WITZENBERG
Municipality • Munisipaliteit • UMasipala Wase

Reference/ Verwysing/ iRef: 08/2/24/46
Enquiries/ Navrae/ Imibuzo: S Mentor

12 October 2026

TO WHOM IT MAY CONCERN

Dear Sir/ Madam

REQUEST FOR FORMAL WRITTEN PRICE QUOTATIONS:

Kindly furnish us with a written quotation for the supply of the following:

LEASE OF THE CAFé BUILDING AT THE PINE FOREST HOLIDAY RESORT

This bid document must be placed in a sealed envelope. The following particulars must appear on the outside of the envelope: "**08/2/24/46: LEASE OF THE CAFé BUILDING AT THE PINE FOREST HOLIDAY RESORT"**, **the name and address of the bidder and the closing date of this bid**. The sealed envelope must be put in the bid box located at the entrance of the Witzenberg Municipal Offices, 50 Voortrekker Street, Ceres by no later than **Thursday, 22 October 2026 at 10:00**. The bid box is generally open 24 hours a day, 7 days a week. Telephonic, facsimile, electronic/ e-mailed and late bids will not be accepted. Bids may only be submitted on the bid documentation as provided by the municipality.

The following conditions will apply

- Price(s) quoted must be valid for at least ninety (90) days from date of your offer.
- Price(s) quoted must be firm and must be inclusive of VAT.
- A firm delivery period must be indicated.
- This quotation will be evaluated in terms of the 80/20 preference point system as per point 3.2 **Disposal or Leasing of State Assets and Income-Generating Procurement** on MBD 6.1, pages 14-17 of this bid document
- The bids are subject to the Preferential Procurement Regulations of 2022 that was promulgated by the Minister of Finance on 04 November 2022 in Government Gazette No 47452. These conditions are available on request.
- The successful provider will be the one scoring the highest points.
- Payments to the successful bidder in terms of this contract will be processed within 30 days after receipt of a valid tax invoice for goods and/or services rendered to the satisfaction of the municipality.
- The checklist at the back of the bid document must be completed and adhered to.

NB: No quotations 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 dated 30 May 2005)

Failure to comply with these conditions may invalidate your offer.

Yours faithfully
D NASSON
MUNICIPAL MANAGER

WITZENBERG
Municipality • Munisipaliteit • UMasipala Wase

44, Ceres, 6835
50 Voortrekker St/ Str, Ceres, 6835
Suid Afrika/ South Africa
+27 23 316 1854
+27 23 316 1877
admin@witzenberg.gov.za
www.witzenberg.gov.za

REQUEST FOR A FORMAL WRITTEN PRICE QUOTATION

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

BID NUMBER: 08/2/24/46 **CLOSING DATE: 22 October 2026** **CLOSING TIME:** 10:00

DESCRIPTION: LEASE OF THE CAFé BUILDING AT THE PINE FOREST HOLIDAY RESORT

The following conditions to bid exist:
(Failure to comply may result in your bid being disqualified)

1. Bidders should ensure that bids are delivered timeously to the correct address as indicated below. If the bid is late, it will not be accepted for consideration. The bid box is generally open 24 hours a day, 7 days a week. **Telephonic, facsimile, electronic/emailed and late bids will not be accepted.**
2. Bids will be evaluated according to the 80/20 points system as stipulated in the Preferential Procurement Regulations of 2022 that was promulgated by the Minister of Finance on 04 November 2022 in Government Gazette No 47452. The following preference points system will be applicable:
   Price – 80 points
   BBBEE Level Status – 10 points
   Locality of enterprise – 10 points
   Total Points – 100 points
3. All prices must **include VAT**.
4. Bidders are required to submit Proof of Locality for the registered office - the office of a company registered as required by Section 23 of the Companies Act (71 of 2008) and for a sole proprietorship it shall be the proven residential address of the owner or the proven residential address of majority partner of the business (the proven residential address to be determined through any one of the following: municipal account address, bank account address or SARS address confirmation for a sole proprietorship. If any of the municipal account address, bank account address or SARS address differs, as included in the bidders' submission, the furthest address from our municipal main office shall be regarded as the registered office.
5. An original or certified copy of the bidder's Broad-Based Black Economic Empowerment (B-BBEE) certificate must be attached to this bid document in order to claim B-BBEE points.
6. Bid documents can be obtained during office hours from Monday to Thursday: 8h30 -13h00 and 13h45 - 15h30 and Fridays: 8h30 – 13h00 and 14h00 – 14h30 from the Witzenberg Municipality, Supply Chain Unit, Drommedaris Street, Ceres at a cost of R 50.00 per set. The bid documents are also available on the municipality's website: http://www.witzenberg.gov.za/resource-category/tenders?category=92
7. The bids will be opened in the Council Chambers, Municipal Offices, 50 Voortrekker Street, Ceres in public immediately after the closing time at 10:00.
8. The bid must be properly received in a sealed envelope which must clearly indicate the description of the bid, the bid number and the name and postal address of the bidder on the outside of the sealed envelope. Unmarked bids will not be taken into consideration and will be returned.
9. The highest or any bid shall not necessarily be accepted and the Municipality reserves the right to accept any part of the bid.
10. **Bidders must provide a valid Tax Verification Details (Tax reference number and valid third party verification pin) as issued by SARS in order to confirm their tax compliance status. Failure to provide such details may result in your bid being disqualified.**
11. Do not dismember this Bid Document (do not take it apart or put documents between its pages).
12. All other documents of the submission must be **attached behind** this bid document.
13. The bidder must complete the checklist at the back of this bid document.
14. **Please note that any suspicious collusive bidding behaviour and restrictive practices by bidders will be reported to the Competition Commission for investigation and possible imposition of administrative penalties.**

NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE AS DEFINED IN THE MUNICIPAL SUPPLY CHAIN MANAGEMENT REGULATIONS (GOVERNMENT GAZETTE NO 27636 DATED 30 MAY 2005)

SUBMISSION DETAILS

SUBMISSION OF BID DOCUMENTS: **TO BE DEPOSITED IN:** The bid box at the entrance of the Municipal Offices of Witzenberg Municipality 50 VOORTREKKER STREET CERES
CONTACT DETAILS FOR ENQUIRIES: **Ms. S Mentor Tel: (023) 312-1765: Email: supplychain@witzenberg.gov.za**

D NASSON
MUNICIPAL MANAGER

WITZENBERG MUNICIPALITY
TERMS OF REFERENCE (TOR)

BID NO 08/2/24/46: **LEASE OF THE CAFé BUILDING AT THE PINE FOREST HOLIDAY RESORT**

1. Purpose

Bids are hereby invited for the LEASE OF THE CAFé BUILDING AT THE PINE FOREST HOLIDAY RESORT

1.1 . **The period of lease is from on or after 01 November 2026 until 30 April 2027.**

2. Special conditions of contract

2.1 It is required from the successful bidder to sign a lease agreement. In the event that the successful bidder does not sign the lease agreement, the award will be cancelled. The municipality reserves the right to stipulate the conditions of the lease agreement with the exception of the bid price as tendered.

2.2 The selling of liquor is prohibited. Delivery of milk, bread and groceries through local suppliers do not fall under the above.

2.3 It is required from the successful bidder to start operating the café from date of contract signing. Prospective bidders can visit the café before the closing time of the bid. The Acting Manager: Resorts and Swimming Pools may be contacted on 023 492 0183 / 0184 to arrange an appointment for viewing purposes only.

2.4 It is required from the successful bidder to buy their own electricity as the café building has a prepaid meter (3 phase electricity).

2.5 The following time schedule must be adhered to for the café at Pine Forest Holiday Resort:

2.5.1 Ordinary Weekends
Fridays: 13:00 till 21:00
Saturdays: 08:00 till 21:00
Sundays: 08:00 till 17:00

2.5.2 December/ January school holidays and in-season long weekends
Daily: 08:00 till 21:00

2.6 The café at the Pine Forest Holiday Resort must be open at least one hour in the morning and one hour in the afternoon for times not specified above.

2.7 The specified times as stated above must be on display on a notice board at the café. It must be noticeable and done by the lessee at his/ her own cost. The time schedule may be amended only in the event of an emergency and with the prior written permission from the Acting Manager Resorts and Swimming Pools.

2.8 The monthly lease amount must be paid up-front by the lessee, no later than the first working day of each month. Proof of payment must be forwarded to the Acting Manager Resorts and Swimming Pools.

2.9 Admission condition: Family and friends of the lessee are not allowed free entrance to the swimming pool, resort or any facilities inside the resort.

2.10 Bidders must attach a certified copy of their identity document to this bid document.

3. EVALUATION CRITERIA as per MBD 6.1, point 3.2 **Disposal or Leasing of State Assets and Income-Generating Procurement)**

3.1 This bid will be evaluated according to the criteria and weight given in the table below:

Evaluation Criteria:	**Weighting**
2.1 Price	80
2.2 Specific Goals	20
Total	**100**

DETAILS OF BIDDER (THE FOLLOWING PARTICULARS MUST BE FURNISHED. FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

Name of firm / entity / enterprise	
Trading as (if different from above)	
Postal address of enterprise	Line 1 :_____ Line 2:_____ Town/city_____Postal code:_____
Physical address of enterprise	Line 1 :_____ Line 2:_____ Town/city_____Postal code:_____
Contact details of the **person signing the bid, being duly authorised to do so:**	Name: _____ Telephone:_____ Fax:_____ Cellular telephone:_____ E-mail address:_____
Contact details of the **senior manager responsible for overseeing contract performance:**	Name: _____ Telephone:_____Fax:_____ Cellular telephone:_____ E-mail address:_____
Contact Details of the Bidder's proposed **Project Manager who will represent the Bidder in the implementation processes:**	Name: _____ Telephone:_____Fax:_____ Cellular telephone:_____ E-mail address:_____
Company income tax number	
Tax Compliance Status System PIN (issued by SARS)	
VAT registration number	
Company registration number	
Any other Registration applicable to this Industry	
Banking details	Name of account holder:_____ Name of bank:_____ Account number:_____ Branch code:_____

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE WITZENBERG MUNICIPALITY					
BID NUMBER:	**08/2/24/46**	CLOSING DATE:	**22 October 2026**	CLOSING TIME:	**10:00**
DESCRIPTION	**LEASE OF THE CAFé BUILDING AT THE PINE FOREST HOLIDAY RESORT**				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS*

SUPPLIER INFORMATION						
NAME OF BIDDER						
POSTAL ADDRESS						
STREET ADDRESS						
TELEPHONE NUMBER	CODE		NUMBER			
CELLPHONE NUMBER						
FACSIMILE NUMBER	CODE		NUMBER			
E-MAIL ADDRESS						
VAT REGISTRATION NUMBER						
TAX COMPLIANCE STATUS	TCS PIN:		**OR**	CSD No:		
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	☐ Yes ☐ No		
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]						
ARE YOU THE ACCREDITED REPRESENTATIVE **IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?**	☐Yes ☐No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES /WORKS OFFERED?**	☐Yes ☐No [IF YES, ANSWER PART B:3]		
TOTAL NUMBER OF ITEMS OFFERED			**TOTAL BID PRICE**	**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	Supply Chain	CONTACT PERSON	Mr. R Africa
CONTACT PERSON	Ms. Shayle Mentor	TELEPHONE NUMBER	023 492 0183 / 0184
TELEPHONE NUMBER	023 312 1765	E-MAIL ADDRESS	ryno@witzenberg.gov.za
E-MAIL ADDRESS	supplychain@witzenberg.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.

I THE UNDERSIGNED HEREBY AUTHORIZE WITZENBERG MUNICIPALITY TO UTILIZE TOOLS AT ITS DISPOSAL TO VERIFY ALL INFORMATION CONTAINED AND ATTACHED HERETO.

SIGNATURE OF BIDDER: ……

CAPACITY UNDER WHICH THIS BID IS SIGNED: ……

DATE: ……...

PRICING SCHEDULE – FIRM PRICES
(PURCHASES)

BID NO 08/2/24/46: **LEASE OF THE CAFé BUILDING AT THE PINE FOREST HOLIDAY RESORT**

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

Name of Bidder: …… Bid Number: 08/2/24/46

Closing Time: **10:00** **Closing Date: 22 October 2026**

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

Item nr	Description	Estimated number of Months A	Rental per month (Incl. Vat) B	Total Bid Price (Incl. VAT) C = A x B
1.	LEASE OF THE CAFé BUILDING AT THE PINE FOREST HOLIDAY RESORT	6		

Required by: **Mr R Africa**

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, shareholder[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. ….……

……..

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

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

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

3.10.1 If yes, furnish particulars.

……

……

[1]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.

3.11 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	Personal income tax reference number	State Employee Number

…….. ……..
Signature **Date**

…… ……
Capacity **Name of Bidder**

RESPONSIVENESS AND EVALUATION CRITERIA

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

RESPONSIVENESS CRITERIA

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

a) The bid must be properly received in a sealed envelope. The outside of the envelope must clearly indicate the bid title, the bid number, the name and address of the bidder and the closing date of the bid.

b) 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. **Telephonic, facsimile, electronic/ emailed and late bids will not be accepted.**

c) **Bidders must provide a valid Tax Verification Details (Tax reference number and valid third party verification pin) as issued by SARS in order to confirm their tax compliance status. Failure to provide such details may result in your bid being disqualified.**

d) An original or copy of the bidder's Broad-Based Black Economic Empowerment (B-BBEE) certificate must be attached to this bid document in order to claim B-BBEE points.

e) Bids shall be invalid, and shall be endorsed and recorded as such in the bid opening record by the responsible official to open the bid, in the following instances:

1. If the bid is not sealed;
2. if the bid including the bid price amount, where applicable is not submitted on the official pricing schedule;
3. if the bid is not completed in non-erasable ink; or
4. if the name of the bidder is not stated, or is indecipherable

f) A bid will not be invalidated if the amount in words and the amount in figures do not correspond, in which case the amount in words shall be read out at the bid opening and shall be deemed to be the bid amount.

g) The official bid document must be fully completed in indelible ink. Where information requested does not apply to the bidder and the space is left blank, bid will be deemed to be non-responsive.

h) All requested relevant and/ or additional documentation such as Compliance Certificates, professional registration, artisan qualification, etc, must be submitted with the bid document.

i) Bidders must submit a certified statement signed by the bidder declaring that the bidder has no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 90 days (Annexure A).

j) The bidder must be in good standing to do business with the public sector in terms of Regulation 38 of the Supply Chain Management Regulations (Government Gazette 27636 of 30 May 2005).

k) If the entity submitting a bid is a Joint Venture or Consortium or Partnership, each party to that formation must submit all the above information.

l) The bidder must adhere to the Pricing Instructions. **Bidders are required to bid for all items in the pricing schedule. If not the bid will be considered to be non-responsive.**

f) **Arithmetical Errors, Omissions and Discrepancies**

1. Check responsive tenders for discrepancies between amounts in words and amounts in figures. Where there is a discrepancy between the amounts in figures and the amount in words, the amount in words shall govern

2. Check the highest ranked tender or tenderer with the highest number of tender evaluation points after the evaluation of tender offers

a) the gross misplacement of the decimal point in any unit rate;
b) omissions made in completing the pricing schedule or bills of quantities; or
c) arithmetic errors in:
(i) line item totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules
of prices; or
(ii) the summation of the prices.

3. Notify the tenderer of all errors or omissions that are identified in the tender offer and either confirm the tender offer as tendered or accept the corrected total of prices.

4. Where the tenderer elects to confirm the tender offer as tendered, correct the errors as follows:
(a) If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate shall be corrected.
(b) Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall govern and the tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices.

The tender offer will be rejected if the tenderer does not correct or accept the correction of the arithmetical error in the manner described above.

m) The Bidder's details must be provided.

n) The necessary document authorizing the Representative to sign and submit the bid on the bidder's behalf must be completed and signed.

o) The Declaration of Interests by the bidder must be completed and signed.

p) The bid must comply with all the minimum technical specifications.

q) The MBD 9 (prohibition of restrictive practices) must be completed and signed.

r) Checklist at the back of the bid document must be completed and adhered to.

s) The bidder must initial every page of the bid document.

t) The bidder must attach full specifications and warranty details

u) Unless otherwise indicated in writing by the bidder, the validity of bids submitted will automatically extend beyond the minimum bid validity period, as set out in SUPPLY CHAIN MANAGEMENT POLICY paragraph 31(1), above and will remain valid for acceptance until the bid award process, including the consideration of any appeals, objections or complaints, has been concluded.

EVALUATION CRITERIA

a) All bids received shall be evaluated in terms of the Witzenberg SCM Policy, Supply Chain Management Regulation, the Preferential Procurement Policy Framework Act no 5 of 2000 and the Preferential Procurement Regulations of 2022 that was promulgated by the Minister of Finance on 04 November 2022 in Government Gazette No 47452.

b) The Council reserves the right to accept all, some, or none of the bids submitted — either wholly or in part — and it is not obligated to accept the lowest bid.

AREAS TO BE INCLUDED IN EVALUATION PROCESS:

Evaluation of Preference Points

The point's allocation for this bid will be as follows

Price	80 points
Specific Goals	20 points
Total	100 points

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

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

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

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1. GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

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

b) The 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 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20 **or** **90/10**

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right) \quad \text{or} \quad Ps = 90\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

80/20 **or** **90/10**

$$Ps = 80\left(1 + \frac{Pt - P\,max}{P\,max}\right) \quad \text{or} \quad Ps = 90\left(1 + \frac{Pt - P\,max}{Pmax}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest 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)
Maximum points for enterprises within Witzenberg Municipal area OR	10	
Maximum points for enterprises within Cape Winelands District region OR	5	
Maximum points for enterprises within the Western Cape Province OR	2	
Outside of the boundaries of the Western Cape	0	
BBEE Status Level of Contributor	**Number of Points for Preference (80/20)**	**Number of points claimed (80/20 system)**
1	10	
2	9	
3	6	
4	5	
5	4	
6	3	
7	2	
8	1	
Non-compliant contributor	0	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm…….

4.4. Company registration number: ……...

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

4.6. 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: ……

……

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 MONTHSs?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.5.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (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 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 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:

a. take all reasonable steps to prevent such abuse;

b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and

c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

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

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

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid: **08/2/24/46: LEASE OF THE CAFé BUILDING AT THE PINE FOREST HOLIDAY RESORT invitation** for the bid made by: **WITZENBERG MUNICIPALITY** does 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.

[3] 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.

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**

WITZENBERG
Municipality • Munisipaliteit • UMasipala Wase

BID NO 08/2/24/46: **LEASE OF THE CAFé BUILDING AT THE PINE FOREST HOLIDAY RESORT**

Authorisation to deduct outstanding amounts

To: Municipal Manager, Witzenberg Municipality

From: _____
(Name of Bidder or Consortium)

AUTHORISATION FOR THE DEDUCTION OF OUTSTANDING AMOUNTS OWED TO COUNCIL

I, THE UNDERSIGNED,

_____,
(FULL NAME IN BLOCK LETTERS)

Hereby authorise the Witzenberg Municipality to deduct the full amount outstanding by the business organization / Director, shareholder, partner, etc from any payment due to us / me.

……
Signature

THUS DONE AND SIGNED for and on behalf on the Bidder / Contractor

at …….. on the …… day of …….…… 20……...
(Place) (Date) (Month) (Year)
in the presence of the subscribing witnesses.

AS WITNESSES:

1..... Name in Block Letters: .....
(SIGNATURE)

2..... Name in Block Letters: .....
(SIGNATURE)

ANNEXURE B

To: Municipal Manager, Witzenberg Municipality

CERTIFICATE FOR MUNICIPAL SERVICES AND PAYMENTS TO SERVICE PROVIDER

BID NO 08/2/24/46: **LEASE OF THE CAFé BUILDING AT THE PINE FOREST HOLIDAY RESORT**

NAME OF THE BIDDER: ……..

FURTHER DETAILS OF THE BIDDER(S); Proprietor/ Director(s)/ Partner(s), etc:

Physical business address of Bidder	Municipal Account numbers

If there is not enough space for all the names, please attach the additional details to the Bid Document

Name of Director/Member/Partner	Identity number	Physical residential address of Director/Member/Partner	Municipal Account numbers

I, _____, the undersigned,
(full name in block letters)
certify that the information furnished on this declaration form is correct and that I/ we have no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 90 days. Bidder must attach copy of their municipal account.

_____
Signature

THUS DONE AND SIGNED for and on behalf on the Bidder/ Contractor

at …….. on the ……. day of …… 20…….
(PLACE) (DATE) (MONTH) (YEAR)

PLEASE NOTE:
EVEN IF THE REQUESTED INFORMATION IS NOT APPLICABLE TO THE BIDDER, THE TABLE ABOVE SHOULD BE ENDORSED AND THIS DECLARATION MUST STILL BE SIGNED.

WITZENBERG
Municipality • Munisipaliteit • UMasipala Wase

CHECK LIST FOR COMPLETENESS OF BID DOCUMENT

The bidder must ensure that the following checklist is completed, that the necessary documentation is attached to this bid document and that all declarations are signed:

Mark with "X**" where applicable*

Items to be checked	Yes	No	Comments
1. Completed page containing the details of bidder			
2. Valid Bidders must provide a valid Tax Verification Details (Tax reference number and valid third party verification pin) as issued by SARS in order to confirm their tax compliance status. Failure to provide such details may result in your bid being disqualified.			
3. An original or certified copy of the bidder's Broad-Based Black Economic Empowerment (B-BBEE) certificate must be attached to this bid document in order to claim B-BBEE points			
4. Adhered to the pricing instructions (MBD 3.1)			
5. Completed and signed declaration of interest (MBD 4)			
6. Preference points claimed and signed declarations (MBD 6.1)			
7. Signed declaration of bidder's past supply chain management practices (MBD 8)			
8. Prohibition of Restrictive Practices (MBD9) be completed and signed.			
9. Comply with full specifications.			
10. Bidder must initial every page of this bid document.			
11. Bidder must attach full specifications if it deviates from the said specification			
12. Latest municipal account of the bidder and its directors must be attached **a. If the bidder is not responsible for the payment of municipal rates and/ services, details in support of this must be attached to this bid document e.g. letter from landlord**			
13. Proof of Locality attached to bid document			

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME) ……..……..…
CERTIFY THAT THE INFORMATION FURNISHED ON THIS CHECK LIST IS TRUE AND CORRECT.

……... ……

Signature **Date**

…….. ……

Position **Name**