 and Maximum R1, 133, 463**).

**REQUIREMENTS:** At least a Bachelor of Science Degree in Engineering / BTech: Engineering or equivalent\* Minimum of 5 years work-related experience at middle management level or as a programme / project manager and 3-4 years must be at professional / management level engineering management experience. **KNOWLEDGE:** Good knowledge and understanding of relevant policy and legislation\* Good knowledge and understanding of institutional governance systems and performance management\* Must have extensive knowledge of the public office environment\* Must be able to formulate engineering master planning, project management and implementation. **ADDED ADVANTAGE:** Certificate of competency as required in terms of the General Machinery Regulations, 1988 or registration with a recognized relevant engineering professional body\* A qualification relating to National Treasury Competencies requirements obtained from an accredited and recognized body (CPMD/MFMP) core competency in the unit standards prescribed for financial and supply chain management areas in terms of Local Government: Municipal Finance Management Act Municipal Regulations on Competency Levels, will be an added advantage. **KEY PERFORMANCE AREAS:** Manage infrastructure development services including civil engineering services, electrical services, workshop, vehicle and plant management, project management unit services and programmes within all the satellite service points of the Elias Motsoaledi municipal area of jurisdiction area\* Planning, administering and maintaining electricity distribution and support services\* Efficient maintenance of roads, transport and civil works\* Ensure the sustainable provisioning of the engineering services\* Develop and ensure implementation of the Departmental Strategic Plan and SDBIP\* Efficiently and effectively manage and develop the day-to-day operations, procedures, processes and resources of the Infrastructure Development Department\* Prepare and take control of the Departmental budget\* Exercise departmental financial management responsibilities in a diligent manner\* Develop and

monitor implementation of the Departmental policies and by-laws\* Responsible for departmental performance management\* Direct and manage departmental human resource capital\* Maintain positive relationship with stakeholders\* Provide inputs to make the Infrastructure Department efficient and effective to ensure that the Department is compliant with the applicable laws/prescripts\* Advise the accounting officer on matters relating to the engineering services and infrastructure development and take reasonable steps to ensure that all information required by the accounting officer is submitted timeously\* Advise the accounting officer on proper, efficient and cost-effective provision, construction and maintenance of roads and repairs\* Ensure proper and safeguarding of departmental documentation for audit and other reference purposes\* Other responsibilities are contained in the relevant law, applicable municipal policies or provisions which may from time to time be issued by the Municipality and made binding upon you.

**POST: SENIOR MANAGER EXECUTIVE SUPPORT - RE-ADVERT:** (Annual Total Remuneration Package: **Minimum R894, 447, Midpoint R1, 022, 226 and Maximum R1, 133, 463**).

**REQUIREMENTS:** At least a Bachelor Degree in Public Administration / Public Management / Political Sciences or equivalent\* Minimum of 5 years work-related experience at middle management level. **KNOWLEDGE:** Good knowledge and interpretation of policy and legislation\* Good knowledge of performance management system and good governance\* Good knowledge of supply chain management regulations and prescripts including the Preferential Procurement Policy Framework Act 5 of 2000. **ADDED ADVANTAGE:** Registration with a relevant professional body\* A qualification relating to National Treasury Competencies requirements obtained from an accredited and recognized body (CPMD/MFMP) core competency in the unit standards prescribed for financial and supply chain management areas in terms of Local Government: Municipal Finance Management Act Municipal Regulations on Competency Levels, will be an added advantage. **KEY PERFORMANCE AREAS:** Provide Council and Executive Committee Members support\* Protocol and intergovernmental relations management\* Management of Special Programmes (empowerment and developmental issues pertaining to Children, People Living with Disabilities, Elderly Citizens, Women, Youth and mainstreaming of gender and HIV and AIDS collaborative programmes)\* Co-ordination of activities in the Offices of The Speaker, Chiefwhip of The Council and The Mayor and responsible for human resource management in these offices, The Office of The Speaker, Chiefwhip of The Council and The Mayor\* Provision of technical and administrative support for Municipal Public Account Committee (MPAC) and render supervisory role to staff in the Office of MPAC\* Management of public participation to promote the involvement of communities and community organisations in the matters of local government and enhance provision of democratic and accountable government for local communities\* Management of communications

services\* Management of customer care services\* Management of secretariat services support to Council and relevant Council oversight committees\* Exercise departmental financial management responsibilities in a diligent manner\* Responsible for departmental performance management\* Direct and manage departmental human resource capital\* Maintain positive relationship with stakeholders\* Provide inputs to make the Executive Support Department efficient and effective to ensure that the Department is compliant with the applicable laws/prescripts\* Advise the accounting officer on matters relating to the executive support and the Department and take reasonable steps to ensure that all information required by the accounting officer is submitted timeously\* Ensure proper and safeguarding of departmental documentation for audit and other reference purposes\* Other responsibilities are contained in the relevant law, applicable municipal policies or provisions which may from time to time be issued by the Municipality and made binding upon you.

**POST: SENIOR MANAGER COMMUNITY SERVICES** (Annual Total Remuneration Package: Minimum R894, 447, Midpoint R1, 022, 226 and Maximum R1, 133, 463).

**REQUIREMENTS:** At least a Bachelor Degree in Social Science/ Public Administration/ Law or equivalent. Five (5) years' experience at middle management level and have proven successful institutional transformation within public or private sector. **KNOWLEDGE:** Good knowledge and understanding of relevant policy and legislation\* good knowledge and understanding of institutional governance systems and performance management\* understanding of council operations and delegation of powers as well as health service management, cemetery management, public safety and parks and recreation management. **ADDED ADVANTAGE:** Registration with the South African Council for Social Service Professionals (SACSSP) or similar recognized relevant professional body\* Registration with a relevant professional body\* A qualification relating to National Treasury Competencies requirements obtained from an accredited and recognized body (CPMD/MFMP) core competency in the unit standards prescribed for financial and supply chain management areas in terms of Local Government: Municipal Finance Management Act Municipal Regulations on Competency Levels, will be an added advantage. **KEY PERFORMANCE AREAS:** Public safety (traffic) management\* Environmental services management\* Refuse removal and/or solid waste management programmes\* Designing programs and developing policies to promote an enabling environment for community -based programmes as guided by the municipal IDP\* Provide strategic leadership in relation to the development, implementation, monitoring and reporting on Service Delivery and Budget Implementation Plan of the directorate\* Personnel development and management in the directorate\* Overhead control and management of municipal parks, cemeteries, recreation facilities/programmes, health service management, disaster management, public safety, driver's

license service centre, social services, environmental services, waste management, licensing and satellite service points in accordance with relevant policies and legislation\* Compliance with the relevant legislation\* Provide leadership in relation to relevant sector departments and other agents/ stakeholders inter-collaborative programmes. As Senior Manager Community Services the incumbent will work in close collaboration with the Municipal Manager as well as other functionaries of the Council.

**POST: SENIOR MANAGER CORPORATE SERVICES** (Annual Total Remuneration Package: Minimum R894, 447, Midpoint R1, 022, 226 and Maximum R1, 133, 463).

**REQUIREMENTS:** At least a Bachelor's Degree in Public Administration/Management Sciences/Law or equivalent\* Five (5) years' experience at middle management level and have proven successful management experience in administration\* **KNOWLEDGE:** Good knowledge and understanding of relevant policy and legislation\* good knowledge and understanding of institutional governance systems and performance management\* good knowledge of corporate support services including human capital management, legal services, facilities management, information communication technology and council support\* good knowledge of supply chain management regulations and Preferential Procurement Policy Framework Act 5 of 2000\* Good governance\* Labour Relations Act and other labour related prescripts\* legal background and human capital management and knowledge of coordination of oversight of specialized support functions\* **ADDED ADVANTAGE:** Registration with a relevant professional body\* A qualification relating to National Treasury Competencies requirements obtained from an accredited and recognized body (CPMD/MFMP) core competency in the unit standards prescribed for financial and supply chain management areas in terms of Local Government: Municipal Finance Management Act Municipal Regulations on Competency Levels, will be an added advantage. **KEY PERFORMANCE AREAS:** Knowledge and understanding of relevant policy development and legislation\* Understanding of institutional governance systems and performance management\* Understanding of council operations and delegation of powers\* Implement and review HR strategies, Plans, Policies and Procedures in line with the national framework and guidelines\* Provide strategic support and oversee the provision of support services\* Provide strategic leadership in HR Strategy implementation and Labour matters as well as management of corporate services budget\* Knowledge of corporate support services including: Human Resource Administration, Organization Development, Legal Services, Employee Assistance Programme. Training and Development, Information and Communication Technology, Labour Relations, Auxiliary and Administration Services.

**Applicants applying for these positions must** submit the fully completed and signed official “**Application Form for Employment Senior Managers Post(s)**” which can be downloaded from the Elias Motsoaledi Local Municipality’s website on [www.eliasmotsoaledi.gov.za](http://www.eliasmotsoaledi.gov.za) or obtainable from the HR Office and must be accompanied by their detailed curriculum vitae with proven experience and competencies, contactable references, registration with a relevant professional body, disclosing full details of any dismissal for misconduct and any disciplinary actions, whether pending or finalized instituted against such applicant from current and previous employment, **original certified copies of academic qualifications as well as Identity Documents (ID) (not older than 3 months)**. Late, faxed, e-mailed or applications not made on the official application form shall not be considered. Canvassing to any Councillor(s) or Official(s) for the appointment is strictly prohibited and any collaborating evidence thereof will automatically disqualify the applicant. It is the responsibility of applicants in possession of foreign qualifications to submit evaluated results by the South African Qualifications Authority. Failure to submit all the required documents shall render the application invalid. Applicants who previously applied for re-advertised posts should re-apply if still interested. Should you not hear from the Municipality within 30 working days after the closing date, regard your application as unsuccessful. The Municipality reserves the right of appointment on these posts. Enquiries shall be directed to the Mayor for Municipal Manager’s post @ 013 262 3056 and applications forwarded to: **The Mayor, Elias Motsoaledi Local Municipality, P.O Box 48, Groblersdal, 0470** or hand-delivered to the Office of the Mayor, 2<sup>nd</sup> Grobler Avenue, Groblersdal, 0470. Enquiries shall be directed to the Municipal Manager for the senior managers’ posts @ 013 262 3056 and applications forwarded to: **The Municipal Manager, Elias Motsoaledi Local Municipality, P.O Box 48, Groblersdal, 0470** or hand-delivered to the Office of the Municipal Manager, 2<sup>nd</sup> Grobler Avenue, Groblersdal, 0470.

**The closing date for all the above mentioned posts shall be: 25 March 2022 at 16H15.**

## PART A INVITATION TO BID

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (ELIAS MOTSOLEDI LOCAL MUNICIPALITY)**

BID NUMBER:	CLOSING DATE:	CLOSING TIME:	
DESCRIPTION			

**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

**2<sup>ND</sup> GROBLER AVENUE**

**GROBLERSDAL**

**0470**

**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:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No

**[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]**

<i>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	<i>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3 ]
--	--	---	--

<i>TOTAL NUMBER OF ITEMS OFFERED</i>	<i>TOTAL BID PRICE</i>	<b>R</b>
--------------------------------------	------------------------	----------

<i>SIGNATURE OF BIDDER</i> .....	<i>DATE</i>
-------------------------------------	-------------

**CAPACITY UNDER WHICH THIS BID IS SIGNED**

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	SCM UNIT	CONTACT PERSON	L MAFIRI
CONTACT PERSON	P MTHIMUNYE	TELEPHONE NUMBER	013 262 3056
TELEPHONE NUMBER	013 262 3056	FACSIMILE NUMBER	N/A
FACSIMILE NUMBER	N/A	E-MAIL ADDRESS	lmafiri@emlm.gov.za
E-MAIL ADDRESS	mmthimunye@emlm.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: .....

**DECLARATION OF INTEREST**

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

No.	Information	Please provide detail	
3.1	Full name of bidder or his or her representative		
3.2	Identity number		
3.3	Position occupied in the company (director, trustee, hareholder <sup>2</sup> )		
3.4	Company registration number		
3.5	Tax reference number		
3.6	VAT registration number		
Note	<i>(The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.)</i>		
3.7	Are you presently in the service of the state?  If yes, please furnish particulars :	Yes	No
3.7.1	Name of director		
3.7.2	Service of state organization		

3.8	Have you been in the service of the state for the past twelve months?  If yes, please furnish particulars :	Yes	No
-----	---	-----	----

3.8.1	Name of director		
3.8.2	Service of state organization		
3.9	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? If yes, please furnish particulars :	Yes	No
3.9.1	Name of person in the service of state		
3.9.2	Relationship		
3.10	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? If yes, please furnish particulars :	Yes	No
3.10.1	Name of person in the service of state		
3.10.2	Relationship		
3.11	<i>Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?</i> If yes, please furnish particulars :	Yes	No
3.11.1	Name of director		
3.11.2	Service of state organization		
3.12	Is any spouse, child or parent of the company's director trustees, managers, principle shareholders or stakeholders in service of the state? If yes, please furnish particulars:	Yes	No
3.12.1	Name of director		
3.12.2	Name of relative		
3.12.3	Relationship		
3.13	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? If yes, please furnish particulars:	Yes	No

3.13.1	Name of director	
3.13.2	Related company	
Note:	<p>SCM Regulations:</p> <p>"In the service of the state" means to be –</p> <ul style="list-style-type: none"> <li>(a) a member of – <ul style="list-style-type: none"> <li>(i) any municipal council;</li> <li>(ii) any provincial legislature; or</li> <li>(iii) the national Assembly or the national Council of provinces;</li> </ul> </li> <li>(b) a member of the board of directors of any municipal entity;</li> <li>(c) an official of any municipality or municipal entity;</li> <li>(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);</li> <li>(e) a member of the accounting authority of any national or provincial public entity; or</li> <li>(f) an employee of Parliament or a provincial legislature.</li> </ul> <p>"<sup>2</sup> Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.</p>	

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

Full Name	Identity Number	State Employee Number

5. I, the undersigned 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.	
<b>NAME OF REPRESENTATIVE</b>	<b>AUTHORIZED SIGNATURE (UNDERSIGNED)</b>
<b>DATE</b>	<b>CAPACITY</b>

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

**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 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

- a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) The 80/20 preference point system will be applicable to this tender

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

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

	POINTS
<b>PRICE</b>	80
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 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.

**2. DEFINITIONS**

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“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 goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment

issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
  - 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

## POINTS AWARDED FOR PRICE

### 3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

## 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

**5. BID DECLARATION**

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

**6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

6.1 B-BBEE Status Level of Contributor: . = .....(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME	QSE
	√	√
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

8.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 MUNICIPAL INFORMATION

**Municipality where business is situated:** .....

**Registered Account Number:** .....

**Stand Number:**.....

8.8 Total number of years the company/firm has been in business:.....

8.9 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 B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 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 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor 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) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

WITNESSES

1. ....

2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....

## DECLARATION OF BIDDERS 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:
  - 3.1 abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
  - 3.2 been convicted for fraud or corruption during the past five years;
  - 3.3 willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  - 3.4 been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No. 12 of 2004).
4. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

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

### CERTIFICATION

I, the undersigned 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.

<b>NAME OF REPRESENTATIVE</b>	<b>AUTHORIZED SIGNATURE (UNDERSIGNED)</b>
<b>DATE</b>	<b>CAPACITY</b>

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This municipal bidding document (MBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4(1)(b)(iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38(1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - 3.1. take all reasonable steps to prevent such abuse;
  - 3.2. 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
  - 3.3. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

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

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

---

**(Bid Number and Description)**

in response to the invitation for the bid made by:

---

**(Name of Municipality / Municipal Entity)**

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

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

**(Name of Bidder)**

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

(f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

## NOTICE OF SUPPLY CHAIN MANAGEMENT

### APPLICATION FOR REGISTRATION ON CENTRAL SUPPLIER DATABASE

Par 14(1)(a) of the municipal supply chain management policy states that the municipality must keep a list of accredited prospective providers of goods and services that must be used for the procurement requirements.

The purpose of this notice is to obtain proof that the service provider is registered on the Central Supplier Database.

**Registration is COMPULSORY in order to conduct business with Elias Motsoaledi Local Municipality.**

The database will be used to verify the accreditation of a supplier before an award can be made.

Each bidder must complete the below checklist (please tick with an X where appropriate)

QUESTIONS		YES	NO
1.	Is your company registered on the Central Supplier Database?		
2.	If yes, provide the following details:		
2.1	▪ CSD registration number	MAAA	
2.2	▪ Unique CSD number		
3.	If no, please register on Central Supplier Database ,website, <a href="http://www.csd.gov.za">www.csd.gov.za</a> , before submitting tender document		
I, (insert full name)			
of (insert physical address)			
being a Director, Principal Shareholder, owner of company (insert company name)			
hereby confirms that, the information submitted in this form is accurate, to the best of my knowledge			
SIGNATURE			

#### **General Notes:**

- **The council is not bound to accept the lowest or any quotation and the council reserve the right to appoint partially or wholly or not to appoint at all.**

#### **GENERAL CONDITIONS OF CONTRACT**

The General Conditions of Contract are not included in this document and may be downloaded from the following website – [www.treasury.gov.za/legislation](http://www.treasury.gov.za/legislation).