



agriculture & rural development

Department:
agriculture
& rural development
PROVINCE OF KWAZULU-NATAL

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**

QUOTATION NUMBER: R/S/1819/840	VALIDITY PERIOD OF QUOTATION..... Days (To be completed by the Supplier)
CLOSING DATE: 25/10/2018	CLOSING TIME:11H00
DESCRIPTION(SPECIFICATION/S) OF ITEMS/ SERVICE REQUIRED: SUPPLY, DELIVER, OFFLOAD AND INSTALL IRRIGATION SYSTEM SIYAJABULA GARDEN PROJECT UNDER KWANCEMA CLUSTER SEE ATTACHED SPEC	COMPANY NAME: TEL NO: FAX NO: 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 SUBMITTED BACK TO THE DEPARTMENT BY THE SUPPLIER(Supplier to complete)

NB: QUOTATION FOR THE ATTENTION OF: SAMKELISO ZITHA

TELEPHONE NUMBER: 033 343 8104

DOCUMENTS TO BE DEPOSITED AT THE BID BOX AT CEDARA: DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT, 1 CEDARA ROAD

NB: THE ATTACHED SBD4 & SBD9 FORMS MUST BE COMPLETED IN FULL. THIS REQUEST FOR QUOTATION (RFQ) MUST BE COMPLETED AND RETURNED WITH ALL YOUR QUOTATION DOCUMENTS.

ANNEXURE A

COMPANY NAME _____
 ADDRESS _____

 CONTACT PERSON _____
 CONTACT NUMBER _____
 FAX NUMBER _____
 EMAIL ADDRESS _____

LINE NO.	DESCRIPTION OR SPECIFICATION OF ITEM (Please be very specific and clear)	REQUIRED QUANTITY	UNIT PRICE EXCL. VAT		TOTAL PRICE	
			R	C	R	C
3.	For the Siyjabula Project falling under the KwaNcema Cluster: Supply, deliver & install 2 HA irrigation system according to departmental design and specification.	1 With 2 part payment				
NOTE	With 2 part payment					
	ARE YOU A VAT REGISTERED SUPPLIER	YES: _____	NO: __ _			
			* LABOUR (IF APPLICABLE)			
			*DELIVERY (IF APPLICABLE)			
			TOTAL			
			*ONLY APPLICABLE TO VAT REGISTERED SUPPLIERS 15% VAT			
			TOTAL PRICE			

*VAT Registration No.(Supplier) _____

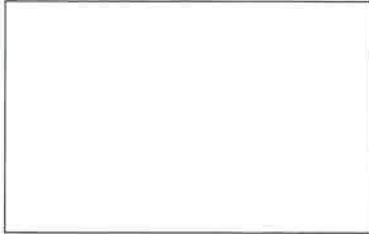
When Required (Requester): 1 September 2018

Where Required (Requester): INCHANGA OFFICE, KWANCEMA CLUSTER – SIYAJABULA
 PROJECTS as per attached GPS coordinates
 S 29 35 59.123
 E 30 44 04.83

Contact details of requester: Ms. B.P. Msibi

Tel: 076 821 6558

(COMPULSORY)



COMPANY STAMP
PRICES ARE VALID FOR..... DAYS

SIGNATURE

DATE



Kwa Neema

**BID DOCUMENT FOR THE
SUPPLY, DELIVERY AND INSTALLATION OF
 IRRIGATION FOR 2.00HA SIYAJABULA COMMUNITY
 GARDEN (Ethekwini North)**

1. *This document must be read in conjunction with Drawings (See Table of Contents). If the contractor has the impression that the information provided in the drawing(s) and the technical specifications/Schedule of quantities contradict each other or are perceived to be ambiguous, (s)he should point this out to the Engineer and ask for clarification at an early stage, but not later than before the commencement of any construction. The same applies for purported differences between the technical specifications and schedule of quantities.*
2. *The TSS/Engineering Section (TES) takes no responsibility for an implemented project on the basis of this document alone without any prior involvement of TES before (partial) completion. This involvement consists of, but is not necessarily restricted to:*
 - a. *Signing off of the bid/quote document and Drawings by TES;*
 - b. *Presence of TES at the handover of the site to the contractor and at the commencement of the work. The contractor is to make sure that TES is informed of his/her intention to commence the work so that TES presence can be assured.*
 - c. *Supply to the contractor by TES of A3 and A4 sized plans. The drawings supplied with this document are for quoting/bidding purposes only and no construction should take place before the contractor has received the bigger sized building plans.*
 - d. *Regular site inspections by TES and the processing of invoices on the basis of achieved progress.*
3. *District managers and other departmental end users are therefore required to involve TES at the earliest possible stage, i.e. during PPC meetings or before submission of the request memo is submitted.*

Table of Contents:

No.	Section	Pages	Read/ Complete
1	Cover Page	1	Read
2	A - Project Particulars	2	Read
3	B - General Conditions of Contract	2 - 3	Read
4	C - Project Technical Specifications	3 - 5	Read
5	ANNEXURE C : Previous Experience	6	Complete
6	ANNEXURE D : Preference point system & Evaluation of bids	7-9	Read



BID SPECIFICATIONS FOR 2.00 HA COMMUNITY GARDEN



September 2015

A) PROJECT PARTICULARS

1) SCOPE

The contract covers the supply of all irrigation material including piping, fittings, and pump/motor combination and full installation of irrigation system for this project.

2) ACCESS TO SITE

The exact location will be established at the bid/site briefing.

B) GENERAL CONDITIONS OF CONTRACT

1) BIDDERS TO CHECK COMPLETENESS OF DOCUMENT

1.1 The bidder is required to check the number of consecutively numbered pages and should any found to be missing or in duplicate, or the text of figures indistinct, or should there be any doubt or obscurity as to the meaning of any part of these documents, the bidder must ascertain the true meaning or intent of the same prior to the submission of his/her tender, as no claims arising from any incorrect interpretation will be admitted.

2) VALIDITY

2.1 All prices must be valid for a period of **four months (120 days)** from the closing date of the tender.

3) FIXED PRICE CONTRACT

3.1 The contract shall not be subject to contract price adjustment. Bidders must therefore allow for any price increases during the contract duration, including possible delays in awarding the tender in accordance with the validity period.

4) PRICING (SEE ANNEXURE A – PRICING SCHEDULE)

- 4.1 All items as described in the project specification are to be priced in full. If a bidder does not tender on all items, his/her tender may be rejected.
- 4.2 Per item prices to exclude VAT.
- 4.3 Transport/Delivery costs must be included in the pricing. It must not be a separate item.
- 4.5 The tendered price must have your company stamp, date and be signed by an authorised person.

5) PENALTY CLAUSE

5.1 Refer to the breach of contract and penalty clauses in ZNT 6, condition 4, section B.

6) WARRANTY

6.1 All workmanship must carry a warranty of one year from the date of completion and handover of the works.



7) APPLICABLE STANDARDISED SPECIFICATIONS

- 7.1 For the purpose of this Contract the relevant SABS/SANS specifications shall apply. All materials to be SABS/SANS approved and installed to applicable standards specified by SABS/SANS or the manufacturer.

8) PAYMENTS

- 8.1 All deliveries are to be checked by a departmental representative prior to installation and certified accordingly. A single payment will only be made after the work has been completed and inspected by the Engineer.

9) SERVICE LEVEL AGREEMENT

- 9.1 The successful bidder and the Department will sign a Service Level Agreement prior to commencement of works.

10) SITE FACILITIES AVAILABLE

10.1 WATER AND SERVICES

There is no telephone connection, power or water available on site. The Contractor shall make the necessary arrangements for the provision of water and services required at the contractors own cost.

For unskilled work, the assistance of community members can be utilized at the contractor's costs and all negotiations with the community members will be the contractor's responsibility and not the Departments. The contractor will not be permitted to employ local skilled labour. He shall provide his own skilled labour.

10.2 LOCATION OF CAMP

The Contractor's camp may be erected on the site of the works. No persons other than a night watchman may sleep in the camp without the approval of the school principal.

10.3 HOUSING OF CONTRACTOR'S EMPLOYEES

No housing is available for the Contractor's employees and the Contractor shall make his own arrangement for housing his employees and transporting them to and from the site. However it may be possible to arrange temporary local accommodation for the contractor's staff with the school principal.

The Contractor is in all respects responsible for the housing and transporting of his employees, and for the arrangement thereof, and no extension of time due to any delays resulting from this, will be granted.

10.4 SAFETY

All safety measures including the provision of the Machinery and Occupational Safety Act (Act 6 of 1983) are to be adhered to.

11) DELIVERY OF MATERIALS

- 11.1 Material must be delivered **within three weeks** of receiving an official order, unless the Department indicates that delivery within this period is not desirable due to delays in the project.

12) ABNORMAL RAINFALL

- 12.1 The Contractor shall keep daily rainfall records and submit it to the Department's representative at every site meeting. No additional payment shall be made for the supply and installation of the rain

gauge or for the keeping of the rainfall records and all costs must be included in the scheduled items.

13) 'AS BUILT' DETAILS

- 13.1 As the work progresses, the Contractor shall keep full records of all amendments to and deviations from the specifications as issued to the Contractor at the start of the contract. These details will, where appropriate, be noted on the supplied drawing. No alterations may be made without the written approval of the Regional Engineer.

14) PROGRAMME

- 14.1 The work is to be completed **within 2 months of the award of the bid**. The contractor is to supply a work schedule with the proposed times of completion of each phase.

C) PROJECT SPECIFICATION

C.1) DETAILS OF CONTRACT

- C.1.1 The field layout must conform to the design (see Annexure A). However, the Bill of Quantity (Annexure B) attached must be checked and verified by the tenderer. The contractor may, after approval by the departmental representative, make adaptations to the original design if these are deemed to constitute an improvement to the design *and* will not increase the overall cost of the scheme. These proposed changes must be accepted by the Regional Engineer and be confirmed in writing.
- C.1.2 The layout must be pegged out by contractor and will be checked by departmental representative. Trenches to be dug using suitable plant or local labour. Minimum trench depth must be **600mm**.
- C.1.3 All material to be supplied and delivered to site. Proper security measures must be implemented in consultation with the beneficiaries to safeguard it prior to installation. Alternatively material can be delivered in batches, as and when required. It is the contractor's responsibility to ensure the correct material is delivered and measures are taken to safeguard it until the project is handed over.
- C.1.4 The supply and installation of all required material including piping, pump, motor.
- C.1.5 Surplus material will be retained by the department and should any surplus material be taken by the contractor or material not supplied, payment will be made based on what has been actually used/put in the scheme. All material must be checked by a departmental representative prior to installation and testing. All joints are to be left uncovered for inspection purposes and to be covered after it has been inspected by departmental engineering representative and he/she is satisfied that there are no leaks.
- C.1.6 The scheme must be fully tested and commissioned in the presence of a representative of the Department. **The contractor will remain responsible for the scheme including all materials, and the official hand over and final payment will not take place, until such time that the entire scheme is fully functional and all leaks etc have been repaired.**
- C.1.7 The Tenderer will be required to satisfy the Department that a sufficient and experienced skilled and semi skilled **labour force** is employed or that sufficient experienced labour can be acquired to complete the services and produce a fair quality of workmanship. **The Tenderer will be required to submit a list of references/ projects (ANNEXURE C: References)** to enable the Department to inspect previously completed work and assess the capacity of the Tenderer. **Furthermore the tenderer will be required to source local subcontractors and labour (see C.4.1).**
- C.1.8 The tenderer should have a minimum CIDB grading of Level 1CE or 1ME.

C.2) PIPING

- C.2.1 All piping must be SABS approved and of the correct class.
- C.2.2 All appropriate fittings are to be supplied including any additional material for unforeseen events.
- C.2.3 Equipment, pipes and other materials which are damaged before or during delivery, or during the testing of the scheme before commissioning, are to be replaced by the contractor *at no extra cost to the Department*.



C.3) PUMP AND MOTOR

- C.3.1 The proposed pump performance specification including NPSH curves **must** be supplied with the tender. **The tender will not be considered if this information is not attached to the tender.**
- C.3.2 The unit must be mounted on a suitable trolley fitted with pneumatic wheels and a handle bar that is able to swivel.
- C.3.3 All necessary fittings, adaptors, reticulation, reducers, priming funnels, tools etc should be supplied with the unit.
- C.3.4 The pump must be a twin stage type and both the pump and motor combination must be a reputable brand with sound backing in terms of warranty and support.

C.4) LABOUR AND TRAINING

- C.4.1 It is required that the trenching, pipe laying and block laying for pump house be subcontracted to local contractors in order to develop local BEE contractors. In the situation where this is not possible local labor must be used (50% of the total labor value). It is required that the subcontractor be paid every two weeks.
- C.4.2 During pipe laying and installation the community must be intensively involved and trained on all aspects of the reticulation especially with respect to maintenance. The following **extensive** training in the operation and maintenance of the scheme **must** be provided before hand over of the scheme to the beneficiaries:
 - Priming of the pump;
 - Operation of pump and engine, including operating motor at correct idle speed.
 - Basic maintenance including service intervals, what to change(and when), checking of oil and water and bleeding of pump.
 - Operation of the mobile elements of the system (hooking up of the suction pipes and dragline hoses)
 - identification of leaks and basic repairs:
 - of leaks in underground piping with duct tape (temporary);
by replacing the broken section with a coupling and/or new piping
 - Management and operation of system.

C.5) SAFETY

- C.5.1 All safety equipment required to construct the facility are for the contractor's responsibility and provisioning. Examples include: safety and protective clothing; sound scaffolding; falsework and bracing; ladders etc... all equipment, tools, offloading and safety equipment are to be in a safe operating condition and all necessary safety procedures are to be adopted where appropriate.

C.6) COMPULSORY INFORMATION REQUIRED:

The tenderer is to attach the following information with their tender:

INFORMATION AND DOCUMENTATION	FOR OFFICE USE ONLY	
	YES	NO
• Pump performance specifications and NPSH curves.		
• Motor specifications.		
• Drawing indicating the proposed layout of the pump, motor, pipes and fittings and electrical layout of the works.		
• Annexure B fully completed.		
• Annexure C fully completed.		
• Proof of CIDB grade.		
• All other necessary documents.		



ANNEXURE C:

REFERENCES

Please provide an indication of your experience and expertise by completing the table below (minimum 2, maximum 5 projects in the past 5 years).

No	Name of project + Period	Project description	Role (self or sub-contracted)	Project value	Name and contact number of referee
1					
2					
3					
4					
5					



ANNEXURE D: PREFERENCE POINT SYSTEM AND EVALUATION OF BIDS

1. COMPLIANCE: QUALIFYING AND DISQUALIFYING FACTORS

- (i) Submission of all information and documentation as listed in the Terms of Reference or Specifications- of the bid document for this particular project. In case this project concerns one of the infrastructure types covered by the Infrastructure Service Provider (ISP) database, bidders would only have to send in updates or additions.

The following documents for the assessment of the capacity and capability are required and non-submission will reduce the bidder's chances of appointment:

- List of experience with similar projects or farm infrastructure in general, with references;
- Short CV's of key staff (may be contracted in);
- In the case of a Joint Venture: Official legal documentation stating the extent of the co-operation;

The following items are compulsory. Non-submission will invalidate the bidder's submission:

- In the case of **contractors**: proof of registration with the Construction Industry Development Board (CIDB) database under the category and grade required for this project (see Table 1: Minimum required CIDB designations per type of infrastructure)
 - In case of Engineering consultants, Project Managers and other non-implementing companies: proof of registration with Consulting Engineers South Africa (CESA), Engineering Council of South Africa (ECSA) or other representative professional bodies;
 - Certified Company Registration Documents;
 - An original and valid Tax certificate.
- (ii) All information required in the bid document must be accurate and duly completed including all the appropriate signatures. This includes the submission of required / requested documentation e.g. valid tax certificate, ZNT 30, etc.
- (iii) Failure to comply with any of the requirements will invalidate your bid.



Please Note: Only contractors with the minimum CIDB (Construction Industry Development Board) grading designation (as defined in the regulations (June 2004), in terms of the CIDB Act No 38 of 2000) as listed in the table below be eligible to bid for this project:

2 THE 90/10 AND 80/20 PREFERENCE POINT SYSTEM:

- (i) Depending on the bid value either the **80/20** (for bids up to R 1,000,000) or the **90/10** point preference point system (for bids of R 1,000,000 and more) shall be applied.

The points will be allocated as follows in case the **90/10 point system** will be applied :

	Goals	10 points
	Price	90 points
(iiA)	Goals	Points
	No franchise	5 points
Women		3 points
Youth		2 points

In case the **80/20 point system** will be applied, the points are allocated as follows:

	Goals	20 points
	Price	80 points
(iiB)	Goals	Points
	No franchise	10 points
Women		6 points
Youth		4 points

(ii) FUNCTIONALITY

Functionality will be assessed separately from the 90/10 or 80/20 formula. The first stage will be the assessment of functionality upon which the Bidders who score less than 65% for functionality will not be considered further.

The second stage will be the assessment and evaluation of Bidders in terms of 90/10 or 80/20, where 90 (80) points shall be used for pricing scores only and the 10 (20) points for HDI status.

See Tables 2 and 3 on next page for Evaluation Guidelines and Criteria respectively.

TABLE 2: GUIDELINES FOR EVALUATION

CRITERIA	GUIDELINES FOR EVALUATION
ABILITY	Bidders to provide proof of current capacity and ability to:
↓ <i>Capacity</i>	Implement the design and specifications to the standard as directed in the technical specifications.
CAPABILITY	Demonstration of competency to render the required service & providing proof of registration with the CIDB or membership of professional bodies such as ECSA, CESA etc.
↓ <i>Competency</i>	Bidders to provide evidence of similar projects completed recently i.e. not less than 2 projects and not more than 5 projects in the past 5 years.
↓ <i>Experience</i>	
METHODOLOGY	Provide a short description of your intended implementation methodology indicating time frames to complete the work.
NOTE: In order to ensure meaningful evaluation, bidders must submit detailed information in substantiation of the evaluation criteria mentioned.	

Submissions will be scored using the below scoring table. This bid will be evaluated on functionality which will determine the capability, ability and capacity of the prospective bidders to provide the required goods or services for the department. A minimum score of 65% must be obtained by the bidder in order to qualify to be evaluated further for price.

TABLE 3: ASSESSMENT CRITERIA FOR THE EVALUATION OF THE FUNCTIONALITY

EVALUATION MATRIX		Points %	Score
1	<i>Financial viability of the bidder: Submission of a letter of good standing from a recognized financial institution</i>	10	
2	<i>Submission of short CV's of key personnel.</i>	25	
3	<i>Demonstration of competency to render the required service and providing proof of Insurances, and compliance with Labour legislation (enrolment of staff for Workman's compensation/UIF, Occupational Health & Safety Act.</i>	10	
4	<i>Demonstrable experience of the prospective service provider's engagement in similar work:</i>		
	<ul style="list-style-type: none"> • <i>Submission of list of 2 - 5 projects in the last 5 years with values and extent of involvement and contact details of referees.</i> • <i>Documentary proof such as reference letters/CIDB assessments indicating value and period of the contract.</i> 	30 15	
5	<i>Submission of a short description of the intended implementation methodology indicating time frames to complete work.</i>	10	
TOTAL		100%	

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). 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 effect to the above, the following questionnaire must be completed and submitted with the bid.**
 - 2.1 Full Name of bidder or his or her representative:
.....
 - 2.2 Identity Number:
.....
 - 2.3 Position occupied in the Company (director, trustee, shareholder², member):
.....
 - 2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:
.....
 - 2.5 Tax Reference Number:
.....
 - 2.6 VAT Registration Number:
.....
 - 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.

Please clearly indicate, with an 'X' only one box that is applicable to your business or firm

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

YES	NO
-----	----

the appropriate authority to undertake remunerative work outside employment in the public sector?

If yes, did you attach 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.)

2.7.2.1 If no, furnish reasons for non-submission of such proof:

.....

.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?

YES	NO
-----	----

2.8.1 If so, furnish particulars:

.....

.....

2.9 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
-----	----

2.9.1 If 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.

.....

.....

2.11 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 If so, furnish particulars:

.....

.....

3 Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Income Tax Reference Number	State Employee Number / Persal Number

4 DECLARATION

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.

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

.....
Name of bidder

.....
Position

.....
Signature

.....
Date

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 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.
- 4 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.
- 5 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 Description)

in response to the invitation for the bid made by:

(Name of Institution)

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 consortium³ will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
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