

INVITATION OF QUOTATION ABOVE R30,000.00

THIS FORM SHOULD BE COMPLETED IN DETAIL AND SHOULD BE ACCOMPANIED BY A VALID TAX **COMPLIANCE STATUS PIN AND VALID BBBEE VERIFICATION CERTIFICATE/AFFIDAVIT**

OUOTATION NUMBER: R/N/2122/321 VALIDITY PERIOD OF OLIOTATION

QUOTATION NOMBER. Nyny2122/321	(To be completed by the Supplier)
CLOSING DATE: 07/10/2021	CLOSING TIME:11H00
DESCRIPTION(SPECIFICATION/S) OF ITEMS/ SERVICE REQUIRED:	COMPANY NAME: TEL NO:
·	FAX NO:
TRACTOR REPAIRS KZN 30683 AS PER ATTACHED SPECIFICATION	CONTACT PERSON:
	CSD REG NUMBER MAAA
DOES OFFER COMPLY WITH SPECIFICATION?	YES/NO (DELETE WHICH EVER IS NOT APPLICABLE)
DOES ARTICLE COMPLY WITH SABS SPECIFICATION? HAS IT BEEN INSPECTED BY SABS?	YES/NO YES/NO (DELETE WHICH EVER IS NOT APPLICABLE)
DELIVERY PERIOD AFTER INITIAL ORDER?	
IS THE PRICE FIRM	
WHERE ARE THE STOCK HELD? (PHYSICAL ADDRESS , PLEASE)	
QUOTATION PRICE INCLUDING VAT (VAT TO BE ADDED BY REGISTERED VAT VENDORS ONLY)	TOTAL: R
COMPANY OFFICIAL STAMP (COMPULSORY)	SIGNATURE OF BIDDER
	DATE
NUMBER OF PAGES FAXED BACK TO THE DEPARTMENT BY	(Supplier to complete)

E-MAIL QUOTATION FOR THE ATTENTION OF: NOMUSA ZUMA 033 343 8454 NB: E-MAIL ADDRESS : Nomusa.zuma@kzndard.gov.za

NB:

THE ATTACHED SBD4, SBD 8 & SBD9 FORMS MUST BE COMPLETED IN FULL. THIS REQUEST FOR QUOTATION (RFQ) MUST BE COMPLETED AND RETURNED WITH ALL YOUR QUOTATION DOCUMENTS. COMPANY NAME

ADDRESS :

CONTACT PERSON :

CONTACT NUMBER :

FAX NUMBER

LINE NO.	DESCRIPTION OR SPECIFICATION OF ITEM	REQUIRED QUANTITY	UNIT PRICE EXCL. VAT		TOTAL PRICE	
	(Please be very specific and clear)		R	С	R	С
1	To repair a tractor with Reg. KZN 30683	1				
	Proceed to site remove all 4 tyres wheels to bring back to workshop					
	Renew tyres and tubes			1 1		
	Return to site and refit tractor with renewed tyres and fit to tractor.					
	* LA	BOUR (IF APF	PLICABLE)			
	*DEI	IVERY (IF AP	PLICABLE)			
			TC	TAL		
*ONLY	APPLICABLE TO VAT REGISTERED	SUPPLIERS	15% VAT			
			TOTAL P	RICE		

PPLICABLE TO VAT REGISTERED SUPPLIERS 15% VAT
TOTAL PRICE
*VAT Registration No. (Supplier)
SIGNATURE DATE

DECLARATION OF INTEREST

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

2.	In order to give e	ffect to the	above, the	following	questionnaire	must be	completed	and
	submitted with the			_	-		•	

2.1	Full Name of bidder or his or her representative:
2.2	Identity Number:
2.3	Position occupied in the Company (director, trustee, shareholder²):
2.4	Company Registration Number:
2.5	Tax Reference Number:
2.6	VAT Registration Number:
261	The names of all directors / tructors / charaboldons / manch are their in the district of the control of the co

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

1"State" means -

- (a) 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);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7	Are you or any person connected with the bidder presently employed by the state?	YES / NO
2.7.1	If so, furnish the following particulars:	
	Name of person / director / trustee / shareholder/ member: Name of state institution at which you or the person connected to the bidder is employed : Position occupied in the state institution:	
	Any other particulars:	
2.7.2	If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?	YES / NO
2.7.2.1	If yes, did you attached proof of such authority to the bid document?	YES / NO
	(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.	
2.7.2.2	If no, furnish reasons for non-submission of such proof:	
2.8	Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?	YES / NO
2.8.1	If so, furnish particulars:	
	Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?	YES / NO

	2.9.1If so, furnish particulars.		
2.10	Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?	YES/NO	
2.10.1	If so, furnish particulars.		
	Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?	YES/NO	
2.11.1	f so, furnish particulars:		
3 Fu	ıll details of directors / trustees / members / shareholders.		

Full Name	Identity Number	Personal Tax Reference Number	

4 DECLARATION

Position	Name of bidder
Signature	Date
I ACCEPT THAT THE STATE MA	I FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT. Y REJECT THE BID OR ACT AGAINST ME IN TERMS O L CONDITIONS OF CONTRACT SHOULD THIS DECLARATION
I, THE UNDERSIGNED (NAME)	

May 2011

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x/y] * 100$$

Where

- x is the imported content in Rand
- y is the bid bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on http://www.thedti.gov.za/industrial development/ip.jsp at no cost.

- 1.6 A bid may be disqualified if -
 - (a) this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and
 - (b) the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

2. Definitions

- 2.1. "bid" includes written price quotations, advertised competitive bids or proposals;
- 2.2. "bid price" price offered by the bidder, excluding value added tax (VAT);
- 2.3. "contract" means the agreement that results from the acceptance of a bid by an organ of state:
- 2.4. "designated sector" means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;
- 2.5. "duly sign" means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility(close corporation, partnership or individual).
- 2.6. "imported content" means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour or intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
- 2.7. "local content" means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 2.8. "stipulated minimum threshold" means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.9. "sub-contract" means the primary contractor's assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.
- 3. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

Des	scription of services, works or g	oods Stipulated minimum threshold
1. 1	lails 4 inch 50p	100%
		100%
na	oes any portion of the services, we have any imported content? Tick applicable box) YES NO	orks or goods offered
Pi.	yes, the rate(s) of exchange to be	e used in this bid to calculate the local content as eneral conditions must be the rate(s) published by 2:00 on the date of advertisement of the bid.
The releva	ant rates of exchange information	is accessible on www.reservebank.co.za.
Indicate th		appropriate currency in the table below (refer to
Currenc		Rates of exchange
US Dolla		- Nation of Oxonalige
Pound St	erling	
Euro		
Yen		
Other		
5. We	rs must submit proof of the SARB re the Local Content Declaration Toorrect? applicable box) YES NO	rate (s) of exchange used. Templates (Annex C, D and E) audited and certified
5.1. If yes,	provide the following particulars:	
(c) Tele (d) Ema	il address:	claration will, when required, he are the sure of the

6. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

(b) Practice number: (c) Telephone and cell number: (d) Email address:
(Documentary proof regarding the declaration will, when required, be submitted to the satisfaction of the Accounting Officer / Accounting Authority)
 Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.
LOCAL CONTENT DECLARATION (REFER TO ANNEX B OF SATS 1286:2011)
LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)
IN RESPECT OF BID NO.
ISSUED BY: (Procurement Authority / Name of Institution):
NB
1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thdti.gov.za/industrial_development/ip.jsp . Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below. Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.
I, the undersigned,
(a) The facts contained herein are within my own personal knowledge.
(b) I have satisfied myself that:

the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and the declaration templates have been audited and certified to be correct.

(i)

(ii)

R
R

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE:	DATE:
WITNESS No. 1	DATE:
WITNESS No. 2	DATE:

SATS 1286.2011

Annex E

Tender description: Designated products: Tender Authority: Tendering Entity name:		Note; VAT to be excluded from	n all calc
Local Products (Goods, Services and Works)	Description of items purchased	Local suppliers	Velu
	(E6)	(E7)	(EB)
	(E0) Tatel land much	ts (Goods, Services and Works)	
(E10) Whatpower costs (Ten		is feeder, services and works)	
(E21) Again your of raise (Rent	al, depreciation & amortisation, utility costs, o	consumables etc.)	
(E12) Administration overheads a	(Marketing, Insurance, finance	sing, interest etc.)	
		(E13) Total local content	
		This total must correspond with	

02)	Tender No.			- The same of the	nted Content De	350000000000000000000000000000000000000	AND OTHER	व्यक्तिस्थिति (०)	Autowa	THE I		125	
12) 19) 14) 15)	Tender descrip Designated Pro Tender Author Tendering Each	nativetes Hyr							Hote: VAT (of cricular)	io के कारोप्रदेश uns	from		
	Tender Early	Rates		Paris		EU R 9	00	GBP N 1200					
ĺ	A. Exemple	ed importer	content			Fari		/sicould/ei	der ver aller der	edigo.	W. 18 31	BE 10	30
	Yender bem no's	Description	of Imported conten			plier value a Commi	sper Extherig		of Freight.com part of ent	Ali jos incum incling i duti	tel Tetalism		ider Ony
Ė		A-1	17	/Ds	(010)	/011	[012]	(010)	(034)	(015)			007
В.	. Imported	directly by t	the Tenderer			Principal		110700000000000000000000000000000000000			(D29) Total each	Tell Importan	Syptus (12 parties
	enderkem no's	Description of	Imported content	Unitofme		Fortign durrency ter makes as a Continuency Invokes	Tender Rate	Lozal wrige of	Freight auch to port of entry	All locally	Form) laude		r Qty Total
			7447	(032)	(623)	(034)	[025]	(026)	(10(7)	(022)	(029)	103	9
												E	
												1	-
L da	mported by	a 3rd party	and supplied	to the Te	nderer			Call Silving and the	mo-stad college	(032)3(ptal Imported vs	lae by tends	
	eription of kaps		Unit of measure	to the Te		Fortign surrency value as per Commonoly Imades			Freight costs to port of entry	All locally incurred landing costs	etal Imported ve Total landed Cost sace VAT	Quantiti	250000
						CUITERICY White as per	Tender Rate	Local value of	Freight costs to	All locally incomed	Total landed	Quantity impoins	Y Total frag
	eription of kaps		Unit of measure	Local supplie	oversess Supplier	currency value as per Commercial Involvé	Tender Rate of Exchange	Local value of Imports	Freight costs to port of entry	All locally incurred lending costs & duties	Total landed Cost excl VAT	Quantit	Y Total frag
	eription of kaps		Unit of measure	Local supplie	oversess Supplier	currency value as per Commercial Involvé	Tender Rate of Exchange	Local value of Imports	Freight costs to port of entry	All locally incurred lending costs & duties	Total landed Cost excl VAT	Quantity impoins	Y Total frag
De	eription of kaps	orted earners;	Unit of measure	Local supplie	Overseas Supplier (D35)	currency value as per Commonely Immode (097)	Tender Rate of Exchange	Local value of Imports	Freight costs to port of entry	All locally incomed femaling costs & distilier (041)	Total landed Cost excl VAT	Clumiti https://a	Jonal Reg
De	escription of huppy	currency p	Unit of measure (034) ayments Local supplier analize the	Louis supplie	Oversezs Supplier [025] Colonia Supplier Foreign extraricy value	currency value as per Commonly Immittee (097)	Tender Rate of Exchange	Local value of Imports	Freight costs to port of entry	All locally incomed femaling costs & distilier (041)	Total landed days axed VAT	Clumiti https://a	Total fee
De	peription of hope (DSS)	currency p	Unit of decising (234) Byrnents Local supplier	Local supplie	Colorens Supplier (005)	currency value as per Commonted Investor (097)	Tender Rate of Exchange	Local value of Imports	Freight costs to port of entry	All locally incomed femaling costs & distilier (041)	Total landed days axed VAT	Clumiti https://a	Total key
Da	(DS2) Their foreign	currency p	Unit of measure (234) Ayments Local supplier making the	Louis supplie (235) Overzens kenefidany	Overseas Supplier [D36] [D36] Foreign extrancy value paig	rurency value as per Compared of Invoice (097) Tendar Reta of Exchange	Tender Rate of Exchange	Local value of Imports	Freight costs to port of entry	All locally incomed femaling costs & distilier (041)	Total landed days axed VAT	Clumiti https://a	Total Imp
Ot	(DSS) Their foreign Type of payme	Currency p	Unit of measure (234) Ayments Local supplier making the	Louis supplie (235) Overzens kenefidany	Overseas Supplier [D36] [D36] Foreign extrancy value paig	rurency value as per Compared of Invoice (097) Tendar Reta of Exchange	Tender linte of Exchange (C30)	Accel union of Imports (D29)	Freight coets to port of entry	All locally incomed investig costs & duties (041)	Total landed east exel VAT (D-22)	Quantities to potential (DAS)	Jonai kraj
Da.	(DS2) Their foreign	Currency p	Unit of measure (234) Ayments Local supplier making the	Louis supplie (235) Overzens kenefidany	Overseas Supplier [D36] [D36] Foreign extrancy value paig	rurency value as per Compared of Invoice (097) Tendar Reta of Exchange	Tender Rate of Exchange (CSR)	Accelerate of Imports (D29)	Freight costs to port of entry	All locally incurred incurred incurred incurred incurred incurred incurred in the control of the	Total landed dost exel VAT	Quantific brapeira	Jonai kraj

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE:	DATE:
WITNESS No. 1	DATE;
WITNESS No. 2	DATE:

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

	n) Question	Y	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing	Yes	
	of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the audi alterna parten rule was applied).		
	The Database of Restricted Suppliers now resides on the National Treasury's website www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.		
4.1.1	If so, furnish particulars:		1
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in	Yes	No
	terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?		X
	The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.sa) by clicking on its link at the bottom of the home page.		
4.2.1	If so, furnish particulars:		1=:=
1.3	Was the bidder or any of its directors convicted by a court of law (including a court	Yes	No
	outside of the Republic of South Africa) for fraud or corruption during the past five years?		Z
	If so, furnish particulars:		

; , , ,	ă.			
	4.4	Was any contract between the bidder and any organ five years on account of failure to perform on or co	on of state terminated during the past comply with the contract?	Yes No
	4.4.1	If so, furnish particulars:		
				SBD 8
		CERTIFICA	ATION	
	CER	IE UNDERSIGNED (FULL NAME) TIFY THAT THE INFORMATION FU M IS TRUE AND CORRECT.	RNISHED ON THIS DECLA	RATION
	ACI	CCEPT THAT, IN ADDITION TO CA ION MAY BE TAKEN AGAINST M VE TO BE FALSE.	ANCELLATION OF A CON IE SHOULD THIS DECLA	TRACT, RATION
	Signa	ture	Date	Pùs
	Positio	KI	Name of Bidder	Js365bW

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) 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.
- Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- This SBD 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 (SBD 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 Desc	ription)
in response to the invitation for the bid made by:	
(Name of Institution	n)
do hereby make the following statements that I certify to	be true and complete in every respect
l certify, on behalf of:	that:
(Name of Ridder)	

- 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:
 - has been requested to submit a bid in response to this bid invitation: (a)
 - could potentially submit a bid in response to this bid invitation, based on (b) their qualifications, abilities or experience; and
 - provides the same goods and services as the bidder and/or is in the same (c) line of business as the bidder

- 6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
- 7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices:
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the Intention not to win the bid.
- 8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 9. The terms of the accompanying bld 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.

⁵ 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.

SBD 9

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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