

LEPHALALE LOCAL MUNICIPALITY



YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (LEPHALALE LOCAL MUNICIPALITY)

Bid Amount: R78.00 or Freely downloadable from www.lephalale.gov.za

RFQ NO: RFQ.BTO.07.03

REFERENCE NO: 8/1/2-23505

DESCRIPTION: APPOINTMENT OF SUITABLE SERVICE PROVIDER FOR ANNUAL FINANCIAL STATEMENT (AFS) 2021/2022 QUALITY REVIEW.

LEPHALALE MUNICIPALITY Supply Chain Management Division Contact : R Mosima / K Maphoto Tel No : (014) 762 1543/1575	LEPHALALE MUNICIPALITY BTO: Reporting (End-User) Contact : T Mojela / M Ntoampe Tel No : 014 762 1593/1498
Advert Date: 14 July 2022	Closing Date: 20 July 2022
Closing Time: 12H00	Bid Box No: Marked
Briefing Session Date: N/A	Time:
Venue :	
Name of Bidder:	
Bid Amount (VAT Excluded): R.....	

Bidders should ensure that RFQ's are delivered timeously to the correct address: Crn Joe Slovo/Douwwater street Lephalale 0557.

The bid box is generally open 24 hours a day, 7 days a week.

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (as defined in Regulation 1 of the Local Government: Municipal Supply Chain Management Regulations)

PART A

INVITATION TO BID

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					
		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	
IF YES, WHO WAS THE AFFIDAVIT / CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX		<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)		
		<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		
		<input type="checkbox"/>	AFFIDAVIT ISSUED BY SA POLICE SERVICE <input type="checkbox"/> / DEPT OF TRADE AND INDUSTRY <input type="checkbox"/>		
		<input type="checkbox"/>	A REGISTERED AUDITOR		
NAME:					
[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]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]	
SIGNATURE OF BIDDER				DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)					
TOTAL NUMBER OF ITEMS OFFERED				TOTAL BID PRICE (ALL INCLUSIVE)	

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:								
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.</p>								
2. TAX COMPLIANCE REQUIREMENTS								
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) 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.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>								
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS (NOT MANDATORY FOR SA COMPANIES)								
<table style="width: 100%; border: none;"> <tr> <td style="width: 70%;">3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> </table> <p>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</p>	3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO	3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO	3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO	3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
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3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO							
3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO							
3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO							

1. NOTICE TO ALL BIDDERS ON DISQUALIFICATION:

A bid not complying with the requirements stated hereunder will be regarded as not being an "Acceptable bid", and as such will be rejected.

- 1. NO RFQ WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE**
- 2. All Declarations, MBD 6.1 and MBD 3.1 must be completed and signed in full.**
3. The bid must be properly received in a sealed envelope clearly indicating the description of the service and the bid number for which the bid is submitted.
4. The bid must be deposited in the relevant bid box as indicated on the notice of the bid on or before the closing date and time of the bid. Bidders must ensure that Bid Documents are delivered timeously to the correct address. **If the bid is late, it will not be accepted for consideration.**
- 5. A copy Tax Pin for confirmation of Tax matters.**
- 6. The proof of CSD registration report must be attached**
7. Copies of the company registration must be submitted with the RFQ on or before the closing time and date of the bid.
8. Submission of a Joint Venture Agreement, where applicable, which has been properly signed by all parties.
9. No RFQ who is blacklisted by National Treasury or any National Authority due to non-performance will be considered.
10. Proof of payment of Municipal account statement on rates and taxes from the respective municipality not owing and older than three months for company **and** its Directors or proof of residence stamped by tribal authority for those residing in areas where municipal payments of rates and taxes are not implemented, such proof:
 - (a) must not be older than three (3) months from closing date of the tender,
 - (b) it must have been addressed to the company itself and any of the shareholders or members as on the document for company registration, and
 - (c) in case where the company is renting an office space, the lease agreement between the company and the respective landlord must accompany the rental invoice.
 - (d) In case where director of the company operates a business from the same residential area where he/she stays the sworn affidavit by commissioner of oath must accompany the proof of rates and taxes.
11. The bidders are advised to attach their certified valid BBBEE certificates, and **in case were the business is classified as Exempted Micro Enterprise (EME)**, a letter from the registered auditor stipulating that the business has a turnover of less than R5m. **It should be noted that none attachment of these documents will not disqualify the bidder for further evaluation, but will instead disadvantage them from being scored on BBBEE points.**
12. In case where 2 (two) or more companies decide to form a joint venture (JV), **BBBEE must be consolidated one** and all the companies in the JV have to attach each and every document as requested above in addition to the Joint Venture Agreement.
 - (i) Meeting technical specifications and comply with bid conditions;
 - (ii) Financial ability to execute the contract; and
 - (iii) The number of points scored for achieving Government's Broad-Based Black Economic Empowerment objectives, points scored for price and / or points scored for functionality if applicable.

IMPORTANT NOTICE

1. The Lowest or any bid will not necessarily be accepted and the LMM reserves the right not to consider any bid not suitably endorsed or comprehensively completed as well as the right to accept a bid in whole or part.
2. Brand names **MUST** be specified in ANNEXURE "G" attached hereto (Price Schedule document).
3. Where deliveries are quoted "ex-stock" the period of delivery must not exceed Five (5) maximum working days after receipt of order.
If this condition is not adhered to, the order could be cancelled.
4. Quotations are to be completed in accordance with the conditions as set out in the quotation document and must be sealed and externally endorsed with the quotation number and place in the quotation box indicated above.
5. Payments will be made thirty (30) days after receipt of invoice by Council.
6. Quotations received after the closing date and time will not be considered.
7. Samples of the required items or goods are available for your perusal (when applicable.)
8. Should the above-mentioned conditions not be adhered to, the quotation will be considered invalid

SPECIFICATIONS:

Project Specifications:

1. SCOPE OF WORK

Services required include ensuring:

- Best quality of 2021/2022 Annual Financial Statements.
- That the AFS agrees to prior year audited AFS, Annual report and including accounting adjustment required.
- That the AFS are correctly casted and cross-casted.
- That the notes to the AFS are properly numbered and correctly linked to the AFS
- Adequacy of information contained in the audit file.
- That the AFS agrees to the fixed asset register, debtors age analysis and other supporting documentation contained in the audit file.
- Ensure that all the financial information is recorded.
- Obtain trial balances and determine whether it is aligned to the general ledger and the financial statements.
- Ensure that the accounting policies and policies adopted by council are in place, comply with GRAP standards and are applied appropriately.
- Ensure that the accounting policies are applied consistently and/or that the disclosure notes have been made where applicable.
- Ensure that actions taken at the Council or comparable meetings that have affected the financial statements have been appropriately reflected.
- Obtain explanations from management for any unusual fluctuation or inconsistencies in the financial statements.
- Ensure that all applicable disclosure notes are included in the annual financial statements

2. EVALUATION CRITERIA

Item No	Quality Criteria	Weighting												
1	Functionality	100												
1.1	<div>Past experience in compilation and reviewer of AFS (demonstrated past experience. Attach appointment letter)</div> <table><tr><th>No. of Projects</th><th>Score</th></tr><tr><td>0</td><td>0</td></tr><tr><td>1- 2</td><td>10</td></tr><tr><td>3-4</td><td>20</td></tr><tr><td>5- 7</td><td>30</td></tr><tr><td>8+</td><td>40</td></tr></table>	No. of Projects	Score	0	0	1- 2	10	3-4	20	5- 7	30	8+	40	40
No. of Projects	Score													
0	0													
1- 2	10													
3-4	20													
5- 7	30													
8+	40													
1.2	Professional Status for the company Registered Accounting or Auditing Firm with recognized body of Accounting or Auditing firms	10												
1.3	<div>a. Professional Status for Individuals assigned to the Project</div> <div>CA(SA),CIMA, SAIPA, SAICA and CIA</div> <div>0 – 3 years (3/10)</div> <div>3 – 5 years (5/10)</div> <div>5 + years (10/10)</div>	10												
1.4	<div>Company Proven Track Record in obtaining unqualified audit opinion within public sector (Attach appointment letters, reference letters and signed audit reports of clients)</div> <table><tr><td>0 Unqualified audit opinion</td><td>0 Points</td></tr><tr><td>1-3 Unqualified audit opinion</td><td>5 Points</td></tr><tr><td>4-6 Unqualified audit opinion</td><td>10 Points</td></tr><tr><td>7+ Unqualified Audit opinion</td><td>15 Points</td></tr></table>	0 Unqualified audit opinion	0 Points	1-3 Unqualified audit opinion	5 Points	4-6 Unqualified audit opinion	10 Points	7+ Unqualified Audit opinion	15 Points	15				
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1-3 Unqualified audit opinion	5 Points													
4-6 Unqualified audit opinion	10 Points													
7+ Unqualified Audit opinion	15 Points													
	<i>Bids scoring less than 60 % quality criteria will not be considered</i>													
	TOTAL	75 Point												

3. CHECKLIST APPLICABLE TO PERFORM AN INDEPENDENT REVIEW OF THE ANNUAL FINANCIAL STATEMENTS FOR THE 2021/22 FINANCIAL YEAR.

NO.	PROCEDURE	COMMENT	RESOLVED Y/N
1	Prior Year amounts		
1.1	Agree the prior year comparatives to the prior year audited AFS as disclosed in the annual report.		
1.2	Ensure that the closing balances as per the previous year trial balance agrees to the opening balance on the current year trial balance.		
1.3	Agree the latest closed off trial balance for the prior year to the p		
2.	Current Year TB		
2.1	Agree the TB which has been imported to the AFS software template to the Financial system trial balance.		
2.2	Ensure that the Financial System TB is the correct TB used.		
2.3	Check that all the items on the TB have been correctly mapped.		
2.4	Review and investigate any assets or expenditure accounts that have negative balances (credits) or income, liabilities or surplus accounts that are in debit.		
3.	Statement of Financial Performance		
3.1	Agree all amounts per the Statement of Financial Performance to the TB and that all accounts have been correctly mapped.		
3.2	Agree all amounts per the Statement of Financial Performance to the notes to the financial statements.		
3.3	Income <ul style="list-style-type: none"> a) Inspect monthly rates reconciliation and agree the monthly billing report to the general ledger property rates account in the ledger (trial balance). b) Review the service charges reconciliation and verify that the service charges billing report amount agrees with the amount in the general ledger. c) For all other sources of income, establish the process for recording such income and agree to adequate supporting documentation. 		
3.4	Payroll <ul style="list-style-type: none"> a) Check that total employee costs as per the payroll system agree to the General Ledger salaries vote. 		

	b) Where differences exist, review the reconciling items.		
4.	Statement of Financial Position		
4.1	Agree amounts to the trial balance.		
4.2	Agree the amounts disclosed on the Statement of Financial Position to the notes to the financial statements.		
4.3	<p>Inventory:</p> <ul style="list-style-type: none"> a) Agree inventory closing balance to supporting documentation. b) Verify that inventory counts have been performed and such counts are reconciled to the accounting records. c) Verify that any write downs of inventory or disposals are in accordance with the inventory policy and the accounting records have been updated correctly. d) Review the valuation of the inventory to ensure that it is in accordance with the accounting policy adopted by the municipality. 		
4.4	<p>Cash and Cash equivalents</p> <ul style="list-style-type: none"> a) Agree the bank balance to the bank reconciliation and the bank statement. Ensure that there is supporting documentation for reconciling items. b) Ensure that there is source documentation for all petty cash balances e.g., the year-end reconciliation. c) Agree the balance per the investment register to the bank statement and Trial Balance. 		
4.5	<p>Receivables</p> <ul style="list-style-type: none"> a) Review the working papers for receivables to ensure it agrees to the notes, all relevant information is included and that the ageing is reasonable. b) Review the reconciliation between the consumer debtor sub-ledger and the General Ledger and agree the amount to the financial statements. c) Obtain the other receivables listing/reconciliation and agree the closing balance agrees to the Trial Balance. d) Consider the reasonableness of the method used by the municipality to consider impairment of receivables. e) Use the ageing of the receivables report to assess the reasonableness of the allowance for doubtful accounts. f) Determine whether all bad debts have been 		

	<p>written off in accordance with the municipality's Bad debt write-off policy. and can be supported by Council approvals.</p> <p>g) Recalculate the short-term portion (capital repayments within 12 months after year-end) from the amortization schedules of the long-term debtors and confirm the correctness of the amount in the balance sheet.</p>		
4.6	<p>VAT Receivable/Payable</p> <p>a) Re-perform the reconciliation between VAT201 returns and the general ledger for the year under review.</p> <p>b) Vouch reconciling items against supporting documentation.</p> <p>c) Reconcile the yearend balance as per the general ledger to the outstanding VAT returns at year-end and agree to payments made / received after year-end.</p> <p>d) Agree the closing balance on the VAT reconciliation to the VAT 201 and Trial Balance.</p>		
4.7	<p>Assets: Property, Plant and Equipment</p> <p>a) Review the asset register and ensure that the opening balance for the various categories as per the asset register agrees with the opening balance as per the prior year annual financial statements.</p> <p>b) Review the asset register and ensure that the closing balances for the various categories as per the asset register agrees with the closing balance as per the trial balance.</p> <p>c) Review the componentisation of the asset register and verify if all assets have been appropriately "broken down". In instances where this is not the case, record as such and discuss with the municipality on possible ways to address this.</p> <p>Asset Additions:</p> <p>d) Select a sample of 5 additions from the asset register and verify the additions to adequate supporting documentation i.e. invoices / bill of quantities / practical completion certificate.</p> <p>e) Trace a sample of 5 additions of assets from the capital ledger account and agree to the fixed asset register.</p> <p>Disposals of Assets:</p> <p>f) Trace a sample of 5 disposals from the asset register and ensure that the required approvals by</p>		

	<p>Council for disposal of assets is available for audit purposes.</p> <p>g). Ensure that the proceeds received on disposals have been correctly recorded on the Trial Balance and appropriately supported by the relevant documentation.</p> <p>Depreciation:</p> <p>h) Verify whether depreciation has been calculated for the year and ensure that such calculations have been appropriately performed in accordance with the accounting policy.</p> <p>Work in progress</p> <p>i) With regard to assets that are work in progress, verify that the municipality has a mechanism in place to identify completed projects (generally upon issue of a practical completion certificate). Ensure that the projects are being identified and capitalised correctly in a timeous manner.</p>		
4.8	<p>Assets: Intangible assets</p> <p>a) Ensure that opening balances as per the register agree to opening balance as per the prior year AFS.</p> <p>b) Verify that all items recorded as intangible meet the definition of such.</p> <p>c) Verify that the amortisation calculated is consistent with the accounting policy.</p> <p>d) d) Verify that the closing balance as per the intangible asset register agrees to the closing balance as per the trial balance.</p>		
4.9	<p>Assets: Investment Property</p> <p>a) Verify the opening balance for investment property as per the asset register and agree the opening balance to the prior year AFS.</p> <p>b) Verify additions to investment property and ensure that such additions have been appropriately valued and recorded.</p> <p>c) Ensure that the closing balance for investment property as per the asset register, agrees to the trial balance.</p> <p>d) Ensure that investment property has been valued by a valuator and has a valuation certificate and that the revaluation has been accounted for correctly in the annual financial statements.</p>		
4.10	<p>Liabilities: Unspent Conditional Grants and Receipts</p> <p>a) Review the grants register and ensure that the opening balance for each grant agrees to the</p>		

	<p>opening balance as per the GL, and the total to the closing balance per the Trial Balance.</p> <p>b) Verify that the total expenditure reflected on the grants schedule/register agrees to the grant expenditure reflected on the General Ledger.</p> <p>c) In terms of income, ensure that all grants in terms of DORA have been recorded on the grants schedule correctly.</p> <p>d) Ensure that all grants are supported by DORA or Service Level Agreements, and that supporting documentation is available for all expenditure.</p> <p>e) e) Verify that grant income is recognised in accordance with the grant expenditure.</p>		
4.11	<p>Trade and other payables</p> <p>a) Agree the closing balance on the creditors ledger and accruals listing to the trial balance.</p> <p>b) Select a sample of 2 creditors from the creditor's ledger and reperform the creditors reconciliation.</p> <p>c) Obtain a summary of the accruals at year-end and perform the following procedures:</p> <p>i) Test the mathematical accuracy of the listing.</p> <p>ii) Compare the current year listing to that of the prior year and obtain explanations from management for any changes to ensure that there are no unrecorded liabilities.</p> <p>iii) Select a sample of 5 items (deemed large or unusual) from the listing and trace to relevant documentation.</p> <p>d) Select a sample of 2 payments from the July and August cash book and trace to supporting documentation.</p> <p>Identify invoices relating to the year-end but paid after year end, trace the invoices to the list of accruals to ensure that it is included.</p>		
4.12	<p>Other payables / Provisions</p> <p>Leave Pay Provision:</p> <p>a) Obtain the schedule prepared for the leave pay provision:</p> <p>i) Trace a sample of 2 leave credits per the schedule to the leave file of the employee and ensure that the amount agrees. (ii) Agree the annual salary of the employee as per the schedule to the employees personnel file.</p> <p>ii) Recalculate the amount of the leave pay provision to ensure mathematical accuracy.</p> <p>iii) Ensure that the employee does not have more accumulated leave credit than allowed by the leave policy.</p>		

	<p>iv) Select a sample of employees from the payroll and ensure through inspection of the provision listing whether they were included in the provision.</p> <p>Performance bonus</p> <p>a) Obtain the schedule of performance bonus payable at year-end. Determine through inspection of performance evaluation and council minutes that:</p> <ul style="list-style-type: none"> i) performance-based bonuses were due only after an evaluation of performance of the employee against a pre-determined set of key performance indicators. ii) approval of such evaluation was given by the municipal council concerned. iii) recalculate the bonus payable based on the score given and the conditions and bonuses as per the signed performance agreement. iv) Consider based on inspection of the evaluations and council minutes inspected. 		
4.13	<p>Other payables / Provisions (cont.)</p> <p>Long Service awards</p> <ul style="list-style-type: none"> a) Obtain the basis used to calculate the provision and consider the suitability thereof. b) Evaluate the reasonableness of any assumptions used in the calculation of the provision. c) Confirm the completeness of the provision by selecting a sample of 2 employees from the payroll of the municipality that would qualify for long term service awards in future and confirm that these employees were included in the provision. <p>Provision for Post-Retirement Medical Aid</p> <ul style="list-style-type: none"> a) Ensure that the municipality has appointed actuarial valuers to assist them with the calculations of the provision at year end in preparation for the annual financial statements. b) Inspect the valuator/expert report and agree the details of the valuation i.e., amount, period, to the amount disclosed in the financial statement. <p>Provision for the rehabilitation of landfill site:</p> <ul style="list-style-type: none"> a) Inspect financial statements and determine whether there is provision for the rehabilitation of the landfill site. b) Inspect the valuator/expert report and agree the details of the valuation i.e., amount, period, to the amount disclosed in the financial statement. 		

	<p>Retention fees</p> <p>Selected a sample of 2 retention fees as per the list of retentions:</p> <ul style="list-style-type: none"> a) Recalculate the retention fees on the outstanding contracts by agreeing the % to the contract and inspection of the last project evaluation certificate. b) To ensure completeness of retention fees inspect the project register and select a sample of projects from the register and inspect the list of retentions to validate the information. 		
4.14	<p>Consumer deposits</p> <ul style="list-style-type: none"> a) Review the reconciliations/deposit listings for all deposit vote accounts and ensure that the opening balance on these listings agrees with the opening balance as per TB. b) Select a sample of 5 deposits received during the year and inspect the relevant contracts for the terms and conditions. Recalculate the amount receivable and compare it to the actual amount received as per the general ledger. Follow the receipts through to the Bank statement. c) Ensure that supporting documentation is available for refunds/payments made in terms of deposit reimbursements. d) Agree the closing balance on the deposit reconciliation to the closing balance on the Trial Balance. 		
4.15	<p>Loans</p> <ul style="list-style-type: none"> a) Obtain the external loans register for the year and agree the opening balance for the year to the prior year AFS. b) Agree closing balance as per the loan bank statements to the loans register. c) Ensure that the interest paid has been correctly reflected on the loans register. d) Agree the closing balance on the external loans register to the balance as per the Trial Balance. 		
5.	Statement of Changes in Net Assets		
5.1	Agree amounts to the trial balance.		
5.2	Review balances for reasonableness.		
5.3	<p>Equity: Accumulated Surplus account</p> <p>Ensure that proper working papers are maintained to support all prior year adjustments.</p>		
6.	Cashflow Statement		

6.1	Confirm the accuracy of the cash flow statement by reperformance.		
6.2	Agree amounts on the cashflow to the statement of financial performance and financial position.		
6.3	Check the notes to the cashflow statement.		
7.	Budget Statement		
7.1	Agree the budget statement amounts disclosed on the annual financial statements to the Council approved budget.		
7.2	Agree the adjustment budget amounts to minutes of the Council meeting.		
7.3	Review the correspondence of evidence of submission of the budget to Treasury within 10 working days after council approved the annual budget.		
7.4	Check the calculation of unauthorised expenditure, ensuring that the savings on conditional grants are taken into account		
7.5	Determine if the municipality only incurred expenditure in terms of an approved budget and within the limits of the amounts appropriated for the different votes in an approved budget. Note: Perform a comparison of budgeted expenditure to actual per vote and determined if the budgeted limits were exceeded for any vote.		
8.	Disclosure Notes		
8.1	Contingent Liability a) Review the working papers for contingent liabilities and assets to ensure the amounts disclosed appears reasonable. Compare to prior years. b) Review the contingent liability raised at year end and agree it to the legal confirmations received.		
8.2	Commitments a) Review the working papers for capital commitments and inspect supporting documents. Ensure correct split between capital and current, approved and not approved. b) Agree the amounts for lease commitments to working papers. Ensure the future payments are calculated correctly.		
8.3	Unauthorised, irregular, fruitless, and wasteful expenditure a) Agree the Opening Balance as per the unauthorised, fruitless, and wasteful expenditure registers to the closing balances as disclosed in the prior year AFS.		

	b) Agree the closing balance on the register to the disclosure note in the AFS. c) Agree a sample of 5 irregular expenditure to supporting documentation, ensuring it is disclosed correctly. d) Agree a sample of 2 fruitless and wasteful expenditure to supporting documentation, ensuring it is disclosed correctly. e) Review the note on unauthorised expenditure, irregular, fruitless and wasteful expenditure to ensure correct disclosure. Ensure that the relevant registers are included. f) d) For all expenditure condoned, review the relevant council resolutions / Treasury approval.		
9.	GRAP Standards		
	Review the annual financial statements for completeness of disclosure of GRAP standards using the GRAP disclosure checklist.		
10.	Accounting officer's Report		
	Review the Report of the Accounting Officer ensuring that the amounts disclosed on the Accounting Officer's report agrees to the financials.		
11.	General		
	a) The following are included in the financial statements: <ul style="list-style-type: none"> • Report of the Accounting officer. • Statement of financial performance. • Statement of financial position. • Statement of changes in net assets • Cash flow statement. • Budget statement • Accounting policies. • Notes to the annual financial statements. b) All totals cast and cross cast. d) The following information is provided on all the pages of the financial statements and is correct on all the pages: <ul style="list-style-type: none"> • Name of the Municipality. • Statement heading. • Reporting date. d) The following information is disclosed prominently in the financial statements: <ul style="list-style-type: none"> • Presentation currency. • Level of rounding used in presenting amounts. 		

	e) The sequence of page numbers is correct and complete.		

For further technical enquiries please contact **Mr T Mojela and Mrs M Ntoampe** at **014 762 1593/1498** during working hours (07h30 – 16h00).

DOWNLOADABLE

PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

Item	Description	Unit Price
1	Review of AFS for year 2021-2022 as per specification	R
SUBTOTAL		R
VAT 15%		R
GRAND TOTAL		R

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

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

Name of Bidder: **Designation:**.....

Signature: **Date:**

NB: NON-COMPLETION OF THIS PAGE MAY RESULT IN DISQUALIFICATION OF BID.

2. Plant / Equipment

Provide information on plant / equipment that you have available for this project. Attach details if the space provided is not enough.

Description : Owned Plant / Equipment	Number of units

3. SCHEDULE OF BIDDERS' EXPERIENCE

The following is a statement of similar work successfully executed by myself / ourselves:

No	Name of Organisation	Description of contract	Contact person and telephone number	Contract Value (VAT Excl)
1			Name: Tel No:	
2			Name: Tel No:	
3			Name: Tel No:	
4			Name: Tel No:	
5			Name: Tel No:	
6			Name: Tel No:	
7			Name: Tel No:	
8			Name: Tel No:	
9			Name: Tel No:	
10			Name: Tel No:	

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

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 ~~exceed/not exceed~~ R50 000 000 (all applicable taxes included) and therefore the 80/20 Preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for 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
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

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;

3. 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:

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

Where

- P_s = Points scored for price of 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 NOT MANDATORY

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:

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

(Tick applicable box)

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

- 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		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

Name of company/firm:.....

VAT registration number:.....

Company registration number:.....

8.1 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
 - ☐ One person business/sole propriety
 - ☐ Close corporation
 - ☐ Company
 - ☐ (Pty) Limited
- [TICK APPLICABLE BOX]

8.2 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

8.3 COMPANY CLASSIFICATION

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

8.4 MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account Number:

Stand Number:.....

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

8.6 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 CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS (NOT COMPULSORY)

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on <http://www.thedti.gov.za/industrial development/ip.jsp> at no cost.

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

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

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):

.....
NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thdti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

DECLARATION OF INTEREST

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

3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of Owner of the Bidding Entity:

3.2 Identity Number if applicable:

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

3.4 Company Registration Number:

3.5 Tax Reference Number:

3.6 VAT Registration Number:

¹MSCM Regulations: "in the service of the state" means to be –

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

² Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

3.7 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?
(Tick applicable box)

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

3.8.1 If yes, furnish particulars.

.....

3.9 Have you been in the service of the state for the past twelve months?
(Tick applicable box)

YES	NO

3.9.1 If yes, furnish particulars.....

.....

3.10 Do you have any relationship (close family member, partner or associate) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?

(Tick applicable box)

YES	NO

3.10.1 If yes, furnish particulars.

.....

.....

3.11 Are you aware of any relationship (close family member, partner or associate) 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?

(Tick applicable box)

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?

(Tick applicable box)

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?

(Tick applicable box)

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.

(Tick applicable box)

YES	NO

3.14.1 If yes, furnish particulars:

.....
.....

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

Full Name	Identity Number	State Employee Number

CERTIFICATION

I, THE UNDERSIGNED (NAME)

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

I ACCEPT THAT THE STATE AND/OR THE LEPHALALE LOCAL MUNICIPALITY (LLM) MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME)
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION
FORM TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION
PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

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

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

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
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

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

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

- 1 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.

JOINT VENTURE INFORMATION (Complete only if applicable)

The parties hereto form a Joint Venture for the purpose of jointly bidding and obtaining the award of contract.

The share of the partners in the Joint Venture shall be:

Full Name and address of Lead enterprise

.....%

.....

Full Name and address of 2nd enterprise

.....%

.....

Full Name and address of 3rd enterprise

.....%

.....

The Lead Partner is hereby authorized to incur liabilities, receive instructions, payments, sign all documents in connection with the bid, and to be responsible for the entire execution and administration of the contract for and on behalf of the partners.

The parties hereto shall make available to the Joint Venture the technical advice and benefit of their individual experience and shall, in all other respects, endeavor to share the responsibility and burden of the performance of the Joint Venture.

To this end the parties hereto shall share, in the above proportions, in all risks and obligations arising out of or in connection with the Contract, especially in the provisions of all necessary working capital and guarantees, in profit and loss and personnel.

The Lead Partners shall supply, in its name, Professional Liability Insurance for the amount and period as stated in the Contract Data.

The Joint Venture may not be terminated by any of the parties hereto until either:

The contract has been awarded to another bidder or

The work undertaken by the Joint Venture under the contract has been completed and all liabilities and claims incurred by and made by the Joint Venture have been settled, the bid is cancelled or the period of validity of bid extended.

No party to the Agreement shall be entitled to sell, assign or in any manner encumber or transfer its interest or any part thereof in the Joint Venture without obtaining the prior written consent of the other party hereto.

The Parties of the Joint Venture shall cooperate on an exclusive basis. No Party shall during the validity period of the bid submit a bid to or enter into a Contract with the LLM or any other party for the Project, either alone or in collaboration with a third party.

Authorised Signature Lead Partner.....

Name

Designation

Signed at..... on

Authorised Signature of 2nd Partner.....

Name

Designation

Signed at..... on

Authorised Signature of 3rd Partner.....

Name

Designation

Signed at..... on

(ALL SIGNATORIES SHALL CONFIRM THEIR AUTHORITY BY ATTACHING TO THE
LAST PAGE OF THE BID, ORIGINAL OR COPIES OF DATED AND SIGNED
RESOLUTIONS OF THE MEMBERS/DIRECTORS/PARTNERS AS THE CASE MAY BE.)