

Municipality Siyancuma Munisipaliteit

Civic Centre P.O BOX 27 DOUGLAS - 8730 Tel. 053 298 1810 Fax. 053 298 3141

E-MAIL: douglas@siyancuma.gov.za

Municipal Offices

GRIEKWASTAD – 8365 Tel. 053 343 0019 Fax. 053 343 0333

Groenstraat Municipal Offices

CAMPBELL - 8360 Tel. 053 297 9043 Fax. 053 297 9043 **CPA Building** Schmidsdrift

SCHMIDSDRIFT - 8300

website: www.siyancuma.gov.za

: 17 February 2023

Verwysings : Supply Chain Management

. :PJE BLOEM/PIET VAN STADEN

Dear Sir/madam

QUOTE RFQ 01/2023: REQUEST FOR FORMAL WRITTEN PRICE QUOTATION-SUPPLY AND DELIVERY OF PERSONAL PROTECTIVE CLOTHING FOR GENERAL WORKERS.

Kindly furnish Siyancuma Municipality with a written quotation for supply and delivery of personal protective clothing for general workers.

The quotation can either be posted or delivered by hand to our offices in Douglas before 12H00, Friday 24 February 2023

The following terms and conditions will apply.

- Price(s) quoted must be firm and must be inclusive of VAT.
- Copy of CSD summary report Compulsory (not older than 2 months)
- Copies of Company Registration Documents (CK)
- Certified copies of company directors
- Original or certify copy of valid B-BBEE Certificate or original Sworn-Affidavits (failure to submit no points will be awarded) only SANAS accredited or Sworn-affidavits will be accepted.
- The price quotation is expected to be within a threshold of R 30 000 AND R 200 000 incl VAT.
- Municipal rates and service certificate/ statement/ billing for the directors, owners, shareholders of the company to confirm that Municipal rates are not in arrears for more than 90 days or;
- Attach valid lease agreement if the company is leasing office space/ Attach a valid lease agreement if the director is leasing a accommodation
- For this purpose, the enclosed Price Schedule must be scrutinised, completed and submitted together with your quotation.
- This quotation will be evaluated in terms of the 80/20 preference point system as prescribed in Preferential Policy Framework Act (No.5 of 200) and;
- The successful provider will be the one scoring the highest point and will not be always the lowest
- Items must meet the stipulated minimum threshold for designated local content and production as required by the Preferential Procurement Regulations, 2017 if applicable.
- The stipulated minimum threshold percentages for local production and content for clothing, leather and footwear sector is 100%.
- If the raw or input to be used for a specific item is not available locally, bidders should obtain written authorization from the DTI should there be a need to import such raw material on input; and
- A copy of authorization letter must be submitted together with the bid document at the closing date and time of the bid. For further info, bidders may contact the clothing, textile, footwear and leather
- The clothing must have reflector and it must be SABS approved
- The safety boots must be water & heat resistant
- The supplier must complete the Local Content & Production Annexure C, C & E forms. This is important, should the supplier fail to complete and submit these, the bidder will be deemed non-responsive.
- The stipulated minimum threshold percentages for local production and content are under MBD 6.2
- The successful bidder must supply samples (for each Item), free of charge, before the delivery of the final product.



- All certified copies should not be more than three months from the date of the advertisement. THE APPOINTED BIDDER WILL BE REQUESTED TO SUBMIT SAMPLES BEFORE DELIVERY OF THE FINAL PRODUCT

Yours faithfully

MR M.F. MANUAL

MUNICIPAL MANAGER

		OVERALLS	<u>N</u>	IEN BOOTS
SIZE	NU	MBER		
			4	6
	28	1	4	18
	30	4	5	18
	32	6	6	
	34	11	7	20
	36	18	8	17
	38	14	9	5
	40	5	10	3
	42	10		87
	44	7		
	46	3		
	48	4		
	50	2		
	52			
	54			
	56	1		
	60	1		
		87		
LADII	ES IN	IUMBER	LADIES	BOOTS
			2	1
	32	1	2	
	36	3 `	.3	
	38	1	4	
i	40	3	5	
	48	2	6	
	50	1		23
		11		
0.5	ALIBIC I	ADJEC		

CLEANING LADIES

T/SHIRT	NUMBER JEAN	NIN	ABER SKIRT	NUI	MBER
SMALL MEDIUM LARGE XL 2XL 3XL	4 1 3 2 1 1	34 38 40 44 46 52 30	2 2 2 1 2 1	1	30
	12				

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF SIYANCUMA MUNICIPALITY

BID NUMBER: RFQ 01/2023

CLOSING DATE: 24 FEBRUARY 2023

CLOSING TIME: 12H00

DESCRIPTION: RE-ADVERTISE OF SUPPLY AND DELIVEY OF PERSONAL PROTECTIVE CLOTHING

The successful bidder will be required to fill in and sign a written Contract Form (MBD 7).

BID DOCUMENTS MAY BE POSTED TO:

P.O. BOX 27

DOUGLAS

OR

DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

CHARL CILLIER STREET

DOUGLAS

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

The bid box is generally open 5 days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS - (NOT TO BE RE-TYPED)

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)

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

Fax:						
Tel:						
Contact Person:						
	GARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:					
Fax:						
Tel:						
Contact Person:						
Department:						
Municipality / Municipal Entity:						
ANY ENQUIRIES RE	GARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:					
TOTAL BID PRICE	TOTAL NUMBER OF ITEMS OFFERED					
CAPACITY UNDER WHICH THIS BID IS SIGNED						
DATE						
SIGNATURE OF BIDDER						
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED? YES/NO (IF YES ENCLOSE PROOF)						
(A B-BBEE STATUS LEVEL VERIFICATION CER B-BBEE)	TIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE PO	INTS FOR				
AN ACCOUNTING OFFICER AS CONTEMPLATED A VERIFICATION AGENCY ACCREDITED BY THE A REGISTERED AUDITOR (Tick applicable box)	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) A VERIFICATION AGENCY ACCREDITED BY THE SOUITH AFRICAN NATIONAL ACCREDITATION SYSTEM (SANAS) A REGISTERED AUDITOR					
IF YES, WHO WAS THE CERTIFICATE ISSUED B	3Y?					
HAS A B-BBEE STATUS LEVEL VERIFICATION C		YES/NO				
HAS AN ORIGINAL AND VALID TAX CLEARANCE		YES/NO				
VAT REGISTRATION NUMBER						
E-MAIL ADDRESS						
FACSIMILE NUMBER	CODENUMBER					
CELLPHONE NUMBER						
TELEPHONE NUMBER	CODENUMBER					
STREET ADDRESS						
POSTAL ADDRESS						
NAME OF BIDDER						

PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE:

*Delete if not applicable

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

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

	Name of Bidder				
	OFFER TO BE VALID FORDAYS FROM THE CLOSING DATE OF BID.				
ITEM NO.	QUANTITY DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)			
-	Required by:				
-	At:				
-	Brand and Model				
-	Country of Origin				
	·				
-	Does the offer comply with the specification(s)?	*YES/NO			
=	If not to specification, indicate deviation(s)				
-	Period required for delivery	*Delivery: Firm/Not firm			
-	Delivery basis				
Note:	Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.				
** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.					

PRICING SCHEDULE – NON-FIRM PRICES (PURCHASES)

NOTE:

PRICE ADJUSTMENTS WILL BE ALLOWED AT THE PERIODS AND TIMES SPECIFIED IN THE BIDDING DOCUMENTS.

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

	Name of Bidder Closing Time			Bid number Closing Date	
OFI	FER TO	D BE VALID FORDAYS	FROM THE CLOSING	DATE OF BID.	
ITE NO		QUANTITY		BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCUDED)	
-	Requi	red by:			
-	At:				
-	Brand	and model			
-	Count	ry of origin			
-	Does	the offer comply with the specif	ication(s)?	*YES/NO	
-	If not	to specification, indicate deviati	on(s)		
-	Period	d required for delivery			
-	Delive	ery:		*Firm/Not firm	
** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.					

^{*}Delete if not applicable

PRICE ADJUSTMENTS

A NON-FIRM PRICES SUBJECT TO ESCALA	TION
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3.

- 1. IN CASES OF PERIOD CONTRACTS, NON FIRM PRICES WILL BE ADJUSTED (LOADED) WITH THE ASSESSED CONTRACT PRICE ADJUSTMENTS IMPLICIT IN NON FIRM PRICES WHEN CALCULATING THE COMPARATIVE PRICES
- 2. IN THIS CATEGORY PRICE ESCALATIONS WILL ONLY BE CONSIDERED IN TERMS OF THE FOLLOWING FORMULA:

$$Pa = (1 - V)Pt \left(D1 \frac{R1t}{R1o} + D2 \frac{R2t}{R2o} + D3 \frac{R3t}{R3o} + D4 \frac{R4t}{R4o} \right) + VPt$$

Where:			
Pa (1-V) Pt	=	The new escalated price to be compared by the original bid price.	Note that Pt must always be the
D1, D2	=	original bid price and not an exact factor of the bid price egetc. The total of the various 100%.	escalated price. Labour, transport, clothing, footwear, factors D1,D2etc. must add up to
R1t, R2t	=		w index (depends on the number of
R1o, R2o VPt	=	Index figure at time of bidding.	nis portion of the bid price remains firm escalations.
The following inde	ex/indices mu	st be used to calculate your bid p	rice:
Index Date	ed	Index Dated	Index Dated
Index Dated		Index Dated	Index Dated
FURNISH A BRE		VOLID DDICE IN TERMS OF AL	DOVE MENTIONED FORMULA THE

4.	FURNISH A BREAKDOWN OF YOUR PRICE IN TERMS OF ABOVE-MENTIONED FORMULA.	THE
	TOTAL OF THE VARIOUS FACTORS MUST ADD UP TO 100%.	

FACTOR (D1, D2 etc. eg. Labour, transport etc.)	PERCENTAGE OF BID PRICE

B PRICES SUBJECT TO RATE OF EXCHANGE VARIATIONS

1. Please furnish full particulars of your financial institution, state the currencies used in the conversion of the prices of the items to South African currency, which portion of the price is subject to rate of exchange variations and the amounts remitted abroad.

PARTICULARS OF FINANCIAL INSTITUTION	ITEM NO	PRICE	CURRENCY	RATE	PORTION OF PRICE SUBJECT TO ROE	AMOUI FORE CURRE REMIT ABRO
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		

2. Adjustments for rate of exchange variations during the contract period will be calculated by using the average monthly exchange rates as issued by your commercial bank for the periods indicated hereunder: (Proof from bank required)

AVERAGE MONTHLY EXCHANGE RATES FOR THE PERIOD:	DATE DOCUMENTATION MUST BE SUBMITTED TO THIS OFFICE	DATE FROM WHICH NEW CALCULATED PRICES WILL BECOME EFFECTIVE	DATE UNTIL WHICH CALCULATED PR WILL BE EFFECT

DECLARATION OF INTEREST

- 1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

	who are involved with the evaluation and or adjudica	or or on whose behalf the declarant acts and persons tion of the bid.		
2.	In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.			
2.1	Full Name of bidder or his or her representative:			
2.2	Identity Number:			
2.3	Position occupied in the Company (director, trustee, shareholder²):			
2.4	Company Registration Number:			
2.5	Tax Reference Number:			
2.6	VAT Registration Number:			
2.6.1 1"State" n	The names of all directors / trustees / shareholders / men numbers and, if applicable, employee / persal numbers muneans – (a) any national or provincial department, national or provincial public Finance Management Act, 1999 (Act No. 1 of 1999); (b) any municipality or municipal entity; (c) provincial legislature; (d) national Assembly or the national Council of provinces; or (e) Parliament.	st be indicated in paragraph 3 below.		
² "Shareho exercise	older" means a person who owns shares in the company and is actively es control over the enterprise.	r involved in the management of the enterprise or business and		
2.7	Are you or any person connected with the bidder presently employed by the state?	YES / NO		
2.7.1	If so, furnish the following particulars:			
	Name of person / director / trustee / shareholder/ member: Name of state institution at which you or the person connected to the bidder is employed:			

		Position occupied in the state institution:	
		Any other particulars:	
	2.7.2	If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?	YES / NO
	2.7.2.1	If yes, did you attached proof of such authority to the bid document?	YES / NO
		(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.	
	2.7.2.2	If no, furnish reasons for non-submission of such proof:	
	2.8	Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?	YES / NO
	2.8.1	If so, furnish particulars:	
	2.9 2.9.1lf s	Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?	YES / NO
	•••••		
2.10	awai any o who	a, or any person connected with the bidder, re of any relationship (family, friend, other) between other bidder and any person employed by the state may be involved with the evaluation and or adjudication is bid?	YES/NO
2.10.	1 If so,	furnish particulars.	
2.11	of the co	or any of the directors / trustees / shareholders / members ompany have any interest in any other related companies or not they are bidding for this contract?	YES/NO

Tull Name	Identity Number	Personal Tax Reference Number	State Number Number	Employee / Persal
			TU.	
DECLARATION I, THE UNDERSIG	NED (NAME)			
		ISHED IN PARAGRAPHS 2 and		
І АССЕРТ ТНАТ Т	THE STATE MAY REJ	ECT THE BID OR ACT AG	AINST ME	IN TERMS (
PARAGRAPH 23 C	OF THE GENERAL CO	ONDITIONS OF CONTRACT	SHOULD	THIS DECL
PROVE TO BE FAI	LSE.			
Signature		Date		
Position		Name of bidder	•••	

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

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

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

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
 - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the ______ 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:

下於於其位於 10 至 10 2 19 至 19 至 10 至 10 至 10 10 10 10 10 10 10 10 10 10 10 10 10	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
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;
- "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:

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = 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

BID DECL	_ARA	ADITA	J
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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 reflected in paragraph 4.1 and must be status level of contributor.	7.1 subs	must be in accordance with the table stantiated by relevant proof of B-BBEE

7. SUB-CONTRACTING

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

(Tick applicable box)

YES	NO	
-----	----	--

7.1.1 If yes, indicate:

The name of the sub-contractor The B-BBEE status level of the sub-contractor	1)	what percentage of the contract will be subcontracted%
iii) The B-BBEE status level of the sub-contractor	ii)	The name of the sub-contractor
iv) Whether the sub-contractor is an EME or OSF	iii)	The B-BBEE status level of the sub-contractor.
The second of the second secon	iv)	Whether the sub-contractor is an EME or QSE

(Tick applicable box)
YES NO

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

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

Black people who are military	y veterans	
A	OR	
Any EME		
Any QSE		
Any QSE		

8.	DECLARATION WITH REGARD TO COMPANY/FIRM
8.1	Name of company/firm
8.2	VAT registration number:
8.3	Company registration number:
8.4	TYPE OF COMPANY/ FIRM
	 □ Partnership/Joint Venture / Consortium □ One person business/sole propriety □ Close corporation □ Company □ (Pty) Limited [TICK APPLICABLE BOX]
8.5	DESCRIBE PRINCIPAL BUSINESS ACTIVITIES
0.0	
8.6	COMPANY CLASSIFICATION
	 Manufacturer Supplier Professional service provider Other service providers, e.g. transporter, etc. [TICK APPLICABLE BOX]
8.7	MUNICIPAL INFORMATION
	Municipality where business is situated:
	Registered Account Number:
	Stand Number:
8.8	Total number of years the company/firm has been in business:
8.9	I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:
	i) The information furnished is true and correct;
	ii) The preference points claimed are in accordance with the General Conditions as

indicated in paragraph 1 of this form;

- 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	SIG	GNATURE(S) OF BIDDERS(S)
2	DATE:	
	ADDRESS	

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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, 2011 and 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, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids 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 the South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as required 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. Definitions

- 2.1. "bid" includes written price quotations, advertised competitive bids or proposals;
- 2.2. "bid price" price offered by the bidder, excluding value added tax (VAT);
- 2.3. "contract" means the agreement that results from the acceptance of a bid by an organ of state;
- 2.4. "designated sector" means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;
- 2.5. "duly sign" means a Declaration Certificate for Local Content that has been signed by the 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).
- 2.6. "imported content" means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour and intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
- 2.7. "local content" means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 2.8. "stipulated minimum threshold" means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.9. "sub-contract" means the primary contractor's assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.
- 3. 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:

Description of services, works or goods	Stipulated minimum threshold
	%
	%

Does any portion of the services, works or goods offered
have any imported content?
(Tick applicable box)

YES	NO	
-----	----	--

4.1 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 the 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.

5. 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 Accounting Officer / Accounting Authority provide directives in this regard.

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

LEG EXE	FAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER ALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF CUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY DSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)
IN R	ESPECT OF BID NO.
ISSU	JED BY: (Procurement Authority / Name of Municipality / Municipal Entity):
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.
_	

Guidance on the Calculation of Local Content together with Local Content 2 Declaration **Templates** (Annex C, D and E) is accessible http://www.thedti.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 fo least 5 years. The successful bidder is requ C, D and E with the actual values for the du	aired to continuously undat	a period of at e Declarations
uu	the undersigned,		
en	tity), the following:	(па	ime of blader
(a)	The facts contained herein are within my ow	n personal knowledge.	
(b)	I have satisfied myself that:		
	 the goods/services/works to be delived comply with the minimum local contents and as measured in terms of SATS 12 	ent requirements as specif	e-specified bid ied in the bid,
(c)	The local content percentages (%) indicate formula given in clause 3 of SATS 1286:2 paragraph 4.1 above and the information cobeen consolidated in Declaration C;	011 the rates of exchange	e indicated in
E	Bid price, excluding VAT (y)		R
	mported content (x), as calculated in terms of S		R
S	Stipulated minimum threshold for local content (paragraph 3 above)	
L	ocal content %, as calculated in terms of SATS	1286:2011	
loc giv	the bid is for more than one product, the oduct contained in Declaration C shall be used content percentages for each product he in clause 3 of SATS 1286:2011, the rate above and the information contained in Declaration that the Procurement Authority / Mit to request that the local content be ver SATS 1286:2011.	used instead of the table as been calculated using s of exchange indicated claration D and E. unicipality /Municipal Entity	above. The the formula in paragraph
(e)	information furnished in this application. I incorrect data, or data that are not verifiable result in the Procurement Authority / Municipof the remedies as provided for in Regulations, 2011 promulgated under the (PPPFA), 2000 (Act No. 5 of 2000).	also understand that the seas described in SATS 12 pal / Municipal Entity imposition 13 of the Preferential	submission of 86:2011, may sing any or all
	SIGNATURE:		
	WITNESS No. 1	DATE:	
	WITNESS No. 2	DATE:	

Signatur	(63)	Tender it no's	(C1) Tender No. (C2) Tender des (C3) Designated (C4) Tender Aut (C5) Tender Excl (C6) Tender Excl
Signature of tenderer from Annex B Date:	8)	Tender item no's	Tender No. Tender description: Designated product(s) Tender Authority: Tendering Entity name: Tendering Exchange Rate: Specified local content %
om Annex B	(C9)	List of items	% Pula
	(C10)	Tender price - each (excl VAT)	
	(C11)	Exempted imported value	Local EU[
	(C12)	Tender value net of exempted imported content	Annex C Local Content Declaration - Summary EU
	(C13)	Imported value	Annex Ceclaration - S
(C22) Total	(C14)	Local value	- Summary
(C20) Total tender value (C21) Total Exemp Tender value net of exemp	(C15)	Local content % (per item)	/ Schedule
nder value Fotal Exempt et of exempt	(C16)	Tender Qty	
(C20) Total tender value R 0 (C21) Total Exempt imported content (C22) Total Tender value net of exempt imported content (C23) Total (C23) Total (C23) Total (C23) Total (C23) Total	(C17)	Total tender value	Tend
R 0 pt imported content C(C23) Total Imported content (C24) Total local content (C25) Average local content % of tender	(C18)	Total exempted imported content	SATS 1286.2 Note: VAT to be excluded from all calculations
R 0	(C19)	Total Imported content	SATS 1286.2011

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st correspond with ex C - C 23												Date:	
0 A	(D2S) spove	% (2£a) -s	rency payment	nent & foreign cur	noo betroqmi ło	(DS3) Total							
	Vor 3rd party	l by tenderer and	ments declared	reign currency pay	of to latoT (S2	a)					erer from Annex B	Signature of tend	
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	-												
(TSa)	1						(050)	(640)	(840)	(200)	(940	1)	
Local value of payments			2				Tender Rate of Exchange	Foreign currency value paid	Overseas beneficiary	Local supplier making the payment	f payment	Type o	
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						Γ						,	
(D44)	(E#a)	(Zta)	(I#I)	(0+0)	(680)	(880)	(ZEa)	(980)	(580)	(bEa)	(EEO	J	
əulsv bətroqmi lstoT	Quantity imported	Total landed TAV loss text	Villsooil IIA incurred stsoo gnibnel se duties	of esters to Freight costs to port of entry	Local value of imports	Tender Rate of Exchange	currency value as per Commercial Invoice	Overseas Supplier	rocsi supplier	Unit of measure	imported content		
շուաացւծ				Harros par lodini	de Helaninaina		Forign			1.			
				netnoo testoqmi	To goiteliale		25 10 20 20 11	PYPY	bnaT adt ot	beilaaus bas 1	by a 3rd party	C. Imported	
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(180)	(OEa)	(6ZQ)	(870)	(220)	(DZG)	(DZS)	(D24)	(623)	(220)	(1	70)	(oza)	
eulev betroqmi letoT	Tender Qty	Debnal latoT TAV lox9 f200	VII locallA incurred steos gnibnel se duties	ot stsos thgier? Yntre fo troq	Local value of samports	Tender Rate of Exchange	Forign currency value as per Commercial	Overseas Supplier	Unit of measure	sported content	mi to noitqhaseD	məti rəbnəT 2'on	
Summary			π	imported conter	to noitaluolaS	SANTA				e Tenderer	directly by the	B. Importec	
R 0 Sex C - C 21	This total mu	ni tqməxə letoT (i	(6Ta)										
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Exempted imported	Tender Qty	babnal latoT TAV loxe f200	VII locally incurred stsoo gnibnel		Local value of imports	Tender Exchange Ste	Forign currency value as per Commercial	Overseas Supplier	Local supplier	fined content	mi to noitqirsea	Tender item s'on	
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			Signature of tenderer from Annex B
th Annex C - C24	This total must correspond wir		
0 Я	(E13) Total local content		
0 A	ing, interest etc.)	nd mark-up (Marketing, insurance, financ	(E12) Administration overheads
0 y	consumables etc.)	al, depreciation & amortisation, utility costs, c	(EII) Factory overheads (Reni
0 A		derer's manpower cost)	(E10) Manpower costs (Ten
0 ଧ	ts (Goods, Services and Works)	ouborq lesol letoT (E3)	
(E8)	(EZ)	(93)	Works)
ənlsV	Local suppliers	Description of items purchased	Local Products bns services and
			January January Survey
			endering Entity name:
ישוו כפוכחופבוסטצ	Mort to be excluded from		ender description: Designated products:
	, L-L-11-12 - J 04 TAV (1040)		ender No.
	2 xannA of alubada	2 Sanit Declaration - Supporting	Local Cor

CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

		ANTI (TO BE FILLED IN BY THE	BIDDEK)					
1.	I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)							
2.	The following documer	its shall be deemed to form and be read a	nd construed as part of this agreement:					
	 (i) Bidding documents, viz Invitation to bid; Tax clearance certificate; Pricing schedule(s); Technical Specification(s); 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 goods and/or works 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		WITNESSES					
	SIGNATURE		1					
	NAME OF FIRM		2					
	DATE		DATE:					

CONTRACT FORM - PURCHASE OF GOODS/WORKS PART 2 (TO BE FILLED IN BY THE PURCHASER)

а	ccept your bid ur	nder reterence nu	ımber	dateded in the annexure(s)	for the	supply of
	n official order indic					
3. I	undertake to make f the contract, withir	payment for the go n 30 (thirty) days af	oods/works deliviter receipt of ar	vered in accordance v n invoice accompanie	vith the terms and d by the delivery no	conditions ote.
ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	BRAND	DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)	
	confirm that I am du					J
NAME (PF	RINT)					
SIGNATU	RE					
OFFICIAL	STAMP			WITNESSES		
				1		
				2		
				DATE		

CONTRACT FORM - RENDERING OF SERVICES

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)

I hereby undertake to render services described in the attached bidding documents to (name of the institution)
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.
- 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	WITNESSES	
	 1	
SIGNATURE	 2	
NAME OF FIRM	 	
DATE	 DATE:	

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 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.
- 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).
- 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?	Yes	No
	(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.		
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)?	Yes	No
	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.		
4.2.1	If so, furnish particulars:		

Sign	ature		Date		
I AC	CCEPT (THAT, IN ADDITION TO CANCELLATION OF ME SHOULD THIS DECLARATION PROVE TO	F A CONTRACT, ACTI BE FALSE.	ON MA	AY BE TAKE
I, T	HE UNI	CERTIFICATION DERSIGNED (FULL NAME) DRMATION FURNISHED ON THIS DECLARAT		CERTIF CORRE	Y ТНАТ ТН ССТ.
	4.7.1	If so, furnish particulars:			
	4.5	Was any contract between the bidder and the municipor any other organ of state terminated during the past failure to perform on or comply with the contract?	pality / municipal entity t five years on account of	Yes	No 🔲
	4.4.1	If so, furnish particulars:			
	4.4	Does the bidder or any of its directors owe any mun municipal charges to the municipality / municipal en municipality / municipal entity, that is in arrears for	ntity, or to any other	Yes Yes	No No
	Item	Question			
	4.3.1	If so, furnish particulars:	100		
	4.3	Was the bidder or any of its directors convicted by a court of law outside the Republic of South Africa) for during the past five years?	court of law (including a or fraud or corruption	Yes	No 🔲

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 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.
- 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:
 - 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.
 - 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.
 - In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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 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:(Name of Bidden)	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.

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.

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

Js9141w 4