



agriculture & rural development

Department:
agriculture
& rural development
PROVINCE OF KWAZULU-NATAL

QUOTATION PAGE

QUOTATION NUMBER: R/S/1819/139	VALIDITY PERIOD OF QUOTATION: 90 Days
CHIEF USER: 400A	CLOSING DATE:12/10/2018
REQUEST NO: UMHL/18	CLOSING TIME: 11:00
DESCRIPTION(SPECIFICATION/S) OF ITEMS/ SERVICE REQUIRED: SUPPLY,DELIVER AND INSTALL IRRIGATION SYSTEM MANDLAKHO PROJECT AT UMFOLOZI LOCAL	COMPANY NAME: Tel NO:- FAX NO: CONTACT PERSON: CENTRAL SUPPLIERS DATABASE NO: (To be completed by the supplier)
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)
IS THE PRICE FIRM?	
DELIVERY PERIOD AFTER INITIAL ORDER	
DELIVERY PERIOD AFTER SUBSEQUENT ORDER	
WHERE ARE STOCK HELD? (PHYSICAL ADDRESS)	
QUOTATION PRICE EXCLUDING VAT	TOTAL: R
QUOTATION PRICE INCLUDING VAT (VAT TO BE ADDED BY REGISTERED VAT VENDORS ONLY)	TOTAL: R
COMPANY OFFICIAL STAMP (COMPULSORY) NAME OF BIDDER SIGNATURE OF BIDDER DATE
NUMBER OF PAGES FAXED BACK TO THE DEPARTMENT BY THE SUPPLIER(Supplier to complete)

NB: Quotations must be deposited in the bid box situated at Department of Agriculture and Rural Development, Supply Chain Management, 1 Cedara Road, Cedara, 3200
Tel: (033) 343 8225/ 033 355 9184

COMPANY NAME :
 ADDRESS :
 CONTACT PERSON :
 CONTACT NUMBER :
 FAX NUMBER :

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
	See attached specification					
* LABOUR (IF APPLICABLE)						
*DELIVERY (IF APPLICABLE)						
TOTAL						
*ONLY APPLICABLE TO VAT REGISTERED SUPPLIERS 14% VAT						
TOTAL PRICE						

*VAT Registration No. (Supplier) -----

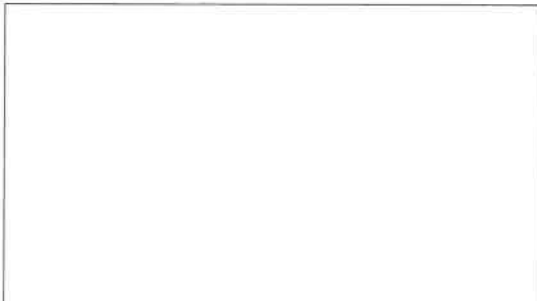
When Required (Requester): 05 May 2018

Where Required (Requester): uMhlathuze local municipality

Contact details of requester: Shandu S.A

TEL : 082 454 8041

(COMPULSORY)
 COMPANY STAMP



PRICES ARE VALID FOR..... DAYS

SIGNATURE

DATE



agriculture
& environmental affairs

Department:
Agriculture
& Environmental Affairs
PROVINCE OF KWAZULU-NATAL

BID DOCUMENT FOR THE
SUPPLY, DELIVERY AND INSTALLATION OF
IRRIGATION FOR A 2HA SPRINKLER IRRIGATION
SCHEME-MANDLAKHO

- 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 Engineering Services Directorate (ESD) takes no responsibility for an implemented project on the basis of this document alone without any prior involvement of ESD before (partial) completion. This involvement consists of, but is not necessarily restricted to:*
 - Signing off of the bid/quote document and Drawings by ESD;*
 - Presence of ESD at the handover of the site to the contractor and at the commencement of the work. The contractor is to make sure that ESD is informed of his/her intention to commence the work so that ESD presence can be assured.*
 - Regular site inspections by ESD and the processing of invoices on the basis of achieved progress.*
- 3. District managers and other departmental end users are therefore required to involve ESD 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 - 4	Read
4	C - Project Technical Specifications	4 - 6	Read
5	ANNEXURE A: Generic Irrigation Layout	7	Read
6	ANNEXURE B: Bill of quantities/Pricing Schedule	8	Complete
7	ANNEXURE C: Previous Experience	10	Complete
9	ANNEXURE D: Preference point system & Evaluation of bids	11 - 12	Read



BID SPECIFICATIONS FOR 2HA IRRIGATION SCHEME



May 2017

A) PROJECT PARTICULARS

*Please note these are the bid specifications for a standard 2.0ha irrigation scheme.
The as-built layout and specifications may therefore vary from site to site.
See Section C (Project Specifications) for details.*

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

Refer to attached report and map locality. 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 bid, 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 bid.

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 bid 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 bid on all items, his/her bid 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 bid price page 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

Generally no telephone connection, power or water are 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 TECHNICAL SPECIFICATIONS

SPECIAL CONDITIONS FOR THIS PROJECT

- *It is important to note that the supplied technical specifications (design, drawing and bill of quantities) are merely a guide as they pertain to the a generic irrigation scheme of 200m x 100m. However, the actual dimensions of the scheme for which this bid is invited may differ. **Any deviation from the generic will first have to be discussed with a Departmental Engineering representative before the start of any work or ordering of any material.***
- *Site specific circumstances will determine the **actual** specifications and it is suggested that the attached documents be priced with the understanding that the final specifications may have to be adapted to reflect the on-site conditions. Terrain slope, the shape of the lands, static lift and actual length of the mainline (the BoQ assumes a length of 500m) are some of the factors the service provider will have to investigate and compare with the supplied specifications. In most cases an adjustment will have to be made in order for the irrigation scheme to be successful.*
- *In case of the presence of limiting factors for (parts of) the project area (e.g. insufficient water availability, slopes greater than 12% or poor soils) the design size and quantities of material required must be reduced to suit the situation on site. A pro rata amount will then be paid based on the implemented system. It is envisaged that this will be conducted in consultation with the Department and in a professional manner in order not to jeopardize future dealings with this Department.*
- *The onus is on the service provider to ensure that the final product is a system that will operate in an efficient and effective manner and which will confirm to all irrigation (SABI) norms and standards.*
- *Furthermore, as it is expected to be a system the local community should be able to manage, the system users should be trained in operation and maintenance procedures and principles (see also Clause C.4.2).*

C.1) DETAILS OF CONTRACT

C.1.1 The field layout must conform to the design (see Annexure A). However, the Bill of Quantities (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 2 SH/CE/ME.**

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 B – BILL OF QUANTITIES/PRICING SCHEDULE

NB- The drawing above does not show the Galvenised Stand and jojo tanks as it is the ideal situation but for this project specifically Jojo tanks and Galvenised Stand is compulsory. Water to gravitate back to Sprinklers installed.

Please note that material and all pipes, fittings, pumps, valves etc to be SABS approved and verified before payments issued. Reports to be signed with relevant officers for responsibility

(An Engineer/Enq. Tech in charge of the project).



ANNEXURE B : Price of piping, fittings and pump unit

ITEM NO	DESCRIPTION	UNIT	QTY	RATE	AMOUNT
1	Piping				
1.1	75mm HDPE C6 piping (100m lengths)	roll	5		
1.2	50mm HDPE C6 piping (100m lengths)	roll	2		
2	Fittings and connections				
2.1	75 x 50mm reducer couplings	no	4		
2.2	75mm compression couplings	no	4		
2.3	75mm equal tee	no	3		
2.4	75mm compression elbow	no	1		
2.5	50mm compression endcaps	no	4		
2.6	75mm x 1" saddles	no	6		
2.7	50mm x 1" saddles	no	12		
2.8	VYR-36AF sprinkler (1,8bar with 4mm nozzle)	no	18		
2.9	500mm sprinkler stands	no	18		
2.10	20mm dragline hoses (18m length)	no	18		
2.11	20mm hose clamps	no	18		
2.12	1" hydromatic valve (spring loaded)	no	18		
2.13	1" plastic risers (600mm length)	no	18		
2.14	20mm pipelets	no	18		
3	Pump unit and fittings				
3.1	Single Stage centrifugal pump (50m@16m ³ /h) + diesel/petrol motor with all accessories	no	1		
3.2	Pump and all accessories mounted on frame with pneumatic wheels and swivel handlebar	no	1		
3.3	Hand pump to inflate tyres	no	1		
3.4	3" heavy duty suction pipe, green (4m length)	no	1		
3.5	3" rubber hose delivery pipe (3m length)	no	1		
3.6	3" 'Perrot' type swaged female couplings	no	2		
3.7	3" 'Perrot' type screwed male couplings	no	3		
3.8	3" galvanized 'flowmax' type footvalve/strainer, swaged	no	1		
3.9	3" heavy duty clamps	no	5		
3.10	75mm x 3" male adaptor	no	1		
3.11	3" galvanized barrel nipple	no	2		
3.12	3" brass non-return valve	no	1		
3.13	3" galvanized elbow (female)	no	2		
3.14	3" galvanized stand pipe (1m length)	no	2		
3.15	Thread tape	no	10		
3.16	Extra reducers on pipework to suit pump installation	no	sum		
4	Miscellaneous				
4.1	Concrete to anchor stand pipe	no	sum		
5	Trenching and backfilling				
5.1	Digging of trench to 600mm depth (300mm wide)	metre	700		
5.2	Backfilling of trenches after pipelay and inspection	metre	700		
6	Labor				
6.1	Pipelay and installation	no	sum		
6.2	All other labor incl off loading of material	no	sum		
7	Transport				
7.1	All transport incl delivery of materials, site visits, transport of labor etc	no	sum		
Total (excluding VAT)					
VAT (for VAT vendors)					
				TOTAL	



7.	<u>Concrete for Galvanized Stand</u>		
7.2	Braced Stand to be on top of concrete (20Mpa)- about 800mmx800mm (4x 700m deep holes) 1.2m ³ of concrete for footings, AND ACHOR PIPE JOINTS	Sum	
8	<u>Tank stand and Jojo Tanks and Bracing</u>		
8.1	Install and construct 1.5m high Galvenised Stand(Braced) on top of concrete footings- (Brace all stand on all corners)	Sum	
8.2	Supply and Install 2x5 000L Plastic Tanks including all necessary pipes, valves and bends (SABS Approved).	Sum	
8.3	Training and Testing of the irrigation system and this includes any other fittings or valves or unforeseen fittings	Sum	
	Total Excluding Vat		
	Vat (For VAT vendors)		
	Total Including Vat		

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					

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 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 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):

2.4 Company Registration Number:

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.

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:
.....
.....
.....

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**

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 IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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 *pe 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.

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

Js914w 2