SECTION A

Invitation to Tender – 100007696
uMngeni Local Municipality
Advertisement for the Appointment of Suitable and capable service providers are invited to bid for the: **Appointment of a service provider to supply and deliver leachate pond liner material.**
The municipality reserves the right to:

- not award this bid;
- not award the cheapest proposal; and
- to cancel the bid

Collection of Bid Documents

Tender documents will be made on municipal website:
https://www.umngeni.gov.za/documents/?category=quotations printable at bidder's own cost.

Compulsory Briefing Session

The briefing session will be held as follows:

Date:	**N/A**
Venue:	**N/A**
Time:	**N/A**
Site to be visited:	**N/A**

Evaluation Criteria
This tender will be evaluated based on the following criteria:

1. Administrative Compliance
2. Mandatory requirements
3. Price and Preference Points

Queries relating to the issue of these documents may be addressed to Thembela Madondo Tel. No. (033) 239 9289: e-mail thembela.madondo@umngeni.gov.za

Queries relating to the technical issue of these documents may be addressed to Samkelo Shelembe. Tel. No. (033) 239 9279: e-mail makhosi.mangwe@umngeni.gov.za

The closing date and time for receipt of Quotation is **the 24 March 2025** at **12h00.** Telegraphic, telephonic, telex, emailed, facsimile, and late quotation will not be accepted.

SERVICE PROVIDER'S DETAILS

Name of Service Provider:	
Contact Person:	
Quoted Amount	

MBD1

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE uMNGENI LOCAL MUNICIPALITY					
BID NUMBER:	**100007696**	**CLOSING DATE:**	**24 March 2025**	**CLOSING TIME:**	**12H00**
DESCRIPTION	**Appointment of the service provider to supply and deliver of Leachate pond liner materials**				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT

CORNER OF SOMME AND DICKS STREET
HOWICK
3290

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		**OR**	CSD No:	

(SPECIFIC GOALS MUST BE COMPLIED WITH, TO CLAIM PREFERENCE POINTS)

TOTAL NUMBER OF ITEMS OFFERED		**TOTAL BID PRICE**	**R**
SIGNATURE OF BIDDER	……	**DATE**	
CAPACITY UNDER WHICH THIS BID IS SIGNED			

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		**TECHNICAL INFORMATION MAY BE DIRECTED TO:**	
DEPARTMENT	Finance	DEPARTMENT	Infrastructure
CONTACT PERSON	Miss T. Madondo	CONTACT PERSON	Mrs Makhosi Mangwe
TELEPHONE NUMBER	033 239 9289	TELEPHONE NUMBER	(033) 239 9279
FACSIMILE NUMBER	N/A	FACSIMILE NUMBER	N/A
E-MAIL ADDRESS	thembela.madondo@umngeni.gov.za	E-MAIL ADDRESS:	.makhosi.mangwe@umngeni.gov.za

PART B
TERMS AND CONDITIONS FOR BIDDING

1.	**BID SUBMISSION:**
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	**ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE**
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
2.	**TAX COMPLIANCE REQUIREMENTS**
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4	FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
2.5	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.6	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.7	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
3.	**QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO
	IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

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

SIGNATURE OF BIDDER:……..

CAPACITY UNDER WHICH THIS BID IS SIGNED: ……..

DATE:…….....

PRICING SCHEDULE
(SERVICES)

Name of Bidder…… Bid Number…….....

Closing Time …….. Closing Date ..……

OFFER TO BE VALID FOR **120 DAYS** FROM THE CLOSING DATE OF BID.

Appointment of the service provider to supply and deliver Leachate Pond liner materials

Item No.	Description	Quantity (m^2)	price Per Unit	Total price Excl vat
1.	SUPPLY AND DELIVERY OF 1,5MM HPDE SMOOTH GEOMEMBRANE.	450	Ecxl.VAT	Ecxl.VAT
2	SUPPLY AND DELIVERY OF NON-WOVEN NEEDLE PUNCHED PROTECTION GEOTEXTILE (1200/M2)	450	Ecxl.VAT	Ecxl.VAT
3	SUPPLY AND DELIVERY OF 80MM, 3 M LENGTH PVC PIPES	6	Ecxl.VAT	Ecxl.VAT
	SUB-TOTAL			
	VAT AT 15%			
	GRAND TOTAL (BID PRICE IN RSA CURRENCY WITH ALL APPLICABLE TAXES INCLUDED)			Incl. VAT
AMOUNT IN WORDS				

I (full name)_____, in my capacity as _____, the duly authorized representative of _____(business name) hereby declares that the offer is in accordance with the attached specification, notes to suppliers & accepts all conditions/clauses contained in the said documents.

Signature of duly authorised representative		Date: _____

Mandatory requirement

1. **Bidders must have done this scope of work previously or work of a similar nature.**
2. **Proof must be attached in the form of 3 award letters or 3 purchase orders**
2. **3 recommendation letters or 3 completion letter (Proof must be for work done not older than three years)**

SECTION C
MBD 4

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state[1].

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, hareholder[2]):……..

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. ……

……..

'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) a member of the accounting authority of any national or provincial public entity; or
(f) an employee of Parliament or a provincial legislature.

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

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

3.9.1 If yes, furnish particulars.……..……..
……

.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**

SECTION D

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, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.

---

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 To be completed by the organ of state

a) The applicable preference point system for this tender is the 90/10 preference point system.

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

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

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

(a) Price; and

(b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
Price	**80**
Specific Goals	**20**
Total points for Price and Specific Goals	**100**

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

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

2. DEFINITIONS

(a) **"tender"** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

(b) **"price"** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;

(c) **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

(d) **"tender for income-generating contracts"** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) **"the Act"** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1 POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer

will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

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

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

b. any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Companies owned by at least 51% people who are youth (CSD will be used for verification)	**05**	
Bidder must be from uMngeni Local municipal area. Bidder must attach proof (utility bill/ lease agreement/ proof of residence and sworn affidavit)	**15**	
Total Points Allocated to Specific Goals	**20**	

5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1 Name of company/firm…….

5.2 Company registration number: ……...

5.3 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]

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

i) The information furnished is true and correct;

ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;

iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

(a) disqualify the person from the tendering process;

(b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

(c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

(d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

(e) forward the matter for criminal prosecution, if deemed necessary.

……
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME: ……
DATE: ……

ADDRESS: ……

……

……

……

CONTRACT FORM – PURCHASE OF GOODS WORK

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)……. in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number…….. at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid .

2. The following documents shall be deemed to form and be read and construed as part of this agreement:

   (i) Bidding documents, *viz*
   - Invitation to bid;
   - Tax clearance certificate;
   - Pricing schedule(s);
   - Filled in task directive/proposal;
   - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
   - Declaration of interest;
   - Declaration of bidder's past SCM practices;
   - Certificate of Independent Bid Determination;
   - Special Conditions of Contract;

   (ii) General Conditions of Contract; and
   (iii) Other (specify)

3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

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

NAME (PRINT) ……

CAPACITY ……

SIGNATURE ……

NAME OF FIRM ……

DATE ……

WITNESSES

1 ……
……

2 ……

MBD 7.1

CONTRACT FORM – PURCHASE OF GOODS

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I…… in my capacity as……..…….. accept your bid under reference number ……dated……for the rendering of services indicated hereunder and/or further specified in the annexure(s).

2. An official order indicating service delivery instructions is forthcoming.

3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

SIGNED AT ……ON……..

NAME (PRINT) …….

SIGNATURE ……

OFFICIAL STAMP

WITNESSES

1 ……

2 ……

DATE:……..

SECTION E

MBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1 This Municipal Bidding Document must form part of all bids invited.

2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3 The bid of any bidder may be rejected if that bidder, or any of its directors have:

a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
b. been convicted for fraud or corruption during the past five years;
c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the *audi alteram partem* rule was applied). **The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.**	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? **The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.**	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		

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

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME) ……...……...……

CERTIFY THAT THE INFORMATION FURNISHED ON THIS

DECLARATION FORM TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO THE 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 Standard Bidding Document (MBD) must form part of all bids[1] 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 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:

a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.

b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

_____

(Bid Number and Description) in response to the invitation for the bid made by:

_____

(Name of Institution)

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

I certify, on behalf of:_____that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

    (a) has been requested to submit a bid in response to this bid invitation;

    (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and

    (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium[3] 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

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.

Terms of Reference (TORs) for the supply and delivery of Geomembrane and geotextile for the uMngeni Local Municipality: Curry's Post Landfill Site

Introduction

Curry's Post Landfill Site is in the process of addressing the Department of Economic Development, Tourism and Environmental Affairs (EDTEA) non-compliances. The document seeks to procure quality geotextile and geomembrane materials for leachate ponds rehabilitation.

Particular Specifications

PS1 **Geomembrane**

PS 1.1: Materials general

The geomembrane liners are to be supplied to site in panels no less than 3 m wide and 30 m long. If necessary, factory controlled welding is to be carried out to attain the required minimum width.

The purpose of the liners is to create a barrier against seepage of leachate from the base of the leachate pond. The physical and chemical characteristics of the respective geomembranes and their jointing systems must be such that the integrity of the geomembranes is maintained during transportation and offloading and shall have at least a hundred year life period. As such the geomembranes shall be resistant to degradation

as a result of the temperature and chemical characteristics of stored product, sunlight, ultra violet rays, ozone, airborne pollution and weathering.

PS 1.2: Geomembrane Properties

The geomembrane shall be of high quality formulation polyethylene material, resistant to ultraviolet rays, manufactured of new, first-quality products, containing no plasticizers, fillers or extenders, and designed and manufactured specifically for the purpose of liquid containment in hydraulic structures. A maximum of 3 percent total additives consisting of carbon black, anti-oxidants and heat stabilizers, with a maximum of 1 percent of additives other than carbon black, shall be permitted in the geomembrane.

The finished material shall be free of holes, blisters, undispersed raw materials, or any sign of contamination by foreign matter, and nicks and cuts on roll edges. The geomembrane material shall be supplied in rolls having a minimum width of 3 metres, length of 30m and shall have no factory seams.

Smooth geomembrane shall have no texture applied to its surfaces. The material provided as smooth HDPE geomembrane shall conform to the following requirements:

Table 4.3.2: Material Specification for Smooth HDPE Geomembrane

Property	**ASTM Test Method**	**Value**		**MQ Test Frequency**
Nominal Geomembrane Thickness		**1,5 mm**	**2,0 mm**	
Thickness: Minimum (average of all of 10 values)	D5199	1,5 mm	2,0 mm	Each Roll
Minimum (individual of any of 10 values)	D5199	1,35 mm	1,8 mm	Each Roll
Density, min.	D1505	0,94 g/cm^3	0,94 g/cm^3	90000 kg
Tensile Properties in each direction(1) (min ave.) Yield Strength, Break Strength, min. Yield Elongation, min. 33 mm gauge length Break Elongation, min. 50 mm gauge length	D6693 Type IV	 22 N/mm 40 N/mm 12 % 700 %	 29 N/mm 53 N/mm 12 % 700 %	9000 kg
Tear Resistance, min.	D1004	187 N	249 N	20000 kg
Puncture Resistance, min.	D4833	480 N	640 N	20000 kg
Environmental Stress Crack Resistance(2) (Constant Load), min.	D5397 Appendix	300 hours	300 hours	90000 kg

Table 4.3.2: Material Specification for Smooth HDPE Geomembrane

Property	ASTM Test Method	Value		MQ Test Frequency
Nominal Geomembrane Thickness		**1,5 mm**	**2,0 mm**	
rittleness Temperature by Impact (Condition B), max.	D746	– 77° C	– 77° C	90000 kg
Dimensional Stability[2], max. change in each direction	D1204	<2 %	<2 %	90000 kg
Carbon Black Content, range	D1603(3)	2.0 – 3.0 %	2.0 – 3.0 %	9000 kg
Carbon Black Dispersion	D5596	See Note 4	See Note 4	20000 kg
Oxidative Induction Time (OIT) (min. ave.) (5) (a) Standard OIT — or — (b) High Pressure OIT	 D 3895 D 5885	 100 min. 400 min.	 100 min. 400 min.	90,000 kg
Oven Aging at 85°C (5), (6) (a) Standard OIT (min. ave.) - % retained after 90 days — or — (b) High Pressure OIT (min. ave.) - % retained after 90 days	 D 5721 D 3895 D 5885	 55% 80%	 55% 80%	per each formulation
UV Resistance (7) (a) Standard OIT (min. ave.) — or — (b) High Pressure OIT (min. ave.) - % retained after 1600 hrs (9)	 D 3895 D 5885	 N.R. (8) 50%	 N.R. (8) 50%	per each formulation

) Machine direction (MD) and cross machine direction (XMD) average values should be on the basis of 5 test specimens each direction
Yield elongation is calculated using a gage length of 33 mm Break elongation is calculated using a gage length of 50 mm
(2) The yield stress used to calculate the applied load for the SP-NCTL test should be the manufacturer's mean value via MQC testing.
) Other methods such as D 4218 (muffle furnace) or microwave methods are acceptable if an appropriate correlation to D 1603 (tube furnace) can be established.
) Carbon black dispersion (only near spherical agglomerates) for 10 different views: 9 in Categories 1 or 2 and 1 in Category 3
) The manufacturer has the option to select either one of the OIT methods listed to evaluate the antioxidant content in the geomembrane.
) It is also recommended to evaluate samples at 30 and 60 days to compare with the 90 day response.
) The condition of the test should be 20 hr. UV cycle at 75°C followed by 4 hr. condensation at 60°C.
) Not recommended since the high temperature of the Std-OIT test produces an unrealistic result for some of the antioxidants in the UV exposed samples.
) UV resistance is based on percent retained value regardless of the original HP-OIT value.

Smooth geomembrane shall have good appearance qualities, and shall be free from such defects that would affect the specified properties.

PS 1.3: Packaging and Identification

All geomembrane rolls shall be packaged in opaque moisture resistant plastic sleeves. The roll cores shall be sufficiently strong to resist collapse during transit and handling. The Engineer has the right to reject any roll if the core has collapsed or if the roll is damaged in any other way.

Before shipment, the manufacturer shall label each roll, both on the geomembrane roll and on the surface of the plastic protective sleeve. Labels shall be resistant to fading and moisture degradation to ensure legibility at the time of installation. At a minimum the roll labels shall identify the following:

- Product Name and Grade
- Length and Width of roll
- Total weight of roll
- Production Lot number and Individual roll number

PS 1.4: Transportation and handling of materials

The service provider shall contact the supplier before shipment to determine if the unloading methods and equipment differs from that specified below. Significant deviations from these procedures shall be pre-approved by the Engineer in writing.

Geomembranes must be supported during the handling to ensure worker safety and to prevent damage to the product. Under no circumstances may the rolls be dragged, lifted from one end, lifted with only the forks of a lift truck or dropped on the ground from the delivery vehicle.

PS 1.5: Inspection upon delivery

Each roll shall be visually inspected when unloaded to determine if any packaging or material has been damaged during transit. Possible product conditions and actions are listed below:

- Rolls, including the roll cores, exhibiting damage shall be marked and set aside for closer examination during employment. Minor rips or tears in the plastic packaging shall be repaired with moisture resistant tape before being placed in storage to prevent moisture damage.
- The presence of free-flowing water within any roll packaging shall require that the roll is set aside for further examination to ascertain the extent of any damage.
- Geomembrane rolls delivered to the project site shall be those indicated on geomembrane manufacturing quality control certificates.
- Repairs to damaged geomembrane rolls shall be performed in accordance manufacturer's instructions.

The Engineer reserves the right to reject any roll at any stage prior to installation should it exhibit any of the above damages or non-conformance.

PS 2: Geotextiles

The geotextile material is specified in three categories, Type A, B and C. The geotextiles shall be non-woven needle punched polyester or polyprop geotextile and shall comply with the following material specifications.

Table 1. Key specifications for Geotextile materials

	Units	Type A	Type B	Type C	Test Method
Pore Size, AOS (O_{95W}) (Typical)	µm	155	130	75	SANS 12956:13 / ISO 12956:10
Minimum Permeability	10^{-3} m/s	>4.0	>4.3	2.6	SANS 11058:13 / ISO 11058:10
Min. Trapezoidal tear (weakest direction) (Typical)	N	330	800	2100	ASTM D4533
Grab strength min strength (Typical)	N	730	1550	4700	ASTM D4632
Elongation	%	50 - 80	50 - 80	50 - 80	
Through flow (@ 50 mm head)	l/s/m^2	>125	>70	>20	SANS 11058:13 / ISO 11058:10
Min. CBR Puncture (Typical)	kN	2.2	4.8	>11.7	*SANS 12236:13 / MARV ISO 12236:06
Min. Tensile strength (weakest direction) (Typical)	kN/m	11.5	>26	>56	*SANS 1525:13 / ISO 10319:08
Liner thickness (under 2 kPa)	mm	1.5-1.8	3-4	>6	SANS 9863-1:13 / ISO 9863-1:05
UV Stability	70% strength retained after 1000 hours				ASTM D4355

PS 3: PVC Pipes

Supply and delivery of 3m length, 80mm pipes for leachate collection.