

## OPEN REQUEST FOR QUOTATION (RFQ) PROCESS

SERVICE PROVIDER NAME: \_\_\_\_\_

### REQUEST FOR QUOTATION FOR GOODS AND SERVICES FOR JPC

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

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>DATE OF ADVERT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>03 June 2021</b>                                                                                                                                                        |
| <b>CLOSING DATE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>10 June 2021</b>                                                                                                                                                        |
| <b>RFQ NUMBER:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>RFQ 126/2021</b>                                                                                                                                                        |
| <b>BUILDING</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <ul style="list-style-type: none"> <li>• ACA Krans Building :35 Symonds Street, Auckland Park</li> </ul>                                                                   |
| <b>DESCRIPTION OF GOODS/SERVICES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Request for quotations for the appointment of a service provider for pest control services at ACA Krans Building :35 Symonds Street, Auckland Park, for a one month period |
| <b>SCOPE OF WORK AND BACKGROUND</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                            |
| <p>The following services are requirement and regulated by the Occupational Health and Safety Act 85 of 1993 and the Fertilizers, Farm Feeds, Agricultural Remedies and stock Remedies Act 26 of 1947, The pest control services are to be executed monthly or as required in all area of the building to prevent infestation of rodents and insects</p> <p>The pest control services are required to eliminate and/or prevent pest issues that might cause infestation and diseases to staff based in the building</p> |                                                                                                                                                                            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RFQ SPECIFICATION<br/>FORMS/ DOCUMENTS<br/>WERE SENT VIA EMAIL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>The JPC Website – <a href="http://www.jhbproperty.co.za">www.jhbproperty.co.za</a> and JPC<br/>Notice Board</b><br><br><b>OR</b><br><br><b>FROM                    3<sup>rd</sup> Floor, Forum 1<br/>Braam Park<br/>33 Hoofd Street<br/>Braamfontein<br/>2017</b> |
| <p align="center"><b><u>COMPULSORY REQUIREMENTS</u></b></p> <p>The Assigned technicians/operators of the successful service provider must be registered and possess a valid Pest Control Operators/s License (structural pest control) in terms of section 10 of the Pest Control Operators Regulation – Act 36 of 1947</p> <p>The technicians who will be assigned to the site must also be registered and possess valid Pest Control Operation Licenses (structural pest control)</p> <p><b>Submission of all required documents</b></p> <ul style="list-style-type: none"> <li>➤ <b>Valid VAT</b></li> <li>➤ <b>Valid CSD Central Supplier Database</b></li> <li>➤ <b>Pest Control Operators/s License</b></li> <li>➤ <b>Service provider must 100 % black owned</b></li> <li>➤ <b>MSDS Sheet for Chemicals used</b></li> </ul> <p><b>Failure to attached the required document will result in automatically disqualified</b></p> |                                                                                                                                                                                                                                                                      |
| <b><u>SUBMISSION OF<br/>QUOTES:</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p align="center"><b>3<sup>rd</sup> Floor<br/>Forum 3, Braampark<br/>33 Hoofd Street<br/>Braamfontein<br/>2017</b></p> <p><b>Submissions must be deposited into the RFQ Box at the<br/>Reception area. No emailed submissions will be accepted.</b></p>              |
| <b>TIME:<br/>CLOSING DATE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p align="center"><b>10 JUNE 2021<br/>10:30</b></p>                                                                                                                                                                                                                  |
| <b>ENQUIRIES:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p align="center"><b>Dheeran Rhamdhari 083 272 1592</b></p>                                                                                                                                                                                                          |

Proposals 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 & JPC's Supply Chain Management Policies and Procedure

### CHECKLIST

SCM NO: RFQ 126/2021

**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.  | Certified Copy of BBBEE certificate.                                                                                                                                       |   |
| 7.  | Valid Tax Clearance Certificate or Pin number                                                                                                                              |   |
| 8.  | Empowerment Plan and employment statistics (youth, women and people with disabilities)                                                                                     |   |
| 9.  | All alterations must be signed.                                                                                                                                            |   |
| 10. | Quotation is signed                                                                                                                                                        |   |
| 11. | UIF                                                                                                                                                                        |   |
| 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)                                                                                                                              |   |

**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.**



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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. UIF.
11. Professional Indemnity Insurance
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.

**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. **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

I certify that the information supplied is correct and I have read and understood the JPC General Conditions and Policies and Procedures and accept same

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 QUOTATIONSS |                   |
|-------------------------|-------------------|
| RFQ NUMBER              | RFQ DATE          |
| RFQ 126/2021            | 03 JUNE 2021      |
| CONTACT PERSON          |                   |
| NAME:                   | Dheeran Rhamdhari |
| TEL No:                 | 083 272 1592      |

**Submission Deadline:** 10 JUNE 2021  
**Submission Time:** 10H30AM

**VALIDITY OF RFQ: 60 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.

Points will be allocated as follows:

|                                           |                                            |
|-------------------------------------------|--------------------------------------------|
| <b>Price</b>                              | <b>80</b>                                  |
| <b>Points for B-BBEE (Max of 20):</b>     | <b>20</b>                                  |
| <b>B-BBEE status Level of Contributor</b> | <b>Number of Points<br/>(80/20 system)</b> |
| 1                                         | 20                                         |
| 2                                         | 18                                         |
| 3                                         | 14                                         |
| 4                                         | 12                                         |
| 5                                         | 8                                          |
| 6                                         | 6                                          |
| 7                                         | 4                                          |
| 8                                         | 2                                          |
| Non-Compliant contributor                 | 0                                          |
|                                           |                                            |
|                                           |                                            |





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|                     |  |
|---------------------|--|
| SIGNATURE OF BIDDER |  |
|---------------------|--|

|          |  |
|----------|--|
| CAPACITY |  |
|----------|--|

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

**REQUEST FOR QUOTATION (RFQ) NUMBER: RFQ 126/2021**

**SPECIFICATIONS / SCOPE OF WORK:**

**REQUEST FOR QUOTATIONS FOR THE APPOINTMENT OF A SERVICE PROVIDER FOR PEST CONTROL SERVICES AT ACA KRANS BUILDING: 35 SYMONDS STREET, AUCKLAND PARK, FOR A ONE MONTH PERIOD**

**SPECIFICATION**

|                 |
|-----------------|
| Fumigation Type |
|-----------------|

|                                                                                                        |
|--------------------------------------------------------------------------------------------------------|
| Spraying of odourless insecticides or other recommended treatment methods in all areas inside building |
|--------------------------------------------------------------------------------------------------------|

|                                                                |
|----------------------------------------------------------------|
| Supply and service of bait boxes for offices (Inside building) |
|----------------------------------------------------------------|

|                                                           |
|-----------------------------------------------------------|
| Supply and service of bait boxes for exterior of building |
|-----------------------------------------------------------|

**EUREKA HOUSE**

**SITE AREA: 2 166 m2**

| ITEM NO | DESCRIPTION                                  | UNIT | QTY   | UNIT PRICE | AMOUNT |
|---------|----------------------------------------------|------|-------|------------|--------|
| 1       | Estimated Pest Control Price for Entire Site | M2   | 2 166 |            |        |
| 2       | Rodent Tamper Proof Boxes                    | NO.  | 50    |            |        |
|         | Rodent Tamper Proof Service                  | NO.  | 50    |            |        |



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|   |                      |     |    |                      |  |
|---|----------------------|-----|----|----------------------|--|
| 3 | Cardboard Balt Boxes | NO. | 50 |                      |  |
|   |                      |     |    | <b>SUB-TOTAL</b>     |  |
|   |                      |     |    | <b>TOTAL EXC VAT</b> |  |
|   |                      |     |    | <b>TOTAL INC VAT</b> |  |

**\*All these figures are estimates and to be confirmed on site during installation.**

**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.
- Vendors not registered for Value Added Tax with SARS will be treated

## MBD 4

## 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, shareholder<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 / shareholders 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, principle 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.

| Full Name | Identity Number | State Employee Number |
|-----------|-----------------|-----------------------|
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |

.....  
**Signature**

.....  
**Date**

.....  
**Capacity**

.....  
**Name of Bllder**

## 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>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.</p> | Yes<br><input type="checkbox"/> | No<br><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>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.</p>                                                                                                                                                                                                                                                                            | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.2.1 | If so, furnish particulars:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                 |                                |
| 4.3   | <p>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?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Yes<br><input type="checkbox"/> | No<br><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<br><input type="checkbox"/> | No<br><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<br><input type="checkbox"/> | No<br><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**

Ja367bW

**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.

<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.

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**