

## KWAZULU-NATAL DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

**Quotation No: R/S/1920/2399** 

# UNDERTAKE REPAIRS & RENOVATIONS AT MUDEN WARD OFFICE UMZINYATHI DISTRICT

NAME OF BIDDER:		
7	 	

COMPULSORY SITE BRIEFING DETAILS			
DATE	06 FEBUARY 2020		
MEETING VENUE	Department of agriculture & Rural Development		
MEETING ADDRESS	MEDEN WARD OFFICE (KWANTENESHANEAREA)		
START TIME	12H30		

#### 1. PRE-QUALIFICATION CRITERIA

Evaluation will be in terms of the 80/20 preference point system

REQUIREMENT - CIDB Grading: 1 ME/GB/CE/EC OR above

For more information, please contact the following official:

For: Technical Enquiries: Mr WEZA ZONDI

082 443 5707

For: Quotation/SCM enquiries:

Maureen Shabangu

033 3438375

**CLOSING DATE: 14 FEBRUARY 2020 TIME: 11:00 AM** 



#### **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/ 1920/2399	VALIDITY PERIOD OF QUOTATION Days
	(To be completed by the Supplier)
CLOSING DATE: 14/02/2020	CLOSING TIME: 11HOO
	COMPANY NAME:
DESCRIPTION(SPECIFICATION/S) OF ITEMS/	
SERVICE REQUIRED: UNDERTAKE REPAIRS &	TEL NO: FAX NO:
RENOVATIONS AT MUDEN WARD OFFICE	TAX NO.
	CONTACT PERSON:
	CSD REG NUMBER
	MAAA
DOES OFFER COMPLY WITH	YES/NO
SPECIFICATION?	(DELETE WHICH EVER IS NOT APPLICABLE)
DOES ADTICLE COMPLY INSTITUTE CARE CRECIFICATIONS	(SEELE WINGS EVENTS NOT ALL ELGIBLE)
DOES ARTICLE COMPLY WITH SABS SPECIFICATION?  HAS IT BEEN INSPECTED BY SABS?	YES/NO
THAT I BEET INSI ECTED DI SAUS:	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)
THE SUPPLER	

NB:

EMAIL QUOTATION FOR THE ATTENTION OF MAUREEN TEL. NUMBER 033 3438375

E-MAIL ADDRESS maureen.ndimande@kzndard.gov.za

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.

**COMPANY NAME** 

. .

**ADDRESS** 

.

CONTACT PERSON

| :

**CONTACT NUMBER** 

R :

4mm sheets ceiling board into the

**FAX NUMBER** 

LINE **DESCRIPTION OR** TOTAL REQUIRED **UNIT PRICE** PRICE NO. **SPECIFICATION OF ITEM EXCL. VAT** QUANTITY (Please be very specific and clear) R R C 1. Supply, deliver and replace broken door 6 and mortice lockset at the door of the muden office and there after supply varnish paint and paint the all the wooden door. 2. Supply, deliver 100 m X 22mm<sup>2</sup> of class 10 the HDPE water pipe,2 X 5000L water tanks, water taps, dig trench and install the water pipe to the local main pipe to provide the water into the office also connect filter (sediment removal borehole filter) and the purifying machine between the water tanks and the feeding water copper pipe. 3. To supply and replace the broken glass 10 window size (2 X 670mm X 300mm X 3mm) 4. Supply, deliver and install the non-return valve in series and in front of the stop cock/gate valve and trace the multi leaks to prevent the water flow back into the main line. 5. To fault find the electric DB board and 1 trace the cause of the nuisance tripping earth leakage to extension offices. 6. Supply and replace the broken 10 fluorescent tubes not working, fuse starters and ballast and the security lights fitted on the walls outside the building. 7. To supply glow sheen paint with 10 200m<sup>3</sup> years and paint the interior and exterior dry walls (60m X 15m X 2.2m high) to match the existing collour. Supply and install the Rhino board's 8. 120m<sup>2</sup>

9.	a glow Sheen white acrylic PVA colour.			
9.	To supply asbestos sheets and patch all the missing boards	36m <sup>2</sup>		
	NB: COMPULSORY SITE BRIEFING at Muden ward Office			
		* LABOU	R (IF APPLICA	BLE)
		*DELIVER	Y (IF APPLICAE	BLE)
			TC	DTAL
ONLY	APPLICABLE TO VAT REGISTERED SU	JPPLIERS	15% VAT	
			TOTAL P	RICE
*V/	AT Registration No. (Supplier) en Required (Requester) : 15 November 20			
Wh Wh	nere Required (Requester): Muden Ward Of Mud	lathi Mgobh	ozi/ Thobile Ncu 7/ 076 937 4141/	i <b>me</b> 076 94
Wh Wh Co TE	nere Required (Requester): Muden Ward Of Mud	lathi Mgobh	ozi/ Thobile Ncu 7/ 076 937 4141/ 30 x	ome 076 94

Local Confent

SBD 6.2

## 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:

	Description of services, works or goo	Stipulated minimum threshold
		%
		%
		%
4.	Does any portion of the services, whave any imported content?  (Tick applicable box)  YES NO	orks or goods offered
4.1	prescribed in paragraph 1.5 of the	e used in this bid to calculate the local content as general conditions must be the rate(s) published by 2:00 on the date of advertisement of the bid.
The r	elevant rates of exchange information	n is accessible on www.reservebank.co.za.
	ate the rate(s) of exchange against the A of SATS 1286:2011):	e appropriate currency in the table below (refer to
Curre		Rates of exchange
US D		
	d Sterling	
Euro Yen		
Other		
NB: B	idders must submit proof of the SARE  Were the Local Content Declaration as correct?  (Tick applicable box)  YES NO	B rate (s) of exchange used.  Templates (Annex C, D and E) audited and certified .
5.1 <sub>e</sub> If	yes, provide the following particulars:	:
(b) (c)	Telephone and cell number: Email address:	
	(Documentary proof regarding the d satisfaction of the Accounting Office	eclaration will, when required, be submitted to the er / Accounting Authority)

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.

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# LOCAL CONTENT DECLARATION (REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICE LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RE (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)	Y THE CHIEF
IN RESPECT OF BID NO.	
ISSUED BY: (Procurement Authority / Name of Institution):	
NB	••
1 The obligation to complete, duly sign and submit this declaration canno to an external authorized representative, auditor or any other third party act the bidder.	
2 Guidance on the Calculation of Local Content together with Local Cont Templates (Annex C, D and E) is accessible on <a href="http://www.thdti.gdevelopment/ip.jsp">http://www.thdti.gdevelopment/ip.jsp</a> . Bidders should first complete Declaration D. Af Declaration D, bidders should complete Declaration E and then consolidate on Declaration C. Declaration C should be submitted with the bid doc the closing date and time of the bid in order to substantiate the declar paragraph (c) below. Declarations D and E should be kept by the bidders purposes for a period of at least 5 years. The successful bidder is required to update Declarations C, D and E with the actual values for the duration of the	ter completing the information at ration made in to continuously
I, the undersigned,	
entity), the following:	
(a) The facts contained herein are within my own personal knowledge.	
(b) I have satisfied myself that:	
<ul> <li>(i) the goods/services/works to be delivered in terms of the a bid comply with the minimum local content requirements as spec and as measured in terms of SATS 1286:2011; and</li> <li>(ii) the declaration templates have been audited and certified to</li> </ul>	ified in the bid,
(c) The local content percentage (%) indicated below has been calcula formula given in clause 3 of SATS 1286:2011, the rates of exchange paragraph 4.1 above and the information contained in Declaration D and E w consolidated in Declaration C:	e indicated in
Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	

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.

Local content %, as calculated in terms of SATS 1286:2011

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:

						Annex	U						
			LEGAL LINE	1mported	i Content Declar	ation - Sup	porting Sch	redule to A	nnex C	Balan		100	
)	Tender No. Tender descrip Designated Pro Tender Author	oducts: fty:							Note; VAT to all calculation	ot bebuiske ed	om		
	Tendering Entit Tender Exchan		P	ula		EU R 9.00		BP R 12.00					
Si	A. Exempt	ed imported	content				LAVE	Calculation	of imported cor	lent		T District	Sumn
	Tender kem no's		f Imported content	Local supplie	er Overseas Supplie	Forign currency value as pr Commercia involce	er Exchange	Local value of	f Freight costs port of entr		Total landed		Evenue
ŀ	(D7)		(D8)	(DS)	(D10)	(D11)	(D12)	(D13)	(D14)	(015)	(D16)	(D17)	
E	3. Imported	l directly by t	he Tenderer			Interest	n hoyma	Ed. du			19) Total exempt	This total	nust corres
Ť	in imported	Uncolly by t	ne rengerer			Fortgn	THE LOW	Calculation o	imported cont	ent		DE T	Summar
	Tender item no's		imported content	Unit of measur		currency value as per Commercial Involce	of Exchange		Freight costs to port of entry	All locally incurred landing cost & duties	Total landed Cost excl VAT	Tender Q	y Total Imp
	(D20)	ĮC.	21)	(D22)	(023)	(D24)	(D25)	(D26)	(D27)	(D28)	(029)	(D30)	10
							3						
_													
								1		(D32)To	tal Imported valu	e by tenderer	
-	Imported I	by a 3rd party	and supplied	to the Tend	erer	Refraid.		Calculation of	imported conte	ît	ERMOR	ST STATE	Summary
		nported content	Unit of measure	Local supplier	Overseas Supplier	Forign currency value as per Commercial Invoice	Tender Rate of Euchange	Local value of Imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed cost excl VAT	Quantity Imported	Total impo
	(D3	(3)	(D34)	(D35)	(D36)	(037)	(038)	{D39}	(D40)	(D41)	(D42)	(043)	(D4
-													
•	Other forei	gn currency p	ezyments	2.0	Calculation of foreig					(D45) Total	i imported value t	by 3rd party	Summa
	Type of pa	ryment	Local supplier making the payment	Overseas beneficiary	Foreign currency value paid	Tender Rate of Exchange						ľ	Local val
_	{D46	)	(047)	(D48)	(D49)	(050)						-	payme (D51
_												F	
at	ure of tenderer	from Annex B									y tenderer and/ø		
							(DS3) Total o	f Imported cont	ent & foreign cum	ency payments -	(D32), (D45) & (D		
											71	ic total muse	Buogeanes

121 44

SATS 1286.2011

### Annex E

Local Co	ntent Declaration - Supporting S	Schedule to Annex C	
E1) Tender No. Tender description: Designated products: Tender Authority: Tender Authority name:		Note; VAT to be excluded fro	om all calculatio
Local Products (Goods, Services and Works)	Description of Items purchased	Local suppliers	Value
	(E6)	(E7)	(E8)
-			
	(E9) Total local products (	Goods, Services and Works)	
(E10) Manpower rosts (Tende		Services and Works)	
(E10) Manpower costs (Tende	rer's manpower cost)		
(E11) Factory overheads (Rental	depreciation & amortisation, utility costs, con-	sumables etc.)	
	mark-up (Marketing, insurance, financing,		
	(Marketing, insurance, financing,	, interest etc.)	
		(E13) Total local content	
	3	his total must correspond with	Annex C - C24
Signature of tenderer from Annex B			
Date:			

SBD 4

### **DECLARATION OF INTEREST**

- Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons 1. 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
  - 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
- In order to give effect to the above, the following questionnaire must be completed and 2. submitted with the bid. Full Name of bidder or his or her representative: 2.1 2.2 Identity Number: Position occupied in the Company (director, trustee, shareholder²): 2.3 Company Registration Number: .... 2.4 Tax Reference Number: 2.5 VAT Registration Number: ..... 2.6 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax 2.6.1 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.

<sup>&</sup>lt;sup>2\*</sup>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:	
		<u> </u>
	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	YES/NO

OI I	you or any of the dir	ectors / trustees / sharehold		YES/N(	o	
	o, furnish particulars:	bidding for this contract?				
 3 Full c						
3 Full o				Tax Number	State Number Number	Employee / Persal
3 Full c	details of directors /	trustees / members / sha	reholders. Personal		Number	
3 Full c	details of directors /	trustees / members / sha	reholders. Personal		Number	
3 Full c	details of directors /	trustees / members / sha	reholders. Personal		Number	
3 Full c	details of directors /	trustees / members / sha	reholders. Personal		Number	
3 Full c	details of directors /	trustees / members / sha	reholders. Personal		Number	

4	DECLARATION	
	I, THE UNDERSIGNED (N.	AME)
	CERTIFY THAT THE INFO I ACCEPT THAT THE ST PARAGRAPH 23 OF THE PROVE TO BE FALSE.	RMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT. TATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION
	Signature	Date
	Position	. Name of bidder

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).<sup>2</sup> 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.
  - 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:

<sup>&</sup>lt;sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>&</sup>lt;sup>2</sup> 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.

SBD 9

# CERTIFICATE OF INDEPENDENT BID DETERMINATION

l, the undersigned, in submittir	ng 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 sta	itements that I certify to be true an	d complete in every respect:
l certify, on behalf of :		
1 They road and a	(Name of Bidder)	that:

- 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;
  - 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: prices:

2007

- geographical area where product or service will be rendered (market (b)
- methods, factors or formulas used to calculate prices; (c)
- the intention or decision to submit or not to submit, a bid; (d)
- the submission of a bid which does not meet the specifications and (e) 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
- 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.

<sup>&</sup>lt;sup>3</sup> 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.

Signature	Date
Position	Name of Bidder
	Js914w 2