

OPEN TENDER PROCESS

NAME OF SERVICE PROVIDER: _____

REQUEST FOR QUOTATIONS FOR GOODS AND SERVICES AT JPC

N.B. THIS REQUEST FOR QUOTATIONS (RFQ) IS ON ISSUED TO SERVICE PROVIDER FOR HEALTH AND WELNESS SERVICES

JPC requests your quotation on the goods and/or services listed hereunder and/or on the available RFQ forms. Please furnish all information as requested and return your quotation on the date stipulated. Late and incomplete submissions will invalidate the quotation submitted.

DATE OF ISSUE	05MAY2021
CLOSING DATE	11 MAY2021
CLOSING TIME	10H30 (TELKOM TIME)
RFQNUMBER	RFQ86/2021
JPC DEPARTMENT	HUMAN CAPITAL MANAGEMENT
DESCRIPTION OF GOODS/SERVICES	REQUEST FOR QUOTATIONS FOR THE APPOINTMENT OF A SERVICE PROVIDER FOR HEALTH AND WELNESS SERVICES – EMPLOYEE ASSISTANCE PROGRAMME (EAP)
SCOPE OF WORKS Request for Employee Assistance Programme (EAP) on behalf of the City of Joburg Property Company (SOC) Ltd Kindly see the attached scope of work in Annexure A	
COMPULSORY BRIEFING SESSION	N/A
CONTACT PERSON	JABULILE SANTOS
CONTACT NUMBER	0607392272

RFQ SPECIFICATION FORMS/ DOCUMENTS ARE OBTAINABLE FROM:	www.jhbproperty.co.za AND THE JPC NOTICE BOARD
COMPULSORY REQUIREMENTS	Submission of all required documents Failure to submit the above will result in a disqualification
RFQ SPECIFICATION FORMS/ DOCUMENTS WERE ISSUED ON THE JPC WEBSITE AND NOTICE BOARD	Issued on the JPC Website and JPC notice board
<u>SUBMISSION OF QUOTES:</u>	1st Floor Forum 1, Braampark 33 Hoofd Street Braamfontein 2017 Submissions must be deposited into the RFQ Box at the Reception. No emailed submissions will be accepted
CLOSING DATE:	11 May 2021
CLOSING TIME:	10H30 AM
ENQUIRIES:	Jabulile Santos 0607392272

Quotations above R30 000 will be evaluated on the basis of the 80:20-point system as stipulated in the Preferential Procurement Policy Framework Act (Act number 5 of 2000) & JPC's Supply Chain Management Policies and Procedures.

CHECKLIST

SCM NO: 88/2021

PLEASE USE THE CHECKLIST TO CONFIRM THAT ALL COMPULSORY DOCUMENTS HAVE BEEN ATTACHED TO YOUR QUOTATION.

No	Details	
1.	Certified Copy of Company Registration Document	
2.	Rates & Taxes Account for Company OR Certified Copy of Lease Agreement OR Affidavit Certified by the Commissioner of Oaths/ Arrangements letter	
3.	Rates and Taxes Account for All the Directors of the Company OR Certified Copy of Lease Agreement OR Affidavit Certified by the Commissioner of Oaths/ Arrangements letter	
4.	MBD 4: Declaration of Interest (Attached)	
5.	MBD 9: Certificate of Independent Bid Determination. (Attached)	
6.	MBD 6.4: Local Content (Attached) (IF REQUIRED)	
7.	Certified Copy of BBBEE certificate.	
8.	Valid Tax Clearance Certificate or Pin number	
9.	Empowerment Plan and employment statistics (youth, women and people with disabilities)	
10.	All alterations must be signed.	
11.	Quotation is signed	
12.	Copies of ID's for the Directors or Members of the Entity	
13.	Copies of ID's for the employees of the Entity and employment contracts	
14.	Central Supplier Data Base registration (CSD)	
15.	1EB/ 1BPE to 4EB/4EB PE	
16.	Professional Indemnity	

SIGNATURE _____

NAME _____

PLEASE NOTE THAT NOT SUBMITTING THE COMPULSORY DOCUMENTS MAY LEAD TO DISQUALIFICATION

1. Valid Original tax clearance.

Please note that copies of tax clearance certificates are not valid as per SARS and they will not be accepted by JPC. Failure to provide the original tax clearance certificate will result in the quotation being disqualified.

2. Latest copy of rate and taxes together with a completed "Declaration on State of Municipal Accounts" form. (Attached)

Please note the following:

- a) **There must be a Rates & Taxes Invoice for each of the Directors of the Company as well as for the Company. The Rates & Taxes Invoice cannot be older than 3 months. If Rates & Taxes are in arrears for more than 3 months, the quotation will be disqualified.**
 - b) **If the business is operated from the residence of one of the directors, an affidavit, certified, must be submitted stating the address of the business premises.**
 - c) **If the premises from where business is conducted or where a director is residing, is leased a copy of the lease agreement or an affidavit must be submitted.**
- 3. The quotation page must be signed. If you are using your own format on your Company's letterhead to quote please ensure that the quotation is signed.**
- 4. The attached MBD 9 form (Certificate of Independent Bid Determination) must be completed and submitted with the quotation. If the MBD 9 is incomplete or not attached the quotation will be disqualified.**
- 5. The attached MBD 4 form (Declaration of Interest) must be completed and submitted with the quotation. If the MBD 4 is incomplete or not attached the quotation will be disqualified.**
- 6. Both the MBD 4 & 9 forms must be original for each quotation. No copies will be accepted. Both the MBD 4 & 9 forms must be dated within the quotation period.**
- 7. Proof of Directors: A certified copy of your Company Registration Documents**



8. **A certified copy of the B-BBEE Status Level Verification Certificate must be attached. If not attached no points for B-BBEE will be awarded.**
9. **All price alterations must be signed for by the Bidder confirming that such changes were made by the Bidder.**
10. **Professional Indemnity Insurance**
11. **Copies of ID's for the Directors or Members of the Entity.**
12. **Copies of ID's for the employees of the Entity and employment contracts.**
13. **Central Supplier Data Base registration.**
14. **CIDB 1EB/ 1BPE TO 4EB/4EB PE**

PLEASE NOTE THAT PRICE CHANGES WITHOUT A SIGNATURE WILL LEAD TO THE DISQUALIFICATION OF THE QUOTATION SUBMITTED

I HEREWITH CONFIRM THAT HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED REQUIREMENTS

SIGNATURE _____

NAME _____

CONDITIONS

1. All goods or services purchased will be subject to JPC SCM Policy and Procedures. A copy of said conditions is available from the SCMU office.
2. All purchases will be made through an official order form. Therefore no goods must be delivered or services rendered before an official order has been forwarded to and accepted by the successful bidder.
3. To participate in JPC's Quotation process for the procurement of goods and/or services, vendors are advised to get accredited and registered on JPC's Supplier Database. Supplier registration forms are available from the Supply Chain Management Unit. JPC is dealing only with the registered and accredited suppliers on its Database.
4. All prices quoted must be exclusive of Value Added Tax (VAT). Suppliers who are not registered for VAT will be treated as Non VAT Vendors.
5. Prices quoted must include delivery charges and goods must be delivered to the address indicated on the quotation page.
6. All prices submitted must be firm. "Firm" prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise.
7. Quantities are given in good faith and without commitment to JPC. The JPC reserves the right to increase or reduce the quantity to be in line with the set threshold for quotations prescribed in the SCM Policy.
8. **JPC DOES NOT TAKE RESPONSIBILITY FOR ANY QUOTATIONS DEPOSITED IN THE WRONG BOX.**
9. ***On award the bidder has 5 days to complete the required task***
10. **QUOTATIONS SUBMITTED THROUGH FAX/EMAIL WILL BE AUTOMATICALLY DISQUALIFIED.**

I HEREWITH CONFIRM THAT I HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED REQUIREMENTS

SIGNATURE _____

NAME _____

ADDITIONAL REQUIREMENTS DECLARATION

1. I certify that the information supplied is correct and I have read and understood the JPC General Conditions and Policies and Procedures and accept the same.
2. I further certify that all the required information has been furnished and the relevant forms completed and are herewith submitted as part of the quotation.

SIGNATURE: _____

NAME: _____

CAPACITY: _____

DATE: _____

SUPPLY CHAIN MANAGEMENT

**P.O. BOX 31565
BRAAMFONTEIN
2017**

VAT. NO: 4010194266

BIDDER: _____

TEL: _____

FAX: _____

Your CSD Number with Us: _____

REQUEST FOR QUOTATION	
RFQNUMBER	RFQDATE
66/2021	05 May 2021
CONTACT PERSON	
NAME:	Jabulile Santos
TEL No:	0607392272

Submission Deadline:

11 May 2021

Submission Time:

10H30AM

VALIDITY OF RFQ: 30 DAYS

VALIDITY OF RFQ: 30 DAYS

OFFICE USE ONLY:

PRICE/S TO BE VAT EXCLUSIVE

Please deposit all quotation in the RFQ box as stipulated in the cover page

RFQ'S above R30 000-00 to a maximum of R50 000 000 will be evaluated on the basis of the 80:20 point system as stipulated in the Preferential Procurement Policy Framework Act (Act number 5 of 2000), as amended.

EVALUATION CRITERIA IT'S A TWO STAGE PROCESS

1. STAGE 1 FUNCTIONALITY ATTACHED AS ANNEXTURE "B"
2. THE BIDDER WHO SCORES 70% POINTS AND ABOVE WILL BE EVALUATED ON PRICE AND BBBEE.
3. THE BIDDER WHO SCORES LESS THAN 70% POINTS WILL NOT BE EVALUATED FURTHER ON PRICE AND BBBEE

STAGE 1 (PRICE AND BBB-EE STATUS LEVEL OF CONTRIBUTION)

POINTS AWARDED FOR PRICE

THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{\min} = Comparative price of lowest acceptable bid

POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION

Points will be allocated as follows:

Price	80
Points for B-BBEE (Max of 20):	20
B-BBEE status Level of Contributor	Number of Points (80/20 system)
1	20



**City of Joburg Property Company SOC Ltd.
Supply Chain Management**

2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-Compliant contributor	0



City of Joburg Property Company SOC Ltd.
Supply Chain Management

SIGNATURE OF BIDDER	
CAPACITY	

PLEASE NOTE THAT NO PRICE INCREASES WILL BE APPROVED AFTER SUBMISSION OF THE QUOTATION.

REQUEST FOR QUOTATION (RFQ) NUMBER:

PLEASE NOTE THAT NO PRICE INCREASES WILL BE APPROVED AFTER SUBMISSION OF THE QUOTATION.

REQUEST FOR QUOTATION (RFQ) NUMBER: _____

SPECIFICATIONS / SCOPE OF WORK:

**REQUEST FOR QUOTATIONS FOR THE APPOINTMENT OF A SERVICE PROVIDER FOR
HEALTH AND WELNESS – EMPLOYEE ASSISTANCE PROGRAMME (EAP)**

SEE ATTACHED SCOPE OF WORK AS ANNEXTURE A

SEE ATTACHED MBD 4, 8 AND 9

ITEM NO.	DESCRIPTION	Quantity Required	Date required	Delivery Period / Lead time	Price (Excluding Vat)	Total (Excluding Vat)
1	REQUEST FOR QUOTATIONS FOR THE APPOINTMENT OF A SERVICE PROVIDER FOR HEALTH AND WELLNESS SERVICES – EMPLOYEE ASSISTANCE PROGRAMME (EAP)					
2	THE QUOTATION NEEDS TO BE ON THE COMPANY LETTER HEAD AND SIGNED					
Grand Total						

NB ANY AND ALL ALTERATIONS MUST BE SIGNED FOR BY THE BIDDER CONFIRMING THAT SUCH ALTERATION WAS MADE BY THE BIDDER. PLEASE NOTE THAT PRICE CHANGES WITHOUT A SIGNATURE WILL BE DISQUALIFIED

ALL BIDDERS MUST PLEASE MAKE SURE THAT THEY KNOW WHAT THEY ARE QUOTING FOR

Conditions

1. All prices quoted must be exclusive of Value Added Tax (VAT).
2. Prices quoted must include delivery charges and goods must be delivered to the address indicated.
3. All prices submitted must be 'firm'. "Firm" prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise.
4. Quantities are given in good faith and without commitment to the JPC.
5. Vendors not registered for Value Added Tax with SARS will be treated as Non VAT vendors.

ANNEXTURE "A"

SCOPE OF WORK

- a. The scope of this tender is to procure Employee Assistance Programme (EAP) Services from an external service provider, which has the ability and experience to help employees who have personal difficulties which includes physical, mental, emotional, grief and bereavement, gambling, marital, family, alcohol, or financial problems that may affect the employee's work performance.
- b. The service provider must be able to provide confidential, professional counselling and guidance.
- c. JPC currently has employees at depots, corporate buildings and at head office environment that will require employee assistance programme services to be rendered as noted below:
 1. **Substance Abuse:** Assess the type and severity of substance abuse and appropriate level of treatment.
 2. **Crisis or Emergency:** Assess an employee, or employee's spouse, partner or dependent, who was present in the crisis to determine the appropriate level of intervention or treatment. Such assessments will be conducted whether or not the employee has used all of his/her EAP benefits for the contract of a year.
 3. **Grief Counseling:** Assist employees process their feelings, absorb information, and normalize the event so they can resume to a reasonable level of functioning due to the loss of a family member or coworker.
 4. **Fitness for Duty:** Upon request by JPC, assess an employee's fitness for duty. Such assessments are based upon information provided and on the employee's condition at the time, with the understanding that the employee's condition can change at any time.
 1. **Threat of Violence Potential:** Upon request by JPC, the service provider will screen an employee for potential of violence.

2. **Sexual Harassment** - Sexual harassment includes any unwelcome sexual advance towards an employee or any request to a sexual favor or any other verbal or physical conduct of a sexual nature that is so pervasive as to create a hostile or offensive working environment and impacts on the employee's work performance.
3. **Executive medicals and lifestyle coaching:** The stress of the executive lifestyle can lead to chronic health conditions such as heart disease, diabetes, and hormone imbalances. JPC requires focused professional wellness assessment and intervention plans that will form part of a vital component of executive optimization and retention strategies. Executive wellness programmes to reduce health risk factors that can impede on their work performance and provide them with motivational talks that will address high risk factors to ensure that their wellbeing is intact.
- d. **Professional Support Line Service** - A 24-hour, 7 days a week with a dedicated toll-free number telephonic psychological counselling service available for all of JPC staff members and in cases where an employee's family member i.e. spouse and children are involved in traumatic situations such as house robbery or hijacking management will advise and approve accordingly. The service provider must also be in a position to provide JPC with an online EAP programme that must deliver to the end user experience that incorporates individual wellbeing assessments, comprehensive website portals and a wealth of print resources, as well as professional advisory services covering a holistic wellness spectrum.
- e. **Personal Counselling (Face to Face)** - A minimum of five (5) face to face counselling sessions per employee or family member, per condition, per year. Counselling to be provided by a fully qualified and registered clinical expert in the field. The service provider should also be in a position to provide JPC with a feedback report for assessments or detailed outcome report.
- f. **Critical Incident Service** - Prompt and professional trauma debriefing and counselling services to employees exposed to incidents of trauma.
- g. **HIV/AIDS and other dreaded diseased education, counselling and support** -

Telephonic counselling, on-line programmes and face-to-face counselling to assist those infected with or affected by the condition. VCT Counselling and Testing

- h. **Management Training and Support** - the service provider must be in a position to provide JPC with Professional expertise that will give motivational talks to empower management based on issues identified and how certain subject matters can be dealt with appropriately to improve employee's work performance.

I. Referral Services to appropriate resources outside the Employee Wellness Programme.

The service provider must have access to an extensive database of approved private and public resources which employees will be referred to, if the nature of their requirements falls outside the scope of their Employee Wellness Programme. The service provider will facilitate the process of referring employees to suitable qualified professionals including social workers, psychologists, medical, financial and legal practitioners.

ANNEXTURE “B”

Functionality Criteria

No.	Description	Rate	Scoring
1.	Experience Service Provider should at least have five (5) to ten (10) years' experience in EAP management services. More than 5 years' experience = 5 points More than 6 years' experience = 10 points 10 years' experience and more = 15 points	15	
	The practitioners must have three (3) years or		

more experience in EAP management.	5
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Proof of registration not submitted = 0 points

Proof of registration submitted = 5 points

Total Accreditation of Service Provider

Company profiles indicating their structure,
service offerings and Training Facilitators CV's
with overall experience. 10

5 years' experience= 10 points

4 years' experience = 5 points

3 years' experience = 3 points

Overall Weighting	35
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2 Total Accreditation of Service Provider

Proof of registration with the Health Professional
Council of South Africa (HPCSA) for practitioners 10
who will be managing cases for
JPC and must be attached to the proposal.

Proof of registration not submitted = 0 points

Proof of registration submitted = 10 points

Overall Weighting	10
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3.	<p>Methodology and approach</p> <p>Demonstrate how you would ensure the interventions offered for EAP are in line with JPC's context (as outlined in the scope of work).</p> <p>The proposal should include the following:</p> <ul style="list-style-type: none"> - Systems/tools and processes utilized to conduct EAP assessments. 	15	
	<p>Substance Abuse, Critical Incident Service including the following: Crisis or Emergency, Grief Counseling, Fitness for Duty, Threat of Violence Potential Sexual Harassment (as outlined in the scope of work) - prompt and professional trauma debriefing and counselling.</p> <ul style="list-style-type: none"> - Personal Counselling (Face to Face) - HIV/AIDS and other dreaded diseases education, counselling and support. - Executive Assessments and Intervention plans with medical programmes. - Communication and Reporting Analysis - Monthly, Quarterly and Annual statistical confidential EAP usage report. - Referral Services to appropriate resources Outside the Employee Wellness Programme. 	<p>10</p> <p>10</p> <p>10</p>	

	Overall Points/Weighting	45
	Total Points	100

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state*.
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 and/or take an oath declaring his/her interest.

3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name:

3.2 Identity Number:

3.3 Company Registration Number:

3.4 Tax Reference Number:

3.5 VAT Registration Number:

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

3.6.1 If so, furnish particulars.

.....

.....

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

3.7.1 If so, furnish particulars.

.....

.....

3.8 Do you, have any relationship

* 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.

(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

3.8.1 If so, furnish particulars.

.....

3.9 Are you, aware of any relationship (family, friend, other) between a 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

3.9.1 if so, furnish particulars

.....

3.10 Are any of the company's directors, managers, principle shareholders or stakeholders in service of the state?

YES/NO

3.10.1 If so, furnish particulars.

.....

3.11 Are any spouse, child or parent of the company's directors, managers, principle shareholders or stakeholders in service of the state?

YES/NO

3.11.1 If so, furnish particulars.

.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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	Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	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)? (To access this Register enter the National Treasury's website, www.treasury.gov.za , click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	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:		
Item	Question	Yes	No
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

Js367bW

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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 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 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.

MBD9

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