



HARRY GWALA DEVELOPMENT AGENCY(PTY)LTD  
2011/001221/07

Harry Gwala Farmers Market, Erf 2226  
Portion 27 of the Farm Ellerton, IXOPO 3276

Website: [www.hgda.co.za](http://www.hgda.co.za)

## INVITATION TO QUOTE

### SECURITY SERVICES (MONTH TO MONTH) –

[for a period not exceeding three (3) months]

QUOTE NO: HGDA Q003-2023/24

Bids are hereby invited from suitably qualified service providers to quote for “**SECURITY SERVICES**”. The Bid will be evaluated in terms of Price and Preferential Specific goals.

### AVAILABILITY OF DOCUMENTS

The Bid documents can be downloaded from the Harry Gwala Development Agency (Pty) Ltd website [www.hgda.co.za](http://www.hgda.co.za) at no cost.

### Mandatory Returnable

Bidders must attach the mandatory returnable documents to be considered for this bid.

- Price(s) quoted must be valid for at least ninety (90) days from date of your offer.
- Price(s) quoted must be firm and must be inclusive of Vat.
- The quote must be submitted on a separate page containing the letterhead of your business.
- MBD 1, MBD 3.1, MBD 4, MBD 6.1 (must be completed to claim points), MBD 8 and MBD 9 must be completed and submitted together with your quotation.
- Valid Tax Clearance certificate and Tax compliant status with verification pin.
- Certified copy of B-BBEE certificate or Sworn Affidavit
- Central Supplier Database summary report
- Copy of Company Registration Document.
- Copies of ID for Company Directors or Members.
- A certified copy of the most recent municipal accounts in which the business is registered. District municipality (water and Sanitation) and/or Local municipality (rates, refuse and other services) or letter from traditional authority stating that you are staying in rural areas you don't pay for rates or letter from landlord stating that rates are not on your account, but you are a tenant and you also running your company in his property.

**NB: No quotations will be considered from persons in the service of the state or persons who owe rates, services, and taxes to any Municipality for a period longer than 90 days.**

**Evaluation Criteria Stage:**

**Bidders will be evaluated on 3 stages.**

Stage 1: Pre-Qualification

Stage 2: Functionality Assessment

Stage 3: Financial Offer and Preference

The 80/20 preferential point system will be applied where 80 points will be allocated for price and 20 points for preferential specific goals as follows:

- Preferential Goal 1 - Preferential Goal 2
- ❖ 80/20 Preferential Point system in terms of the 2022 Preferential system will apply and points will be awarded based on the entity's specific goals that is on ownership and RDP goals.

<b>PREFERENCE GOAL</b>	<b>80/20</b>	<b>Documents required for verification</b>
<b>GOAL 1 - Ownership – Maximum points</b>	<b>10</b>	
Business owned more than 50% by black person	3	ID copy of Director or CSD detailed report Or CIPC Registration Certificate
Business owned less than 50% by black person	1	
Business owned more than 50% by black women	3	ID copy of Director or CSD detailed report Or CIPC Registration Certificate
Business owned less than 50% by black women	1	
Business owned more than 50% by black youth.	2	ID copy of Director or CSD detailed report Or CIPC Registration Certificate
Business owned less than 50% by black youth	1	
Business owned more than 50% by disabled person	2	Attach proof from a registered doctor/physician for a bidder to obtain full points
<b>GOAL 2 – RDP – Maximum points</b>	<b>10</b>	
Business falls under the SMME category – EME	3	Detailed CSD Report
Promotion of business located within Harry Gwala Development Agency	4	<ul style="list-style-type: none"> <li>- Preferred address on detailed CSD Report</li> <li>- Municipal account not older than 90 days for the director.</li> <li>- Lease agreement and affidavit if you are leasing or;</li> <li>- Affidavit if you are residing in rural area</li> </ul>
Promotion of business located within KZN province.	3	<ul style="list-style-type: none"> <li>- Preferred address on detailed CSD Report</li> <li>- Municipal account not older than 90 days for the director.</li> <li>- Lease agreement and affidavit if you are leasing or;</li> <li>- Affidavit if you are residing in rural area</li> </ul>
Promotion of business located in South Africa outside KZN Province	1	

***Harry Gwala Development Agency (Pty) Ltd does not bind itself to accept the lowest or any bid and reserves the right to accept the Bid in whole or part, at the rates quoted.***

**CLOSING DATE: 29 AUGUST 2023**

Bid documents must be submitted in a sealed envelope clearly marked “**SECURITY SERVICES (MONTH TO MONTH)**” and closing date, can be dropped off in the **TENDER BOX** at **Harry Gwala Development Agency Offices, Farmers Market, Erf 2226 Portion 27, Ellerton Farm, Ixopo, 3276** by no later than **29 AUGUST 2023 before 12h00**.

Late, faxed or emailed bids will not be accepted, and the Harry Gwala Development Agency reserves the right not to make an appointment. Failure to comply with the above conditions will invalidate your offer.

Technical Enquiries: Corporate Services: Mr L Duma or (079 631 3079 or email: luyanda.duma@hgda.co.za), Supply Chain Management enquiries: SCM Practitioner: Ms N Malunga (073 053 7034 or email: neliswa.malunga@hgda.co.za)

**MS A.C.R. WHYTE**  
**CHIEF EXECUTIVE OFFICER**  
**NOTICE NO: 13-23/24**



**HARRY GWALA DEVELOPMENT AGENCY(PTY) LTD**  
**2011/001221/07**

Harry Gwala Farmers Market, Erf 2226  
 Portion 27 of the Farm Ellerton, IXOPO 3276

Tel: 039 834 2740 / Fax: 039 844 1618

Website: [www.hgda.co.za](http://www.hgda.co.za)

**INVITATION TO QUOTE**  
**SECURITY SERVICES (MONTH TO MONTH)**  
**QUOTE NO: HGDA Q003-2023/24**

<b>NAME OF BIDDER:</b>	
<b>TELEPHONE/CELLPHONE NO:</b>	
<b>FAX NO:</b>	
<b>EMAIL ADDRESS</b>	
<b>ADDRESS:</b>	
<b>QUOTE SUM (ALL INCLUSIVE) (in words):</b>	
<b>QUOTE SUM (ALL INCLUSIVE) (numerical):</b>	

## 1. INTRODUCTION

The Harry Gwala Development Agency (PTY) LTD is an entity of the Harry Gwala District Municipality established to serve as a special purpose vehicle to augment economic growth of the District, thereby realising the developmental trajectory of the District in the Provincial, National and broader context.

## 2. PURPOSE AND OBJECTIVE

To appoint a Professional Specialised Security Company for the provision of security services (security officers) and including monitoring and back up services for the premises of the Harry Gwala Development Agency site for a period of month to month.

## 3. SCOPE AND EXTENT OF WORK (TERMS OF ENGAGEMENT/SPECIFIC SYSTEM REQUIREMENTS)

### a. Security Services

**Access Control:** shall include but not limited to monitoring entering and exiting of vehicles, employees/pedestrians into Harry Gwala Development Agency premises including the unauthorized removal of Harry Gwala Development Agency assets and property. Always explain to visitors that firearms are not permitted and that they must be declared when entering Harry Gwala Development Agency premises. Once declared, the Security Officers must ensure that all firearms declared are kept in the gun safe (except for law enforcement officials), and a register is signed for such. Access control includes recording of recording HGDA vehicles and odometer reading on exit and entry.

Additionally, the scope includes the immediate reporting of incidents and to record a suspicious or abnormal activity surrounding the premises to be guarded, as well as to make recommendations towards the improvement of access control and security of the Harry Gwala Development Agency. Reports to be submitted to the Chief Executive Officer.

**Patrolling duties:** shall include but not limited to the physical patrolling of Harry Gwala Development Agency premises, report any incidents and/or deviations and ensure they are recorded in the Occurrence Book. Intervals between patrols must not be longer than 30 minutes including the guarding system patrols. Patrols must not be done in the same sequence/duration. Times and routes must be rotated. During patrols the Security personnel should ensure that premises are adequately locked and secured, ensuring that items of relevance are recorded in the occurrence book. Security Officers to establish trackable check-in points in the site.

**Guarding duties:** shall include but not limited to physical guarding of Harry Gwala Development Agency premises, assets and properties.

**Protection duties:** shall include but not limited to escorting of all personnel visiting Officials. All visitors entering the premises to complete the visitors register. Protection may also be required for and extended to officials of the agency on an adhoc basis at the request and authorization of the Chief Executive Officer.

**Monitoring:** Monitor and report on incidents and activity, detect and respond to threats. To help preserve the reputation, privacy, availability, and service of Harry Gwala Development Agency. Address security vulnerabilities and prevent serious security issues.

**Key Control:** This includes safekeeping of keys, opening and locking of entrances. Harry Gwala Development Agency shall hold the service provider responsible for losses that occur because of lack of key control by the Security Officers.

**Incidents Management:** Conduct investigations within 3 days and submit report within 30 days. This includes theft/loss/damages.

**Occurrence books:** every completed/full book to remain Harry Gwala Development Agency property.

**Flag management/ control:** To ensure safe keeping, to raise and draw the relevant flags at any given premises as assigned, by the prescribed times.

#### 4. PROVISION OF SECURITY OFFICERS

All Security Officers will be required to be in Official Security uniform at all times and will be required to conduct searches and manage registers at entrance points within the designated areas.

##### ➤ LIST OF REQUIRED GAURDS

SITE	NO. OF GUARDS	SECURITY GRADE	AREA
Harry Gwala Development Agency Offices: ERF 2226 Portion 27 Ellerton Farm Ixopo, 3276	4 Guards (armed and unarmed) <ul style="list-style-type: none"> <li>• 2 Night</li> <li>• 2 Day</li> </ul>	B/C/D and provide Proof of PSIRA registration of each Guard	3

#### SHIFT HOURS

Night: 18h00 – 06h00 - Day : 06h00 – 18h00

## **ESSENTIAL REQUIREMENTS**

- Failure to complete all supplementary information and the returnable schedule will automatically disqualify the bidder.
- The Service Provider will conduct business on a 24-hour basis 6am – 6pm and 6pm – 6am Mondays to Sundays.
- Be registered with Private Security Regulating Industry (PSIRA)
- Ensure proof of registration with the Department of Labour (WCA)
- Ensure proof of registration with the Provident Fund
- Ensure copies of firearm licences be submitted with bid submission,
- ICASA license for the use of radio frequency to be submitted with bid document,
- Proof of COIDA
- UIF Compliance letter
- Indemnity Insurance not less than R5 million.

### **• Remuneration of Security Personal Salaries**

All security personnel must be remunerated as per the latest basic wage agreement that is determined by the Bargaining Council for the Private Security Sector. Security Officers must not earn less than the below reflected basic salary scales and must not exceed 48 hours of work per week. All Sundays, Public Holidays and additional hours worked are calculated as overtime as determined by the Bargaining Council for the Private Security Sector. Annual bonuses and annual leave pay must be equivalent to the basic monthly salary scale.

- Basic Monthly Salary Scales for Security Employees commencing from 2022/03 for area 3, which is subject to change, as is determined by Bargaining Council for the Private Security Sector

### **• The following allowances must be paid as determined by Bargaining Council for the Private Security Sector.**

Security Officer Premium Allowance

Hospital Cover

Night Shift Allowance

Special Allowance is paid per shift basis and is paid to Mobile Security Officers, Armed Security Officers, Armed Response Officers, National Key Point Officers & Control Centre Operators.

### **• UIF & Provident Fund**

All Security personnel must be registered for UIF & Provident Fund as of the 1st day of engagement of their employment and payments of contributions must be kept up to date to ensure compliance.

### **• Tools of trade/PPE**

All Security personnel must be equipped with full uniform, toner/batten, pepper spray, handcuffs, hand radio, torch and firearm where required.

**FAILURE TO COMPLY WITH THE ABOVE CONDITIONS IN ALL RESPECTS WILL RESULT IN THE TENDER BEING DEEMED NON-RESPONSIVE**

**5. SECURITY PERSONNEL**

It is the responsibility of the service provider to ensure that the security personnel in his/her service and especially those deployed for the rendering of this service, meet the following requirements at all times:

**a. Security Officers: Grade B/C/D**

- Security officers must be able to communicate, read and write in English and IsiZulu
- Physical Fitness of security personnel is a pre-requisite
- Security officers may not be younger than 18 years of age.
- Security officers must have a good grounding in their post descriptions and duties

**Supervisors and Security Officers**

- Security Officers must be at a Level of Grade C Security Officer and Supervisors must be at a Level of Grade B Security Officer armed.
- Costing for the patrol vehicle and monitoring the performance of security guards must be done by the service provider.
- All Security Officers will be required to be in Official Security uniform at all times and will be required to conduct searches and manage registers at entrance points within the designated areas.
- Provide metal detectors,
- Self-defense pepper sprays,
- Security Battens
- Handcuffs

**6. FUNCTION OF THE SERVICE PROVIDER:**

- a. Ensure that premises and guards be visited and inspected during a shift period excluding shift changes. The visit must be entered into the logbook of the guard.



- b. Report any emergencies and possible illegal activities to HGDA Control Room immediately.
- c. Control and supervise all personnel on duty.
- d. Ensure that personnel are at the site on time, in correct uniform and in possession of the necessary equipment.
- e. Ensure that registers are up to date and available for inspection by Law Enforcement Officials.
- f. Submit a monthly report to HGDA regarding all incidents within 7 days after the end of the month.
- g. Make recommendations to Law Enforcement Officials with regard to improvement or preventative measures with regard to security issues relating to the site.
- h. Ensure that a supervisor is available at all times.

Please refer to (3) for increased detail.

## **7. SECURITY PERSONNEL REQUIRED**

- a. One (01) Site Supervisor to do overall supervision and conduct night visits/ patrol on-site.
- b. All other security officers must be at an acceptable grade, minimum grade C.

## **8. FUNCTION OF GUARDS:**

The guard on duty at the agency site must fill in a daily log sheet indicating the following:

- a. Shift start time.
- b. Shift end time
- c. Visitors to the site – entrance and exit times.
- d. Inspections from Managers and Law Enforcement Officials.
- e. Record inspection results and activities on hourly basis.
- f. Safeguard vehicles and equipment on site
- g. Safekeeping of vehicle and office keys and presenting them to authorised personnel only.
- h. Monitor and authorise entrances and departures of visitors to prevent the unauthorised removal or theft of items. Recording of personal details of visitors
- i. Escorting visitors to offices on arrival
- j. Report all emergencies and possible illegal activities to the designated managers.

- k. Ensure that no unauthorized person enters the premises.
- l. Patrol the facilities and parameters of the site.

## **9. ADMISSION CONTROL REGISTER OR ADMISSION FORMS**

- a. **Purpose:** The purpose of the admission control register of forms is to have information available at all times regarding persons and vehicles admitted to the site within a specific period in case occurrences should take place which might lead to judicial enquiry.
- b. Visitors register/admission control forms:

These visitor registers must be completed correctly and legibly by the security guard/officer on duty and shall make provision for the following:

- Date of visit
- Admission and exit times of the visitor to and from the site
- Surname and initials of the visitors
- Contact Details
- Purpose of visit
- Brand, calibre and number of firearm of any dangerous objects on visitor's possession (if any).
- Signature of visitor

## **10. DAMAGES TO THE STATE PROPERTY AND ASSETS (AND STOLEN ASSETS)**

- a. The staff of the contracted security company must be able to follow the basic procedures immediately when damage or loss to the state property or assets is detected.
- b. The Supervisors must have the ability to investigate and furnish the respective report (i.e. incident report) to the department.
- c. Such detected damage or loss to property or assets including the stolen assets must be reported to HGDA Security Manager immediately.
- d. The service provider will be held liable for any damage of loss suffered by HGDA, as a result of the service provider's own or his/her employees' negligence or deliberate intent.

**PRICE OFFER SCHEDULE OF QUANTITIES (detailed offer to be made on Company Letterhead)**

DESCRIPTION OF SERVICE	COST ESTIMATE
(Price as per specification and rendering of security services at HGDA show break down cost)	
Add 15% VAT	
<b>TOTAL</b>	

**NB.** Bidders are requested to qualify their rates by attaching a breakdown of cost.

**N.B.** Price quotation must be valid for 90 days from the date of closing.

**11. DELIVERABLES**

Signing of Service Level Agreement and Contract with the Harry Gwala Development Agency

The payment of Security Officers must be in line with the Bargaining Council guidelines for the Private Security Industry and verification must be provided on submission of valid tax invoice. The provision of security management for the Harry Gwala Development Agency The security firm will be responsible for providing electronic tag system to monitor security officers on site, protective clothing (PPE), mechanical restraints equipment, security force tools (tonfa, metal detectors, pepper spray, handcuffs, handheld 2 radios and firearms) including name tags for all the security guards deployed to the Harry Gwala Development Agency premises.

All firearms used in the Harry Gwala Development Agency must be handgun being a 9mm Pistol 9 x 19mm and 1xshot gun.

## **12 EXPECTED OUTCOMES**

The security firm is expected to provide Specialised security management in the Harry Gwala Development Agency premises.

## **13 PROJECT TIMEFRAME**

The contract is for the period of month to month but not exceeding 3 months commencing from the date awarded but can be terminated when there is proof of underperformance or substandard.

## **14 EVALUATION CRITERIA**

Bidders will be evaluated on 3 stages.

Stage 1: Pre-Qualification

Stage 2: Functionality Assessment

Stage 3: Financial Offer and Preference

### **STAGE 1**

#### **PRE-QUALIFICATION**

All compulsory documents must be submitted, if not bidder will be non-responsive.

- Certified Copy of PSIRA Registration Certificate & PSIRA letter of good standing which must not be older than two months.
- Certified Copy of Security Bargaining Council Registration Certificate, certification must not be older than two months.
- Certified Copy of Security Medical Aid Fund Registration Certificate, certification must not be older than two months.
- Certified copy of Registration with Private Security Sector Provident Fund & letter of good standing or a certified copy of the latest Provident Fund Spread Sheet & must attach the Proof of Payment for that period of submission.
- Certified copy of latest EMP201 SARS return document that reflect Unemployment Insurance Fund Contributions & must attach the Proof of Payment for that period of submission.
- Certified copy of Registration with COIDA (Compensation for Occupational Injuries & Diseases Act) and letter of good standing and certification must not be older than two months.
- Valid Certified copy of Proof of Registration with ICASA for radio communication device or lease agreement together with the Service Providers ICASA Approval Certificate who is leasing out the devices. (Valid ICASA LICENSE)

- Bidders must submit certified copies of Firearms License from SAPS and a confirmation print out from SAPS reflecting Firearms Licenced to the Service Provider. The minimum number of firearms is 4 and must be a 9mm Pistol 9 X 19mm, failure to meet above criteria will lead to disqualification.

**STAGE 2**

**FUNCTIONALITY (50)**

With regards to functionality the following criteria will be applicable and the maximum score of each criterion are indicated in brackets.

FUNCTIONAL CRITERIA	POINTS ALLOCATION
PROOF OF EXPERIENCE (30)	Bidders must submit proof of experience were similar services were provided. Bidders must submit an appointment letter/order with a signed reference letter for each project to claim points. The reference letters must be signed by project manage or a person at Head of Department level (30)  4 appointment letter/orders with reference letters = 30  3 appointment letter/orders with reference letters = 25  2 appointment letter/orders with reference letters = 15  1 appointment letter/orders with reference letters = 10  No appointment or reference letter = 0 points
FINANCIAL VIABILITY (20)	Bidders must attach a Bank Rating letter from a Financial Institution to a value of R1 000 000, points will be allocated as follows: (20) Bank Letter with code C rating = 20 points  Bank Letter with code D rating= 10 points  Bank Letter with code E rating = 5 points

**A bidder that scores less than 30 (60%) points out of 50 (100%) in respect of “functionality” will be regarded as submitting a non-responsive quote and will be disqualified and will be not evaluated for the price.**

**VERY IMPORTANT**

**IF ANY OF THE ABOVEMENTIONED DOCUMENTS ARE NOT SUBMITTED OR COMPLETED IN ENTIRELY, THE BIDDER WILL BE DEEMED TO BE NON-RESPONSIVE AND BE DISQUALIFIED**

### **STAGE 3 – PRICE AND PREFERENTIAL**

The 80/20 preferential point system will be applied where 80 points will be allocated for price and 20 points for preferential goals as follows:

- Preferential Goal 1
- Preferential Goal 2

Each bidder must score the required minimum score for functionality to be considered for the second stage. 80/20 Preferential Point system in terms of the 2022 Preferential system will apply and points will be awarded based on the entity's specific goals that is on ownership and RDP goals.

## 15 BILL OF QUANTITIES (BOQ)

### CONTENTS:

1. Preamble
2. Grand Summary
3. Bill of Quantities (BOQ)

### PREAMBLE TO BILL OF QUANTITIES (BOQs)

#### 1. Objectives:

The objectives of the Bill of Quantities (BoQs) are:

- (a) To provide sufficient information on quantities of Works to be performed to enable bids to be prepared efficiently and accurately; and
- (b) When a Contract has been entered into, to provide a priced Bill of Quantities (BoQs) for use in the project.

In order to attain these objectives, Works have been itemized in the Bill of Quantities (BoQs) in sufficient detail to distinguish between the different classes of Works, or between Works of the same nature carried out differently or in other circumstances which may give rise to different considerations of cost.

2. The Bills of Quantities (BOQs) for the Works comprise the following:

#### Preamble to Bill of Quantities

##### List of principal Quantities

The quantities of work as measured and accepted and certified for payment in accordance with the Conditions of Contract, and not the quantities stated in the Bill of Quantities, will be used to determine payments to the Contractor. The validity of the Contract shall in no way be affected by differences between the quantities in the Bill of Quantities and the quantities certified for payment.

For the purposes of this Bill of Quantities, the following words shall have the meanings hereby assigned to them:

**Unit:** The unit of measurement for each item of work as defined in the Standardized, Project or Particular Specifications

**Quantity:** The number of units of work for each item

**Rate:** The payment per unit of work at which the Bidder bids to do the work. Should be quoted in ZAR currency only.

**Amount:** The quantity of an item multiplied by the bid rate of the (same) item. Should be quoted in ZAR currency only.

**Sum:** An amount bid for an item, the extent of which is described in the Bill of Quantities, the Specifications or elsewhere, but of which the quantity of work is not measured in units. Should be quoted in ZAR currency only.

The units of measurement indicated in the Bill of Quantities are metric units. The following abbreviations may appear in the Bill of Quantities:

**No** = No

**%** = Percentage

**Prov Sum** = Provisional Sum

### **Grand Summary**

The appointed Service provider shall deploy security officers in line with site specifications below:

- Day shift: 06h00 - 18h00 (Mondays to Fridays)
- Day shift: 06h00 - 18h00 (Weekends and Public holidays)
- All night shift: 18h00 - 06h00

Equipment required when officers are deployed on the Harry Gwala Development Agency

- Security officers deployed must be armed where stipulated.
- All security officers must wear PSIRA cards
- All security officers must have access to means of communication (Two way or other)
- All security officers must be equipped with batons, hand cuffs and torches
- Site must be equipped with the relevant security registers (Visitors Registers, Motor Vehicle Registers, Asset Registers and Occurrence Books)



<b>ITEM</b>	<b>DESCRIPTION</b>	<b>UNIT</b>	<b>QUANTITY</b>	<b>RATE</b>	<b>AMOUNT</b>
1	Security Services				
	Security Guards with Grade C – 1 unarmed day and 1 armed day	2			
	Security Guards with Grade D - 1 unarmed night and 1 armed night	2			
			<b>SUB-TOTAL</b>		
			<b>VAT</b>		
			<b>TOTAL</b>		

**PART A  
INVITATION TO BID**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE HARRY GWALA DEVELOPMENT AGENCY**

<b>BID NUMBER:</b>	<b>HGDA Q003-2023/24</b>	<b>CLOSING DATE:</b>	<b>29/08/2023</b>	<b>CLOSING TIME:</b>	<b>12H00</b>
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<b>DESCRIPTION</b>	<b>SECURITY SERVICES</b>
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**THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).**

**BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS**

HARRY GWALA FARMERS MARKET, ERF 2226  
 PORTION 27 OF THE FARM ELLERTON  
 IXOPO  
 3276

**SUPPLIER INFORMATION**

**NAME OF BIDDER**

**POSTAL ADDRESS**

**STREET ADDRESS**

<b>TELEPHONE NUMBER</b>	<b>CODE</b>		<b>NUMBER</b>	
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**CELLPHONE NUMBER**

<b>FACSIMILE NUMBER</b>	<b>CODE</b>		<b>NUMBER</b>	
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**E-MAIL ADDRESS**

**VAT REGISTRATION NUMBER**

<b>TAX COMPLIANCE STATUS</b>	<b>TCS PIN:</b>		<b>OR</b>	<b>CSD No:</b>	
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<b>B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]</b>	<input type="checkbox"/> Yes  <input type="checkbox"/> No	<b>B-BBEE STATUS LEVEL SWORN AFFIDAVIT</b>	<input type="checkbox"/> Yes  <input type="checkbox"/> No
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**[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO EARN POINTS FOR PREFERENCE SPECIFIC GOALS ]**

<b>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	<b>ARE YOU A FOREIGN BASED SUPPLIER FOR</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
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THE GOODS /SERVICES OFFERED?		THE GOODS /SERVICES /WORKS OFFERED?	
TOTAL NUMBER OF ITEMS OFFERED		TOTAL PRICE	BID R
SIGNATURE OF BIDDER	.....	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	Supply Chain Management	CONTACT PERSON	Mr L Duma
CONTACT PERSON	Ms N Malunga	TELEPHONE NUMBER	079 631 3079
TELEPHONE NUMBER	073 053 7034	FACSIMILE NUMBER	039 844 1615
FACSIMILE NUMBER	039 844 1615	E-MAIL ADDRESS	<a href="mailto:luyanda.duma@hgda.co.za">luyanda.duma@hgda.co.za</a>
E-MAIL ADDRESS	<a href="mailto:neliswa.malunga@hgda.co.za">neliswa.malunga@hgda.co.za</a>		

PART B

TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>	
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.	
1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE</b>	
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.	
<b>2. TAX COMPLIANCE REQUIREMENTS</b>	
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.	
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.	
2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.	
2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.	
2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.	
2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.	
2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.	
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>	
3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</b>	

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS WILL RENDER THE BID INVALID.NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**


SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....

DATE: .....

**PRICING SCHEDULE – FIRM PRICES (PURCHASES)**

**NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**

DESCRIPTION	QUANTITY	AMOUNT
		
	<b>SUB-TOTAL</b>	
	<b>VAT (15%)</b>	
	<b>TOTAL</b>	

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

\*\* "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

**CONDITIONS OF TENDER**

- Price(s) quoted must be valid for at least ninety (90) days from date of offer for evaluation purposes.
- Price(s) quoted must be firm and include VAT.
- Tenderers original valid tax clearance certificate must be attached.
- Tender original or certified B-BBEE Certificate must be attached to the document.
- Tender documents signed by a person who does not have authority to sign will be disqualified.
- Tenderers who did not complete the compulsory questionnaire, who abuse the employer's supply chain management system will not be conceded.
- Non-collusion affidavit to be executed by bidder and submitted with the bid.

**DECLARATION OF INTEREST**

1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

3.1 Full Name of bidder or his or her representative.....

3.2 Identity Number: .....

3.3 Position occupied in the Company (director, trustee, hareholder<sup>2</sup>) .....

3.4 Company Registration Number: .....

3.5 Tax Reference Number.....

3.6 VAT Registration Number: .....

3.7 The names of all directors / trustees / shareholder’s members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state? **YES / NO**

3.8.1 If yes, furnish particulars. ....

.....

<sup>1</sup>MSCM Regulations: “in the service of the state” means to be –

- (a) a member of –
  - (i) any municipal council;
  - (ii) any provincial legislature; or
  - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

<sup>2</sup> Shareholder” means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

3.9 Have you been in the service of the state for the past twelve months? .....**YES / NO**

3.9.1 If yes, furnish particulars.....  
.....

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? ..... **YES / NO**

3.10.1 If yes, furnish particulars.  
.....  
.....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.11.1 If yes, furnish particulars.  
.....  
.....

3.12 Are any of the company’s directors, trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

3.12.1 If yes, furnish particulars.  
.....  
.....

3.13 Are any spouse, child or parent of the company’s directors. trustees, managers, principal shareholders or stakeholders in service of the state? **YES / NO**

3.13.1 If yes, furnish particulars.  
.....  
.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. **YES / NO**

3.14.1 If yes, furnish particulars:  
.....  
.....

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

<b>Full Name</b>	<b>Identity Number</b>	<b>State Employee Number</b>

.....  
**Signature**

.....  
**Date**

.....  
**Capacity**

.....  
**Name of Bidder**



**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022**

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

**1. GENERAL CONDITIONS**

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

**1.2 To be completed by the organ of state**

*(Delete whichever is not applicable for this tender).*

- The applicable preference point system for this tender is the **90/10** preference point system.
- The applicable preference point system for this tender is the **80/20** preference point system.
- 
- Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

**1.4 To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
<b>PRICE</b>	80
<b>SPECIFIC GOALS</b>	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation.
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“Rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left( 1 - \frac{Pt - Pmin}{Pmin} \right) \text{ or } Ps = 90 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

#### 3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left( 1 + \frac{Pt - Pmax}{Pmax} \right) \text{ or } Ps = 90 \left( 1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest acceptable tender

### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
  - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system: or
  - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

**(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.**

**Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)**

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
<b>GOAL 1 - Ownership – Maximum points</b>	<b>10</b>	
Business owned more than 50% by black person	3	
Business owned less than 50% by black person	1	
Business owned more than 50% by black women	3	
Business owned less than 50% by black women	1	
Business owned more than 50% by black youth	2	
Business owned less than 50% by black youth	1	
Business owned more than 50% by disabled person	2	
<b>GOAL 2 – RDP – Maximum points</b>	<b>10</b>	
Business falls under the SMME category – EME	3	
Promotion of business located within Harry Gwala District	4	
Promotion of business located within KZN province.	3	
Promotion of business located in South Africa outside KZN Province	1	

**DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name of company/firm.....

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM [TICK APPLICABLE BOX]

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company

- (Pty) Limited
- Non-Profit Company
- State Owned Company

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

.....  
**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME**.....

**DATE:** .....

**ADDRESS:** .....

.....

.....

.....

.....

**DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities 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 rejected if that bidder, or any of its directors have:
  - a. abused the municipality’s / municipal entity’s supply chain management system or committed any improper conduct in relation to such system;
  - b. been convicted for fraud or corruption during the past five years;
  - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>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?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury’s website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p><b>The Register for Tender Defaulters can be accessed on the National Treasury’s website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
<b>Item</b>	<b>Question</b>	<b>Yes</b>	<b>No</b>
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME) ..... CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.**

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**



**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - a. Take all reasonable steps to prevent such abuse;
  - b. Reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - c. Cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

<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.

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_  
(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_  
(Name of Municipality / Municipal Entity)

do hereby make the following statements that I certify to be true and complete in every respect:  
I certify, on behalf of:

\_\_\_\_\_ that:  
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>3</sup> 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.

**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