CLOSED TENDER PROCESS

NAME OF SERVICE PROVIDER: ________________________________

REQUEST FOR QUOTATIONS FOR GOODS AND SERVICES AT JPC

N.B. THIS REQUEST FOR QUOTATIONS (RFQ) IS ONLY ISSUED TO PROFESSIONALS APPROVED FOR INCLUSION IN THE JPC PANEL OF PROFESSIONALS (POP 03/2018) UNDER THE FOLLOWING CATEGORY:

PROGRAMME MANAGER

JPC requests your quotation on the goods and/or services listed hereunder and/or on the available RFQ forms. Please furnish all information as requested and return your quotation on the date stipulated. Late and incomplete submissions will invalidate the quotation submitted.

<table>
<thead>
<tr>
<th>DATE OF ISSUE</th>
<th>30 AUGUST 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>CLOSING DATE</td>
<td>16 SEPTEMBER 2019</td>
</tr>
<tr>
<td>CLOSING TIME</td>
<td>10H30AM (TELKOM TIME)</td>
</tr>
<tr>
<td>DEPARTMENT</td>
<td>PROPERTY DEVELOPMENT</td>
</tr>
<tr>
<td>CATEGORY</td>
<td>PROGRAMME MANAGER</td>
</tr>
<tr>
<td>PANEL NUMBER</td>
<td>POP 03/2018</td>
</tr>
</tbody>
</table>

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
The Supply Chain Management Unit hereby requests proposals from Professionals on the panel of Professionals under POP 03 / 2018 for Programme Manager (Property Projects) on behalf of the City of Joburg Property Company SOC Ltd (JPC).

- To assist with implementation of Capex Projects transaction.
- Interaction with the market, or conduct of formal market soundings, to confirm decisions on scope, timing and packaging of the transaction

<table>
<thead>
<tr>
<th>DESCRIPTION OF GOODS/SERVICES</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Preparation of bid documents</td>
</tr>
<tr>
<td>including but not limited to the</td>
</tr>
<tr>
<td>Request for Proposals and the</td>
</tr>
<tr>
<td>Contract for Services (Concession</td>
</tr>
<tr>
<td>Agreement)</td>
</tr>
<tr>
<td>• Preparation of supporting</td>
</tr>
<tr>
<td>information to JPC Project</td>
</tr>
<tr>
<td>Office in preparation of</td>
</tr>
<tr>
<td>their bid</td>
</tr>
<tr>
<td>• Support communication with the</td>
</tr>
<tr>
<td>market and interaction with the</td>
</tr>
<tr>
<td>market, including managing</td>
</tr>
<tr>
<td>and responding to requests for</td>
</tr>
<tr>
<td>clarification</td>
</tr>
<tr>
<td>• Preparation of an evaluation plan,</td>
</tr>
<tr>
<td>assistance with evaluation and</td>
</tr>
<tr>
<td>preparation of evaluation</td>
</tr>
<tr>
<td>reports</td>
</tr>
<tr>
<td>• assist in negotiation with one or more</td>
</tr>
<tr>
<td>parties prior to contract award;</td>
</tr>
<tr>
<td>• to do monitoring and advice on</td>
</tr>
<tr>
<td>bidder performance against any</td>
</tr>
<tr>
<td>conditions precedent to financial</td>
</tr>
<tr>
<td>close; and</td>
</tr>
</tbody>
</table>

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
- provide management of other advisory inputs, and overall management of the transaction team, to ensure a successful conclusion
- To demonstrate their capability and experience in discharging a lead role in Capex Project transactions and providing commercial, financial and legal advice. They are likely to have detailed technical or engineering expertise
- The Programme Managers must demonstrate that significant opportunities for empowerment reside in the Subcontracting arrangements of a typical Capex project structure, where cash-flow benefits, ownership, management, women, employment equity, skills development, and procurement commitments can all be targeted for strong empowerment results

<table>
<thead>
<tr>
<th>ATTENDANCE OF A COMPULSORY OR NON COMPULSORY SITE BRIEFING SESSION</th>
<th>Please note that there will be a Compulsory site briefing Session held <strong>on 05 September 2019</strong>, JPC Head Office, 1st Floor, Forum 2, Braampark, 33 Hoof Street, Braamfontein at 11H00am</th>
</tr>
</thead>
<tbody>
<tr>
<td>RFQ SPECIFICATION FORMS/DOCUMENTS ARE OBTAINABLE FROM:</td>
<td><strong>FROM:</strong> The JPC Website – <a href="http://www.jhbproperty.co.za">www.jhbproperty.co.za</a></td>
</tr>
</tbody>
</table>

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
<table>
<thead>
<tr>
<th>COMPULSORY REQUIREMENTS</th>
<th>Submission of all required documents</th>
</tr>
</thead>
</table>
| SUBMISSION OF QUOTES:   | 1st Floor  
Forum 2, Braam Park  
33 Hoofd Street  
Braamfontein  
2017  
Submissions must be deposited into the  
RFQ Box at the Reception. No emailed  
submissions will be accepted |
| ENQUIRIES:              | imasemola@jhbproperty.co.za          |

**N.B.** Quotations submitted by Professionals or Service Providers not included in POP 03/2018-Panel of Professionals will not be considered.

Quotations above R30 000 will be evaluated on the basis of the 80:20 point system as stipulated in the Preferential Procurement Policy Framework Act (Act number 5 of 2000) & JPC’s Supply Chain Management Policies and Procedures.
CHECKLIST

RFQ/ RFP NR:

PLEASE USE THE CHECKLIST TO CONFIRM THAT ALL COMPULSORY DOCUMENTS HAVE BEEN ATTACHED TO YOUR QUOTATION.

<table>
<thead>
<tr>
<th>No</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Certified Copy of Company Registration Document</td>
</tr>
<tr>
<td>2</td>
<td>Rates &amp; Taxes Account for Company OR Certified Copy of Lease Agreement OR Affidavit Certified by the Commissioner of Oaths/ Arrangements letter</td>
</tr>
<tr>
<td>3</td>
<td>Rates and Taxes Account for All the Directors of the Company OR Certified Copy of Lease Agreement OR Affidavit Certified by the Commissioner of Oaths/ Arrangements letter</td>
</tr>
<tr>
<td>4</td>
<td>Declaration on State of Municipal Account (Attached)</td>
</tr>
<tr>
<td>5</td>
<td>MBD 4: Declaration of Interest (Attached)</td>
</tr>
<tr>
<td>6</td>
<td>MBD 9: Certificate of Independent Bid Determination. (Attached)</td>
</tr>
<tr>
<td>7</td>
<td>MBD 6.4: Local Content (Attached) (IF REQUIRED)</td>
</tr>
<tr>
<td>8</td>
<td>Certified Copy of BBBEE certificate.</td>
</tr>
<tr>
<td>9</td>
<td>Valid Tax Clearance Certificate or Pin number</td>
</tr>
<tr>
<td>10</td>
<td>Empowerment Plan and employment statistics (youth, women and people with disabilities)</td>
</tr>
<tr>
<td>11</td>
<td>All alterations have been signed.</td>
</tr>
<tr>
<td>12</td>
<td>Quotation is signed</td>
</tr>
<tr>
<td>13</td>
<td>COID registration</td>
</tr>
<tr>
<td>14</td>
<td>UIF</td>
</tr>
<tr>
<td>15</td>
<td>Copies of ID’s for the Directors or Members of the Entity</td>
</tr>
<tr>
<td>16</td>
<td>Copies of ID’s for the employees of the Entity and employment contracts</td>
</tr>
</tbody>
</table>

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>Copies of pay slips for employees</td>
</tr>
<tr>
<td>18</td>
<td>Central Supplier Data Base registration (CSD)</td>
</tr>
<tr>
<td>19</td>
<td>CIDB Grading of ...... or above</td>
</tr>
<tr>
<td>20</td>
<td>Construction program and cash flow</td>
</tr>
<tr>
<td>21</td>
<td>Works Insurance and Public liability insurance</td>
</tr>
<tr>
<td>22</td>
<td>Original Bank confirmation letter</td>
</tr>
<tr>
<td>23</td>
<td>Company registration documents</td>
</tr>
<tr>
<td>24</td>
<td>Affiliation / Registration with Professional bodies</td>
</tr>
<tr>
<td>25</td>
<td>Professional Indemnity insurance</td>
</tr>
</tbody>
</table>

**SIGNATURE**

**NAME**

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
PLEASE NOTE THAT NOT SUBMITTING THE COMPULSORY DOCUMENTS MAY LEAD TO DISQUALIFICATION

1. Valid Original tax clearance.

   Please note that copies of tax clearance certificates are not valid as per SARS and they will not be accepted by JPC. Failure to provide the original tax clearance certificate will result in the quotation being disqualified.

2. Latest copy of rate and taxes together with a completed "Declaration on State of Municipal Accounts" form. (Attached)

   Please note the following:

   a) There must be a Rates & Taxes invoice for each of the Directors of the Company as well as for the Company. The Rates & Taxes Invoice cannot be older than 3 months. If Rates & Taxes are in arrears for more than 3 months, the quotation will be disqualified.

   b) If the business is operated from the residence of one of the directors, an affidavit, certified, must be submitted stating the address of the business premises.

   c) If the premises from where business is conducted or where a director is residing, is leased a copy of the lease agreement or an affidavit must be submitted.

3. The quotation page must be signed. If you are using your own format on your Company’s letterhead to quote please ensure that the quotation is signed.

4. The attached MBD 9 form (Certificate of Independent Bid Determination) must be completed and submitted with the quotation. If the MBD 9 is incomplete or not attached the quotation will be disqualified.

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
5. The attached MBD 4 form (Declaration of Interest) **must** be completed and submitted with the quotation. If the MBD 4 is incomplete or not attached the quotation will be disqualified.

6. Both the MBD 4 & 9 forms must be original for each quotation. No copies will be accepted. Both the MBD 4 & 9 forms must be dated within the quotation period.

7. Proof of Directors: A certified copy of your Company Registration Documents

8. A certified copy of the B-BBEE Status Level Verification Certificate must be attached. If not attached no points for B-BBEE will be awarded.

9. All price alterations must be signed for by the Bidder confirming that such changes were made by the Bidder.

10. UIF.

11. COIDA.

12. Professional Indemnity insurance

13. Copies of ID’s for the Directors or Members of the Entity.

14. Copies of ID’s for the employees of the Entity and employment contracts.

15. Central Supplier Data Base registration.

16. CIDB Grading of ...........or above.

17. Construction program and cash flow.

18. Works Insurance and Public liability insurance


20. Affiliation / Registration with Professional bodies

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
PLEASE NOTE THAT PRICE CHANGES WITHOUT A SIGNATURE WILL LEAD TO THE DISQUALIFICATION OF THE QUOTATION SUBMITTED

I HEREWITH CONFIRM THAT HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED REQUIREMENTS

SIGNATURE_____________________________

NAME_______________________________

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
CONDITIONS

1. All goods or services purchased will be subject to JPC SCM Policy and Procedures. A copy of said conditions is available from the SCMU office.

2. All purchases will be made through an official order form. Therefore no goods must be delivered or services rendered before an official order has been forwarded to and accepted by the successful bidder.

3. To participate in JPC's Quotation process for the procurement of goods and/or services, vendors are advised to get accredited and registered on JPC's Supplier Database. Supplier registration forms are available from the Supply Chain Management Unit. JPC is dealing only with the registered and accredited suppliers on its Database.

4. All prices quoted must be exclusive of Value Added Tax (VAT). Suppliers who are not registered for VAT will be treated as Non VAT Vendors.

5. Prices quoted must include delivery charges and goods must be delivered to the address indicated on the quotation page.

6. All prices submitted must be firm. "Firm" prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise.

7. Quantities are given in good faith and without commitment to JPC. The JPC reserves the right to increase or reduce the quantity to be in line with the set threshold for quotations prescribed in the SCM Policy.

8. **JPC DOES NOT TAKE RESPONSIBILITY FOR ANY QUOTATIONS DEPOSITED IN THE WRONG BOX.**

9. **QUOTATIONS SUBMITTED THROUGH FAX/EMAIL WILL BE AUTOMATICALLY DISQUALIFIED.**

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
I HEREWITH CONFIRM THAT I HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED REQUIREMENTS

SIGNATURE______________________________

NAME_________________________________

ADDITIONAL REQUIREMENTS

DECLARATION

I certify that the information supplied is correct and I have read and understood the JPC General Conditions and Policies and Procedures and accept same

I further certify that all the required information has been furnished and the relevant forms completed and are herewith submitted as part of the quotation.

SIGNATURE: _______________________________________

NAME: ___________________________________________

CAPACITY: _________________________________________

DATE: ____________________________________________

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
SUPPLY CHAIN MANAGEMENT
P.O. BOX 31565
BRAAMFONTEIN
2017

VAT. NO: 4010194266/4760117194

BIDDER: ___________________________

Your Vendor Number With Us: ___________________________

TEL: ___________________________

FAX: ___________________________

REQUEST FOR QUOTATIONSS

<table>
<thead>
<tr>
<th>RFQ NUMBER</th>
<th>RFQ DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>RFQ</td>
<td>30 AUGUST 2019</td>
</tr>
</tbody>
</table>

CONTACT PERSON

| NAME:      | Lesiba Masemola |
| TEL No:    | 010) 219 9229   |

PLEASE NOTE THAT YOU MUST BE REGISTERED ON THE JPC SUPPLIER DATABASE

Submission Deadline: 13 SEPTEMBER 2019
Submission Time: 10H30AM

VALIDITY OF RFP: 30 DAY

OFFICE USE ONLY:
PRICE/S TO BE VAT EXCLUSIVE

Please deposit all quotation in the RFQ box as stipulated in the cover page

RFQ'S above R30 000-00 to a maximum of R50 000 000 will be evaluated on the basis of the 80:20 point system as stipulated in the Preferential Procurement Policy Framework Act (Act number 5 of 2000), as amended.

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
EVALUATION CRITERIA
Quotations will be evaluated using a two stage evaluation process as follows:

STAGE 1 TECHNICALITY / FUNCTIONALITY EVALUATION
Quotations will be evaluated in order to establish whether they meet the minimum required thresholds for functionality. In this regard Bidders are required to achieve a functional score of not less than 70 points out of 100.

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ELEMENT</th>
<th>WEIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Proposed Methodology and Approach (15 Points):</td>
<td>Details of the proposed methodology and approach that the Tenderer intends to follow with regard to the effective provision of the professional services required in CAPEX Management and associated project support services for the delivery of infrastructure programmes and projects (15)</td>
<td>100</td>
</tr>
<tr>
<td>2. Experience of the Tenderer (Lead Tenderer and Entities in JV, Consortium, Association, etc.) (20 Points):</td>
<td>Bidder’s experience and track record in providing professional services required in CAPEX and associated project support services for the delivery of infrastructure programmes and projects, including municipal infrastructure. Tenderer should have proof of experience in creating and managing Project Management Units for projects exceeding one hundred and fifty million rand and must include buildings, civil and transport related projects (20)</td>
<td></td>
</tr>
<tr>
<td>3. Experience and Qualifications of the Tenderer’s Proposed Key Resources / Experts (40 Points):</td>
<td>Experience, knowledge and adequacy of the proposed team members for key services/disciplines (40)</td>
<td></td>
</tr>
</tbody>
</table>

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
4. **Lead Bidder's Quality Management System (15 Points):**

   - Lead bidder to be ISO accredited with SANAS accredited agency (15)

5. **Lead Bidder's Management Systems Which Are in Place to Track and to Contain Costs (10 Points):**

   - The Tenderer's existing management system designed to track and contain project costs while at the same time meeting the project's scope and quality requirements (10)

| Total | 100 |

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
STAGE 2 (PRICE AND BBB-EE STATUS LEVEL OF CONTRIBUTION)

POINTS AWARDED FOR PRICE

THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS
A maximum of 80 points is allocated for price on the following basis:
80/20

Where
Ps = Points scored for comparative price of bid under consideration
Pt = Comparative price of bid under consideration
Pmin = Comparative price of lowest acceptable bid

POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION

Points will be allocated as follows:

<table>
<thead>
<tr>
<th>Price</th>
<th>80</th>
</tr>
</thead>
<tbody>
<tr>
<td>Points for B-BBEE (Max of 20):</td>
<td>20</td>
</tr>
<tr>
<td>B-BBEE status Level of Contributor</td>
<td>Number of Points (80/20 system)</td>
</tr>
<tr>
<td>1</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>18</td>
</tr>
<tr>
<td>3</td>
<td>14</td>
</tr>
<tr>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>5</td>
<td>8</td>
</tr>
</tbody>
</table>

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<p>| | |</p>
<table>
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<tr>
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<tbody>
<tr>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>7</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Non-Compliant contributor</td>
<td>0</td>
</tr>
</tbody>
</table>

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
SIGNATURE OF BIDDER

CAPACITY

PLEASE NOTE THAT NO PRICE INCREASES WILL BE APPROVED AFTER SUBMISSION OF THE QUOTATION.

REQUEST FOR QUOTATION (RFQ) NUMBER:
Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.

SPECIFICATIONS / SCOPE OF WORK:

REQUESTS FOR PROPOSALS FROM PANEL POP 03/2018 PANEL OF PROFESSIONALS: PROGRAMME MANAGER
BACKGROUND

JPC is intending to: streamline the tendering process for the engagement of Programme Managers for Capex Projects; The Programme Managers are intended as a source of advisers to assist with implementation of Capex Projects transaction.

The Programme Managers that they have a knowledge of sourcing capital grants (e.g. USDG) from National Treasury.

Programme Managers must have skills and experience to provide both Commercial/financial and legal services in support of JPC Capex project transactions.

The Programme Managers must demonstrate that they have professional team that comprises of financial, legal and technical and supply chain management expertise in the case of large projects such as project development where the project cost is very high

SCOPE OF WORK

- To assist with implementation of Capex Projects transaction.
- Interaction with the market, or conduct of formal market soundings, to confirm decisions on scope, timing and packaging of the transaction
- Preparation of bid documents including but not limited to the Request for Proposals and the Contract for Services (Concession Agreement)
- Preparation of supporting information to JPC Project Office in preparation of their bid
• Support communication with the market and interaction with the market, including managing and responding to requests for clarification
• Preparation of an evaluation plan, assistance with evaluation and preparation of evaluation reports
• Assist in negotiation with one or more parties prior to contract award;
• To do monitoring and advice on bidder performance against any conditions precedent to financial close; and
• Provide management of other advisory inputs, and overall management of the transaction team, to ensure a successful conclusion
• To demonstrate their capability and experience in discharging a lead role in Capex Project transactions and providing commercial, financial and legal advice. They are likely to have detailed technical or engineering expertise
• The Programme Managers must demonstrate that significant opportunities for empowerment reside in the Subcontracting arrangements of a typical Capex project structure, where cash-flow benefits, ownership, management, women, employment equity, skills development, and procurement commitments can all be targeted for strong empowerment results

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DESCRIPTION</th>
<th>Quantity Required</th>
<th>Date required</th>
<th>Delivery Period / Lead time</th>
<th>Price (Excluding Vat)</th>
<th>Total (Excluding Vat)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>2</td>
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<td></td>
<td></td>
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<tr>
<td>Grand Total</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

NB ANY AND ALL ALTERATIONS MUST BE SIGNED FOR BY THE BIDDER CONFIRMING THAT SUCH ALTERATION WAS MADE BY THE BIDDER. PLEASE NOTE THAT PRICE CHANGES WITHOUT A SIGNATURE WILL BE DISQUALIFIED

ALL BIDDERS MUST PLEASE MAKE SURE THAT THEY KNOW WHAT THEY ARE QUOTING FOR

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
Conditions

1. All prices quoted must be exclusive of Value Added Tax (VAT).
2. Prices quoted must include delivery charges and goods must be delivered to the address indicated.
3. All prices submitted must be firm. "Firm" prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise.
4. Quantities are given in good faith and without commitment to the JPC.
5. Vendors not registered for Value Added Tax with SARS will be treated as Non VAT vendors.
DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offer 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 and/or take an oath declaring his/her interest.

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

3.1 Full Name: ..........................................................

3.2 Identity Number: ..................................................

3.3 Company Registration Number: ..............................

3.4 Tax Reference Number: ........................................

3.5 VAT Registration Number: ....................................

3.6 Are you presently in the service of the state* YES / NO

3.6.1 If so, furnish particulars.

.................................................................

.................................................................

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

3.7.1 If so, furnish particulars.

.................................................................

.................................................................

3.8 Do you, have any relationship

* 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.
(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?

3.8.1 If so, furnish particulars.

........................................................................................
........................................................................................
........................................................................................

3.9 Are you, aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?

3.9.1 If so, furnish particulars

........................................................................................
........................................................................................
........................................................................................

3.10 Are any of the company's directors, managers, principle shareholders or stakeholders in service of the state?

3.10.1 If so, furnish particulars.

........................................................................................
........................................................................................
........................................................................................

3.11 Are any spouse, child or parent of the company's directors, managers, principle shareholders or stakeholders in service of the state?

3.11.1 If so, furnish particulars.

........................................................................................
........................................................................................
........................................................................................

CERTIFICATION
I, THE UNDERSIGNED (NAME) .................................................................

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

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

................................................................. .................................................................
Signature                                          Date

................................................................. .................................................................
Position                                           Name of Bidder
CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.

2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a per 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:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: ________________________________ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;

2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;

3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;

4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;

5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

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

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

   (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium\(^1\) 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.

\(^1\) Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.
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