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 (POP03/2018) UNDER THE FOLLOWING CATEGORY:

TURNKEY PROJECT MANAGEMENT

JPC requests your quotation on the goods and/or services listed hereunder and/or on the available RFP 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>18 JUNE 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>CLOSING DATE</td>
<td>28 JUNE 2019</td>
</tr>
<tr>
<td>CLOSING TIME</td>
<td>10H30AM (TELKOM TIME)</td>
</tr>
<tr>
<td>DEPARTMENT</td>
<td>CEO OFFICE</td>
</tr>
<tr>
<td>SCM NUMBER</td>
<td></td>
</tr>
<tr>
<td>PANEL NUMBER</td>
<td>PANEL POP 03/2018 PANEL OF PROFESSIONALS</td>
</tr>
</tbody>
</table>

DESCRIPTION OF GOODS/SERVICES

The Supply Chain Management Unit hereby requests proposals from Turnkey Project Management on the panel of Professionals under POP 03/2018 on behalf of City of Joburg Property company SOC Ltd (JPC)

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
ATTENDANCE OF A COMPULSORY OR NON COMPULSORY SITE BRIEFING SESSION | N/A

RFQ SPECIFICATION FORMS/DOCUMENTS ARE OBTAINABLE FROM: | FROM: The JPC Website – www.jhbproperty.co.za

COMPULSORY REQUIREMENTS | Submission of all required documents

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: | mmakhunga@jhbproperty.co.za

N.B. Quotations submitted by 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.

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

Quotations submitted by Professionals or Service Providers not included in POP 03/2018- Panel of Professionals will not be considered.
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<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
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.

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.

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

15. Central Supplier Data Base registration.

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 SCM Unit 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.**

I HEREBY CONFIRM THAT I HAVE READ AND UNDERSTOOD THE ABOVE MENTIONED REQUIREMENTS

SIGNATURE ________________________________

NAME ________________________________

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

VAT. NO: 4010194266/4760117194

<table>
<thead>
<tr>
<th>REQUEST FOR QUOTATIONS</th>
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<tbody>
<tr>
<td>RFQ NUMBER</td>
</tr>
<tr>
<td>RFQ</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CONTACT PERSON</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME: Musah Makhunga</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>Tell No:</th>
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<tbody>
<tr>
<td>(010) 219 9011</td>
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</table>

<table>
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<tr>
<th>Cell No:</th>
</tr>
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</table>

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

Submission Deadline: 28 JUNE 2019
Submission Time: 10H30AM

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

EVALUATION CRITERIA
Quotations will be evaluated using a stage 1 and 2 evaluation process as follows:

STAGE 1 (FUNCTIONALITY ASSESSMENT)

The minimum threshold of seventy (70) points has been predetermined and all bidders with a score below seventy (70) points will not be considered.

Points will be allocated as follows:

<table>
<thead>
<tr>
<th>Criteria Applicable</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. RELEVANT EXPERIENCE</td>
<td></td>
</tr>
<tr>
<td>Number of Previous Relevant Projects Completed</td>
<td>20</td>
</tr>
<tr>
<td>Value of Completed projects</td>
<td>10</td>
</tr>
<tr>
<td>B. CAPACITY &amp; RESOURCING</td>
<td>30</td>
</tr>
<tr>
<td>*The guideline document will be used during the evaluation of the 17 RFPs which will be closing on 31 July 2019. It should be noted that the successful bidder will be expected to give us the 17 guideline documents by no later than 26th July 2019. Demonstrate to us how you will deliver as per the deadline of 26th July 2019. Technical skills</td>
<td>20</td>
</tr>
<tr>
<td>Financial capacity</td>
<td>10</td>
</tr>
<tr>
<td>C. METHODOLOGY</td>
<td>40</td>
</tr>
<tr>
<td>#Demonstrate a plan of skills transfer and empowerment especially the use of youth (students) in the project. Approach and Methodology</td>
<td>40</td>
</tr>
</tbody>
</table>

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

\[ P_s = 80 \left( 1 - \frac{P_t - P_{\text{min}}}{P_{\text{min}}} \right) \]

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

<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>
</tbody>
</table>

<table>
<thead>
<tr>
<th>B-BBEE status Level of Contributor</th>
<th>Number of Points (80/20 system)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>18</td>
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<tr>
<td>3</td>
<td>14</td>
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<td>4</td>
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<td>6</td>
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<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.
**Required Supporting Documentation:**
The bidder **must** submit signed testimonial / reference letters **and** completion certificates for previous projects **and** fill in the schedule of similar previous projects
**Testimonials/ reference letters should indicate the following:**

i) Project name,

ii) Tender price,

iii) The completion date

*Points will only be allocated where **both** testimonial/ reference letters and completion certificates are submitted.*

---

Bidder must fill in the relevant CV form for all key personnel **and** also provide full CVs with **certified copies of qualifications** in the returnable schedules. Failure to fill-in the relevant forms will result in **0 points** being awarded. Points will only be awarded to personnel who meet the minimum 5 years’ experience with **full professional registration**.

**Required Supporting Documentation:**

i. CV with a minimum of 5 years’ experience,

ii. Valid Certified Full Professional Registration.

---

**Required Supporting Documentation:**

i. Implementation Plan

ii. Approach and Methodology

iii. SMME Plan

**Minimum approach and methodology requirements**

Approach and methodology to include the following:

i) Proposed implementation plan - How project is going to be implemented (to include innovative intervention).

ii) Projected Programme – Duration of project

iii) Complete project team Organogram – roles and responsibilities

iv) Skills development - Training and transfer of skills (Certification) and usage of students

---

*Quotations submitted by Service Providers not included in POP 03/2018 Panel of Professionals will not be considered.*
PLEASE NOTE THAT NO PRICE INCREASES WILL BE APPROVED AFTER SUBMISSION OF THE QUOTATION.

REQUEST FOR QUOTATION (RFQ) NUMBER: ____________________________

Background

1. JPC issued an RFP for the development of 17 various development opportunities in Orange Grove and Houghton. The development is envisaged to include, amongst others, the following:

   1.1.1. Mixed income housing development or affordable student accommodation

2. The type of properties issued in the said RFP differs and include the following.

Quotations submitted by Service Providers not included in POP 03/2018 Panel of Professionals will not be considered.
2.2.1 Illegally occupied building
2.2.2 Legally occupied building
2.2.3 Properties not correctly zoned for the required development (The City is rezoning the properties)
2.2.4 Building in a state of despair

3 In terms of the said RFP, the bidders are expected to do the following

- Where buildings are occupied, the Bidders must provide Temporary Alternative Accommodation (TAA) at their own costs on a property to be identified by the City and be given to the Developer at no cost. The TAA will, at the end of the development, be handed back to the City
- The City will facilitate undertaking the occupancy audit of the occupants, where necessary.
- When the successful bidder is having problems of moving illegal occupants the City will provide law enforcement

3.3.2 The City has placed a requirement that maximum amount to be charged for student accommodation to be capped at R3 500 per student per month as per NSFAS rental allowance. Bidders are to provide at least 50% or more of the development at a rental rate of less than R3 500.00 of the student accommodation floor area.

3.3.3 Redevelop the property to its maximum potential in term of the COJ Planning Scheme. To this extent, Bidders are expected to peruse the RSDF applicable in a specific area and ascertain maximum legally possible development yield taking into account limitations of the property and other constraints (such as access and egress, services available, structural load, etc) If rezoning is required the bidder to rezone.

Quotations submitted by 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:

<table>
<thead>
<tr>
<th>SCOPE OF WORK</th>
</tr>
</thead>
<tbody>
<tr>
<td>In order for the City to evaluate the above requirements a base document for each RFP incorporates the following</td>
</tr>
<tr>
<td>▪ Desktop analysis on what will constitute a vibrant, sustainable and effective student precinct. The analysis must include principles and interventions that will be required to ensure the sustainable student precinct.</td>
</tr>
<tr>
<td>▪ Value/cost of refurbishment of the building based visual assessment of the current state of the building</td>
</tr>
<tr>
<td>▪ Maximum development potential of properties based on the City Planning Scheme and taking into account limitations of the property and other constraints (such as access and egress, services available, structural</td>
</tr>
<tr>
<td>▪ Cost of developing Temporarily Alternative Accommodation which must include relocation expenses and other related costs</td>
</tr>
<tr>
<td>▪ High level feasibility study of the envisaged development indicating break even point of the development</td>
</tr>
<tr>
<td>▪ Desirable Lease term required for each development to achieve adequate</td>
</tr>
</tbody>
</table>

Quotations submitted by Service Providers not included in POP 03/2018 Panel of Professionals will not be considered.
IRR and acceptable Return on Investment for the Developer taking into account the amount of risk to be taken, economic and financial factors and uncertainty in the market.

- The feasibility study and proposed leased term must take into account all the requirements of the City, such as subsidiary rental for affordable stock, funding the provision for Temporary Alternative Accommodation.
- Having considered all of the above give an indication monthly rental, if any, the City can expect for each development.
- To assist the City Adjudication Committee the developer must give us the rental without the City horrendous conditions.

**Scope**

It is anticipated by JPC that the successful bidder must have the following specs.

- Registered Quantity Surveyor
- Draughtsman/architect
- Development expertise
- Town Planning expertise
- Project Manager expertise

Quotations submitted by Service Providers not included in POP 03/2018 Panel of Professionals will not be considered.
• Understanding of the property valuation
• Engineering services skills

Property Plan.

For each development the team must produce the following:

• Total Development Cost
• Typical site plan and floor layout
• Maximum development potential
• Estimated current value of the property (not necessary a sworn valuation)
• Feasibility document.
• Proposed lease term

"We reserved the right to call the successful bidder to be part of the bid evaluation committee as an expert adviser, however in the MFMA the expert adviser is prohibited from participating in the bid.

Quotations submitted by Service Providers not included in POP 03/2018 Panel of Professionals will not be considered.
### PRICE

<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>
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<tbody>
<tr>
<td>1</td>
<td></td>
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<td>2</td>
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<tr>
<td>Grand Total</td>
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</tbody>
</table>

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

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.

Quotations submitted by Service Providers not included in POP 03/2018 Panel of Professionals will not be considered.
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 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): ................................

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

---

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.
3.9 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.

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:

<table>
<thead>
<tr>
<th>Full Name</th>
<th>Identity Number</th>
<th>State Employee Number</th>
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<tbody>
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.................................................. Signature ..................................................

.................................................. Date ..................................................

.................................................. Capacity ..................................................

.................................................. 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). 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:

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\(^1\) 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.

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\(^1\) 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.

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Signature                                                    Date

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Position                                                    Name of Bidder