

## REQUEST FOR QUOTATION (RFQ) AUTHORISATION FORM FOR GOODS/SERVICES

<b>MBDA05899 MFMP TRAINING</b>	
<b>DATE REQUESTED</b>	<b>06 December 2024</b>
<b>DEPARTMENT</b>	<b>Corporates Services</b>
<b>PROJECT NAME</b>	<b>MFMP Training</b>
<b>DETAILED DESCRIPTION AND / SPECIFICATIONS</b>	<p>Please see scope of work attached on Annexure A.</p> <p><b>CLOSING DATE: FRIDAY 13 DECEMBER 2024 AT 16:00</b></p>
<b>EVALUATION CRITERIA</b>	The quotes will be evaluated on the 80/20 price and specific goals as per MBD 6.1 attached. .
<b>PAYMENT FOR SERVICES</b>	<p>Payment will be issued after the goods have been delivered or the service has been rendered and deemed to be satisfactory.</p> <p>Payments will be made within 30 days from receipt of a valid invoice, accompanied by a statement of account.</p>
<b>GENERAL CONDITIONS</b>	<p>1.1. All prices must be exclusive of Value Added Tax (VAT).</p> <p>1.2. All prices will be evaluated exclusive of VAT.</p> <p>1.3. It is compulsory for all potential suppliers to be registered on the Central Supplier Database.</p> <p>1.4. The MBDA reserves the right not to accept the lowest or any quotation and no reason to the acceptance or rejection of quotation will be furnished.</p> <p>SCM Listing Criteria and returnable document requirements:</p> <ol style="list-style-type: none"> <li>1. Full CSD Report</li> <li>2. Valid BBBEE certificate</li> <li>3. Declaration for service of the state – MBD4</li> <li>4. Municipal Billing clearance certificate or Municipal Statement of account or a lease agreement.</li> <li>5. Certificate of Independent Bid Determination (MBD9)</li> </ol> <p>1.5. Quotations to be valid for 60 days from closing date</p> <p>1.6. The MBDA SCM policy will apply.</p>

<b>CONTACT PERSON</b>	Name: Nelisa Mgobozi Email: formal.quotes@mbda.co.za Tel: 041 811 8200
<b>ANY ADDITIONAL REQUESTS/ COMMENTS</b>	

**THE REQUIRED SERVICES AND SCOPE OF WORK****1. BACKGROUND**

The Mandela Bay Development Agency (MBDA) is a municipal entity that was established in 2003 by the Nelson Mandela Bay Municipality (NMBM). The MBDA has been mandated by the Nelson Mandela Bay Metropolitan Municipality as a transdisciplinary implementing agent for programmes, projects and events within its mandated areas and precincts, which are to be aligned to the various plans of the NMBM.

The Municipal Finance Management Programme (MFMP) is designed around requirements of the competency regulations as stipulated in the Government Gazette (29967 of 15 June 2017). A learning programme approach has been adopted in the development and design of the MFMP in order to ensure that participants are able to learn and apply skills acquired and to accumulate credits towards full certification for the qualifications. The MFMP is made up of 6 Learning Programmes with the Unit Standards prescribed for the MFMP at NQF Level 6 and at NQF Level 5.

**The six learning programmes are as follows:**

- 1) Learning Programme 1: Strategic Management, Budgeting Implementation and Performance Management
- 2) Learning Programme 2: Municipal Accounting and Risk Management
- 3) Learning Programme 3: Governance and Legislation
- 4) Learning Programme 4: Cost and Capital Planning
- 5) Learning Programme 5: Municipal IT Support and Project Management
- 6) Learning Programme 6: Supply Chain Management and Public Private Partnerships

Each learning programme is further linked to the following Unit Standards:

1. 119334: Discuss the selected legislative regulatory framework governing the public sector management and administration environment
2. 116361: Interpret South African legislation and policy affecting municipal financial management
3. 116344: Apply the Inter-governmental Fiscal Act to municipal management
4. 116348: Conduct stakeholder consultation around municipal finance programmes
5. 116343: Apply the principles of ethics in a municipal environment
6. 116345: Apply the principles of budgeting within a municipality.
7. 116364: Plan a municipal budgeting and reporting cycle.
8. 116363: Prepare and analyse municipal financial reports.
9. 116358: Contribute to the strategic planning process in a South African Municipality.
10. 116347: Contribute to capital planning and financing.
11. 116340: Apply costing principles to municipal operational and service-based costing.
12. 119331: Conduct working capital management activities in accordance with sound financial management policy.
13. 119341: Apply cost management information systems in the preparation of management reports.

14. 116360: Manage information technology resources in a municipal finance environment
15. 119343: Apply operations research principles and tools in the management of project activities and resources.
16. 119352: Apply principles of information systems to public finance and administration.
17. 119351: Apply principles of computerised systems to manage data and reports relevant to the public sector administration
18. 116353: Participate in the design and implementation of municipal supply chain management
19. 119353: Plan and implement public-private partnerships for municipal service delivery
20. 116346: Apply techniques and South African statutes to cash and investment management in a municipality environment.
21. 116362: Manage a municipality's assets and liabilities.
22. 116339: Apply risk management in South African Municipalities.
23. 116357: Design of internal control and internal control evaluations framework in a municipal environment.
24. 116351: Conduct audit planning and implementation in a South African Municipality.
25. 119348: Apply selected GRAP (Generally Recognised Accounting Practice) to the periodic accounting reporting process.
26. 119350: Apply accounting principles and procedures in the preparation of reports and decision making.
27. 116342: Apply approaches to managing municipal income and expenditure within a multi-year framework.
28. 116341: Conduct performance management to a South African municipal environment.

The MBDA hereby calls for proposals from accredited training providers to administer the MFMP unit standards training by both formal classroom setting, virtual classroom and/or Recognition of prior learning (RPL) basis.

## **2. OBJECTIVES**

To ensure that officials as identified by the MBDA are certified as compliant and have passed the relevant Unit Standards as gazetted.

The MBDA will advise the officials to be trained from time to time. New employees may be added to the programme at any time and Unit Standards may need to be repeated over the contract period.

## **3. TIMEFRAME**

**This contract shall be for a period of 12 months or a maximum of R200 000 including VAT, whichever is reached first.**

#### 4. SCOPE OF WORK

- 4.1 To provide training by way of classroom activity virtual or in person (maximum 3 days per unit standard) or recognition of prior learning (RPL). MBDA will avail its facility for classroom activity with its employees.
- 4.2 Develop an implementation plan to enable the officials to be competent in the required unit standard/s.
- 4.3 The training provider will be expected to provide all the necessary training material in print and electronic format.
- 4.4 To provide quarterly status reports on Unit Standards submitted for assessment; assessed and declared competent.
- 4.5 To submit the completed Unit Standards and portfolio of evidence's (POE) for assessment to LGSETA.
- 4.6 Follow up on assessment results with LGSETA.
- 4.7 Provide the LGSETA statement of results. This will be required even after the contract has expired if there are still SOR's outstanding which was done under the contract.
- 4.8 Keep and submit attendance registers for classroom activities.

#### 5. PROPOSAL AND QUOTATION

Prospective service provider should submit their all-inclusive pricing, and must include:

- 5.1. Individual course fee per candidate for each Unit Standard
- 5.2. RPL fee per Unit Standard
- 5.3. Prices must include all costs relating to the assessment, administration and uploading of learner result with LGSETA and Certification.
- 5.4. The costing proposal must also include all applicable cost such as cost for accommodation, travel & subsistence, the overall assessment of the learner's experience, qualifications and compliance with the National Treasury Competency Regulations as well as monthly and ad hoc reporting as required etc.

#### 6. LOCATION

- 6.1. The MBDA's operations are based in Port Elizabeth/Gqeberha.

#### 7. CERTIFICATION OF MAIN APPLICANT AND FACILITATORS

- 7.1. Main applicant must be registered with LGSETA to provide MFMP training and proof of being a valid accredited training provider for MFMP with LGSETA **and listed on National Treasury as a MFMP training provider** must be provided. **Failure to submit such proof of both the Main Applicant and the nominated facilitator/s will result in in the Main Applicant being deemed non-responsive.**
- 7.2. **The nominated facilitators must be registered with LGSETA to provide MFMP training and proof of being a valid accredited facilitator for MFMP with LGSETA must be provided. Failure to submit such proof of both the Main Applicant and the nominated facilitator/s will result in in the Main Applicant being deemed non-responsive.**

- 7.3. Experience relates to the credibility of the company to provide accredited MFMP training and a proven track record. A List of previous MFMP training completed in the past three years with contactable references must be attached.

## **8. THE APPLICANT**

- 8.1 It should be noted that it is the responsibility of the Main Applicant to ensure that all professional services this project requires, and costs of those services are factored into the tender submission as no further budget variations will be permitted.
- 8.2 All submissions to be made by the Applicants must clearly demonstrate appropriate skills, past experience and ability to deliver the scope of work as described above.
- 8.3 All compulsory documents must be submitted.

## **9 EVALUATION**

The bid will be evaluated in the following three (3) stages:

- 9.1 Stage 1 – assessment for compliance to minimum requirements and required documentations
- 9.2 Stage 2 – assessment for functionality criteria
- 9.3 Stage 3 – assessment for price and preference points

## FUNCTIONALITY CRITERIA SCORE SHEET

FUNCTIONALITY CRITERIA	
<p><b>1. Relevant Experience</b></p> <p><b>Main Applicant has experience in providing MFMP training</b></p> <p>a) Greater than 5 years <b>25</b></p> <p>b) 2 to 5 years <b>15</b></p> <p><b>Facilitators has experience in providing MFMP training</b></p> <p>a) Greater than 5 years <b>20</b></p> <p>b) 2 to 5 years <b>10</b></p> <p><b>CV's, company profiles and contactable references of clients, failure to provide proof of experience of main applicant and facilitators will result in zero (0) points scored for each above.</b></p>	<b>45</b>
<p><b>2. Certifications</b></p> <p><b>2.1</b> Main applicant is registered with with LGSETA and listed on the National Treasury training service provider list to provide MFMP training. <b>20</b></p> <p><b>2.2</b> Main applicant did not submit proof of registration of both LGSETA to provide MFMP training. <b>0</b></p> <p><b>2.3</b> Facilitators is registered with LGSETA to provide MFMP training. <b>20</b></p> <p><b>2.4</b> Facilitator did not submit proof of registration with LGSETA to provide MFMP training. <b>0</b></p>	<b>40</b>
<b>Total</b>	<b>85</b>

**Minimum functionality score is: 75/85**

**PRICING SCHEDULE (ALL BIDDERS MUST COMPLETE THE PRICING SCHEDULE, AMOUNT TO INCLUDE VAT)**

<b>ITEM DESCRIPTION</b>	<b>UNIT STANDARD COST (R)</b>	<b>FACILITATOR COST PER UNIT STANDARD (R)</b>	<b>TOTAL OF ALL OTHER RELEVANT COST (E.G. DISBURSEMENTS, MATERIALS ETC) (R)</b>	<b>TOTAL AMOUNT PER UNIT STANDARD (R)</b>
1. <b>119334:</b> Discuss the selected legislative regulatory framework governing the public sector management and administration environment.				
2. <b>116361:</b> Interpret South African legislation and policy affecting municipal financial management.				
3. <b>116344:</b> Apply the Inter-governmental Fiscal Act to municipal management.				
4. <b>116348:</b> Conduct stakeholder consultation around municipal finance programmes.				
5. <b>116343:</b> Apply the principles of ethics in a municipal environment.				
6. <b>116345:</b> Apply the principles of budgeting within a municipality.				
7. <b>116364:</b> Plan a municipal budgeting and reporting cycle.				



8. <b>116363:</b> Prepare and analyse municipal financial reports.				
9. <b>116358:</b> Contribute to the strategic planning process in a South African Municipality.				
10. <b>116347:</b> Contribute to capital planning and financing.				
11. <b>116340:</b> Apply costing principles to municipal operational and service-based costing.				
12. <b>119331:</b> Conduct working capital management activities in accordance with sound costing financial management policy.				
13. <b>119341:</b> Apply cost management information systems in the preparation of management reports.				
14. <b>116360:</b> Manage information technology resources in a municipal finance environment.				
15. <b>119343:</b> Apply operations research principles and tools in the management of project activities and resources.				
16. <b>119352:</b> Apply principles of information systems to public finance and administration.				
17. <b>119351:</b> Apply principles of computerised systems to manage data and reports relevant to the public sector administration.				

18. <b>116353:</b> Participate in the design and implementation of municipal supply chain management.				
19. <b>119353:</b> Plan and implement public-private partnerships for municipal service delivery.				
20. <b>116346:</b> Apply techniques and South African statutes to cash and investment management in a municipality environment.				
21. <b>116362:</b> Manage a municipality's assets and liabilities.				
22. <b>116339:</b> Apply risk management in South African Municipalities.				
23. <b>116357:</b> Design of internal control and internal control evaluations framework in a municipal environment.				
24. <b>116351:</b> Conduct audit planning and implementation in a South African Municipality.				
25. <b>119348:</b> Apply selected GRAP (Generally Recognised Accounting Practice) to the periodic accounting reporting process.				
26. <b>119350:</b> Apply accounting principles and procedures in the preparation of reports and decision making.				

27. <b>116342:</b> Apply approaches to managing income and expenditure within a multi-year framework.				
28. <b>116341:</b> Conduct performance management to a South African municipal environment.				
<b>TOTAL COST FOR ALL 28 UNIT STANDARDS</b>			<b>R</b>	
<b>VAT AT 15%</b>			<b>R</b>	
<b>TOTAL TENDER PRICE INCLUDING VAT</b>			<b>R</b>	

**FAILURE TO COMPLETE ANNEXURE “C” WILL RESULT IN A BIDDER’S TENDER BEING DEEMED NON-COMPLIANT. BIDDERS MAY HOWEVER INCLUDE ANY ADDITIONAL PRICING SCHEDULES / LISTS SHOULD THEY WISH TO.**

**1.1 Please note the unit standards and total tender price listed above are for evaluation purposes. Training will be on a need’s basis, based on the requirements of the MBDA staff members.**

**1.2 Payment of invoices shall be made within 30 days of receipt of a valid invoice.**

**1.3 All rates above must be quoted for inclusive of VAT.**

## **MBD 4**

### **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.**

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

3.2 Identity Number: .....

3.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>):.....

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. ....

.....

<sup>1</sup>MSCM 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) an executive member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

<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.

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

3.9.1 If yes, furnish particulars.....

.....

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

3.10.1 If yes, furnish particulars.

.....

.....

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

3.11.1 If yes, furnish particulars

.....

.....

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

3.12.1 If yes, furnish particulars.

.....

.....

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

3.13.1 If yes, furnish particulars.

.....

.....

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

3.14.1 If yes, furnish particulars:

.....  
 .....

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

Full Name	Identity Number	State Employee Number

.....  
**Signature**

.....  
**Date**

.....  
**Capacity**

.....  
**Name of Bidder**

**MBD 6.1**

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

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

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

**1. GENERAL CONDITIONS**

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

**1.2 To be completed by the organ of state**

a) The applicable preference point system for this tender is the 80/20 preference point system.

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

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

**1.4 To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	<b>80</b>

<b>SPECIFIC GOALS</b>	<b>20</b>
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

$$Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

<b>B-BBEE Status Level of Contributor</b>	<b>Number of Points</b>
1	10
2	9



3	7
4	6
5	4
6	4
7	2
8	1
Non-compliant Contributor	0

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)	Required proof for specific goals claimed
B-BBEE status contributor	10		B-BBEE certificate confirming B-BBEE level status contribution
Enterprise located within the Nelson Mandela Bay municipal area	5		Detailed CSD registration report demonstrating supplier address information together with municipal statement of account or lease agreement or billing clearance certificate
Enterprise owned by black women	3		Detailed CSD registration report / detailed B-BBEE certificate demonstrating black women ownership

Enterprise owned by black youth	2		Detailed CSD registration report / detailed B-BBEE certificate demonstrating black youth ownership
TOTAL POINTS	20		

## DECLARATION WITH REGARD TO COMPANY/FIRM

4.2. Name of company/firm.....

4.3. Company registration number: .....

4.4. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.5. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

**Mandela Bay Development Agency**

**Directors:** V Dyantyi, P Kondlo, M Moolman, KG Ntshanyana

G Perumal (Chairperson).

**Company Secretary:** M Matiwane

.....

**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....

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**CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD9)**

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I, the undersigned, in submitting the accompanying Proposal in relation to \_\_\_\_\_

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

I certify, on behalf of: \_\_\_\_\_ that:  
(Name of Applicant)

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

- (d) the submission of a Proposal which does not meet the specifications and conditions of the Proposal; or
  - (e) submitting a Proposal with the intention not to win the award.
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 improvements to which this Proposal relates.
  9. The terms of the accompanying Proposal have not been, and will not be, disclosed by the Applicant, directly or indirectly, to any competitor, prior to the date and time of the official opening of proposals or the awarding of the contract.
  10. The Applicant (including any individual Applicant), and no member of the Applicant (if the Applicant is a Close Corporation), and no director and/or shareholder of the Applicant (if the Applicant is a Company), and no Trustee and/or beneficiary of the Applicant (if the Applicant is a Trust), and no person, including juristic persons (and including such juristic person's members, directors and/or shareholders, trustees and/or beneficiaries) having an interest in any Joint Venture Vehicle or Consortium constituting the Applicant has any interest in any competitor.
  11. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids, proposals and contracts, proposals 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.

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**Signature**

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**Date**

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**Name of Applicant**

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**DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (MBD 8)**


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- 1 This Municipal Bid Document must form part of all Bid 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 Bid 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).  <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>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the Bidder or any of its directors listed on the Register for Bid Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? <b>The Register for Bid 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>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.2.1	If so, furnish particulars:		
4.3	Was the Bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
<b>Item</b>	<b>Question</b>	<b>Yes</b>	<b>No</b>
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 <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the Bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

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***CERTIFICATION***

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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**