07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

CLOSED REQUEST FOR QUOTATION PROCESS

NAME OF SERVICE PROVIDER: ________________________________

N.B. THIS REQUEST FOR QUOTATIONS (RFQ) IS ONLY ISSUED TO SUBCONTRACTORS APPROVED FOR INCLUSION IN THE JPC PANEL: CIDB GRADE 1

N.B. THIS REQUEST FOR QUOTATIONS (RFQ) 07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT (CIDB GRADING) JPC

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 RE-ISSUE</th>
<th>07 FEBRUARY 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>CLOSING DATE</td>
<td>13 FEBRUARY 2020</td>
</tr>
<tr>
<td>CLOSING TIME</td>
<td>10H30 (TELKOM TIME)</td>
</tr>
<tr>
<td>DEPARTMENT</td>
<td>FACILITIES MANAGEMENT</td>
</tr>
<tr>
<td>SCM NUMBER</td>
<td>07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT</td>
</tr>
<tr>
<td>DESCRIPTION OF GOODS/SERVICES</td>
<td>CAPENTRY</td>
</tr>
<tr>
<td>SCOPE OF WORKS</td>
<td>REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT</td>
</tr>
<tr>
<td>COMPULSORY BRIEFING SESSION</td>
<td>11 FEBRUARY 2020 -at the Metro Centre, 158 Civic Boulevard, Braamfontein, C-Basement, Printing Section, Level -3</td>
</tr>
</tbody>
</table>
07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

<table>
<thead>
<tr>
<th>RFQ SPECIFICATION FORMS/DOCUMENTS ARE OBTAINABLE FROM:</th>
<th><a href="http://www.jhbproperty.co.za">www.jhbproperty.co.za</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>COMPULSORY REQUIREMENTS</td>
<td>Submission of all required documents</td>
</tr>
<tr>
<td>SUBMISSION OF QUOTES:</td>
<td>1st Floor</td>
</tr>
<tr>
<td></td>
<td>Forum 2, Braampark</td>
</tr>
<tr>
<td></td>
<td>33 Hoofd Street</td>
</tr>
<tr>
<td></td>
<td>Braamfontein</td>
</tr>
<tr>
<td></td>
<td>2017</td>
</tr>
<tr>
<td></td>
<td>Submissions must be deposited into the RFQ Box at the Reception. No emailed submissions will be accepted</td>
</tr>
<tr>
<td>ENQUIRIES:</td>
<td>BERNINE STRYDOM</td>
</tr>
<tr>
<td></td>
<td>082 464 9574</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:Bstrydom@jhbproperty.co.za">Bstrydom@jhbproperty.co.za</a></td>
</tr>
</tbody>
</table>

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.
07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

SCM NO: 07/02/2020DM

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>MBD 4: Declaration of Interest (Attached)</td>
</tr>
<tr>
<td>5</td>
<td>MBD 9: Certificate of Independent Bid Determination. (Attached)</td>
</tr>
<tr>
<td>6</td>
<td>MBD 6.4: Local Content (Attached) (IF REQUIRED)</td>
</tr>
<tr>
<td>7</td>
<td>Certified Copy of BBBEE certificate.</td>
</tr>
<tr>
<td>8</td>
<td>Valid Tax Clearance Certificate or Pin number</td>
</tr>
<tr>
<td>9</td>
<td>Empowerment Plan and employment statistics (youth, women and people with disabilities)</td>
</tr>
<tr>
<td>10</td>
<td>All alterations must be signed.</td>
</tr>
<tr>
<td>11</td>
<td>Quotation is signed</td>
</tr>
<tr>
<td>12</td>
<td>UIF</td>
</tr>
<tr>
<td>13</td>
<td>Copies of ID’s for the Directors or Members of the Entity</td>
</tr>
<tr>
<td>14</td>
<td>Copies of ID’s for the employees of the Entity and employment contracts</td>
</tr>
<tr>
<td>15</td>
<td>Central Supplier Data Base registration (CSD)</td>
</tr>
<tr>
<td>16</td>
<td>Works Insurance and Public liability insurance</td>
</tr>
<tr>
<td>17</td>
<td>Affiliation / Registration with Professional bodies</td>
</tr>
<tr>
<td>18</td>
<td>Professional Indemnity</td>
</tr>
</tbody>
</table>
07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

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.
07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

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.

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. Professional Indemnity insurance

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

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

14. Central Supplier Data Base registration.

15. Works Insurance and Public liability insurance

6. Affiliation / Registration with Professional bodies

PLEASE NOTE THAT PRICE CHANGES WITHOUT A SIGNATURE WILL LEAD TO THE
07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

DISQUALIFICATION OF THE QUOTATION SUBMITTED

I HEREWITH CONFIRM THAT HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED REQUIREMENTS

SIGNATURE______________________________

NAME______________________________

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.
07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

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 HEREWITH CONFIRM THAT I HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED REQUIREMENTS

SIGNATURE_____________________________________

NAME_________________________________________
07/02/2020 DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

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: ________________________________
07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

SUPPLY CHAIN MANAGEMENT
P.O. BOX 31565
BRAAMFONTEIN
2017

VAT. NO: 4010194266

BIDDER: ____________________________

TEL: ________________________________

FAX: ________________________________

Your CSD Number with Us: ________________________________

REQUEST FOR QUOTATION

<table>
<thead>
<tr>
<th>RFQ NUMBER</th>
<th>RFQ DATE</th>
<th>CONTACT PERSON</th>
<th>NAME</th>
<th>TEL No</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCM 07/02/2020DM</td>
<td>07 FEBRUARY 2020</td>
<td></td>
<td>BERNINE STRYDOM</td>
<td>082 464 9574</td>
</tr>
</tbody>
</table>

Submission Deadline: 13 FEBRUARY 2020
Submission Time: 10H30AM

VALIDITY OF RFQ: 1 MONTH
07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

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.

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>
<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>
07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

SIGNATURE OF BIDDER

CAPACITY

PLEASE NOTE THAT NO PRICE INCREASES WILL BE APPROVED AFTER SUBMISSION OF THE QUOTATION.
07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

REQUEST FOR QUOTATION (RFQ) NUMBER: 07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT (JPC)
07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

SPECIFICATIONS / SCOPE OF WORK:

REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT
07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

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>
</thead>
<tbody>
<tr>
<td>1</td>
<td>KINDLY QUOTE PER SITE: THE QUOTATION NEEDS TO BE ON THE COMPANY LETTER HEAD AND SIGNED</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
07/02/2020DM – REMOVAL OF UNUSED ASSETS FROM THE PRINTING DEPARTMENT, PAINTING AND DERMACATION OF THE DEPARTMENT

<table>
<thead>
<tr>
<th>2</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
</table>

**Grand Total**

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.
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 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? YES / NO

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? YES / NO

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? YES / NO

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? YES / NO

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

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:

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.

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:

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\(^3\) will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
   (a) prices;
   (b) geographical area where product or service will be rendered (market allocation)
   (c) methods, factors or formulas used to calculate prices;
   (d) the intention or decision to submit or not to submit, a bid;
   (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
   (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

\(^3\) 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
CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This Municipal Bidding Document (MBD) must form part of all bids\(^1\) invited.

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

---

1MSCM 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>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Signature</td>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Capacity</td>
<td>Name of Bidder</td>
<td></td>
</tr>
</tbody>
</table>