



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

**Administrative enquiries:** Sonika Idas **Tel:** 021808 8977 **E-mail:** Stores.temp2@stellenbosch.gov.za

Dear Sir / Madam

## REQUEST FOR FORMAL WRITTEN PRICE QUOTATIONS: **Books and DVD's**

Kindly furnish me with a written quotation for the service indicated above and as depicted in the document.

The quotation must be submitted on the letterhead of your business with completed MBD supporting documentation and emailed to [Stores.temp2@stellenbosch.gov.za](mailto:Stores.temp2@stellenbosch.gov.za) by not later than **20 March 2020 at 15h00** with **Books and DVD's** as reference

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The following conditions will apply:

- No quotations will be accepted from service providers who are not registered on the Centralised Supplier Database (CSD). For enquiries regarding registration on CSD, contact Nicolene Hamilton at Tel no: 021 808 8594 or [nicolene.hamilton@stellenbosch.gov.za](mailto:nicolene.hamilton@stellenbosch.gov.za)
- Price(s) quoted must be valid for at least ninety (90) days from closing date of this request.
- Price(s) quoted must be firm and must be inclusive of VAT.
- A firm delivery period must be indicated.
- All quotations must be accompanied by the enclosed MBD documents. The enclosed Declaration of interest (MBD 4), Preference points claim form in terms of the Preferential Procurement Regulations 2017 (MBD 6.1), Declaration of bidder's past Supply Chain Management practices (MBD 8) and Certificate of Independent Bid Determination (MBD 9), must be scrutinized, duly completed and submitted together with your quotation.
- Late or faxed quotations will not be considered.
- The Municipality reserves the right to withdraw any invitation to quote and/or to re-advertise.
- The Municipality does not bind itself to accept the lowest quotation, part of a quotation or any quotation.
- Where brands are mentioned – similar or equivalent will be considered, submit details
- Quotations are based on supply and delivery
- Quotations are subject to the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract.

**Failure to comply with these conditions may invalidate your offer.**

**NB: NO QUOTATIONS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (see definition on MBD 4 attached)**

MSCM regulations: "in the service of the state" means must be -

- a) a Member of -
  - (i) any municipal Council;
  - (ii) any provincial legislature; or
  - (iii) the national Assembly or the national Council of province;
- 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) an executive member of the accounting authority of any national or provincial public entity; or
- f) an employee of Parliament or a provincial legislature



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**DETAILS OF BIDDER (THE FOLLOWING PARTICULARS MUST BE FURNISHED)**

Name of firm / entity / enterprise	
Trading as (if different from above)	
CSD number	MAAA.....
Postal address of enterprise / Business	Line 1 : _____ Line 2: _____ Town/City _____ Postal code: _____
Physical address of enterprise / Business	Line 1 : _____ Line 2: _____ Town/City _____
Contact details of the person signing the bid, being duly authorised to do so:	Name: _____ Telephone: _____ Cellular : _____ E-mail address: _____
Contact details of the person responsible for overseeing contract performance:	Name: _____ Telephone: _____ Cellular : _____ E-mail address: _____
Company income tax number	
Tax Compliance Status System PIN issued by SARS	
VAT registration number	
Company registration number	
Banking details	Name of account holder: _____ Name of bank: _____ Account number: _____ Branch code: _____



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## Specifications DVD's

Description		ISBN	Unit price Incl. VAT
A star is born	DVD	6009709165719	
Acrimony	DVD	6004416137644	
Aftermath	DVD	6009710441237	
Archangel	DVD	5060352301199	
Avengers : End game	DVD	6004416140354	
Ben is back	DVD	6004416139044	
Black Panther	DVD	6004416135107	
Collide	DVD	6004416132663	
Dennis the menace: Christmas story	DVD	6003805077400	
Ellen:die storie van Ellen Pakkies	DVD x	6004416138443	
Exists	DVD	5030305518073	
Gifted	DVD	6009707519000	
I'm not ashamed	DVD	857000006095	
In the night garden	DVD	5012106937338	
Morgan	DVD	5039036078887	
Proud Mary	DVD	6004416135138	
Second Act	DVD	6009709166257	
Tess	DVD	6009707517341	
The dark tower	DVD	6004416133554	
The Guest	DVD	6004416125641	
The Healer	DVD	6009709166691	
The Permission	DVD	6009709161948	
The Post	DVD	6009709161863	
The Ritual	DVD	9780312641849	
The Summit	DVD	5055002558948	
The sun is also a star	DVD	6009710442050	
Top Wing	DVD	6009709166226	
Traffik	DVD	6009709163546	
Treurgroend	DVD	6003805929907	
Tully	DVD	6004416138078	
Two mothers	DVD	0807839007114	
Ugly dolls	DVD	6009710441831	
Unbroken	DVD	6009700331173	
Verraaiers	DVD	6004416114751	
Wonder	DVD	6009709161177	
Wonder Park	DVD	6009710441671	
Kampterrein	DVD x 2	6009706911485	
Vaselintjie	DVD	6004416133448	
Raaiselkind	DVD	6009709162211	
Deur na my hart	DVD	6583421699151	



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Stroppers	DVD	6009710441244	
Stroom op	DVD	6004416140309	
Fiela se kind	DVD	6004416140637	
Tess	DVD	6009707517341	
Eintlik nogal baie	DVD	6009707514357	
Vir die voels	DVD	6004416131079	
Sy klink soos Lente	DVD	6004416130706	
Noem my Skollie	DVD	6004416130683	
Vrou soek Boer	DVD	6003805924513	
Pad na jou hart	DVD	6004416119701	
Love lives here	DVD	6009710441541	
Juno	DVD	5039036037990	
Pot vol winter	DVD	6009695381924	
Die ongelooflike avonture van Hanna Hoekom	DVD	6003805130235	

## BOOKS

Description		ISBN	Unit price Incl. VAT
Hoogsomerliefde	Marile Cloete	9780799396362	
Lank donker en dierbaar	Madelie Human	9780799396393	
Die verkeerde man	Alexa Steyn	9780799396423	
Reenboogliefde	Magda Schmidt	9780799396454	
N Hart vol sand	Anzil Kulsen	9780799366747	
Kom hier Karnallie	Jenny Oldfield	9780799366891	
Mooi so Toffie	Jenny Oldfield	9780799366907	
Voel jy vrolik	Jaco Jacobs	9780799376227	
Tikketok Takketiek Tok	Jaco Jacobs	9780799376234	
Skitter Skitter kleine ster	Jaco Jacobs	9780799376241	
Bravo Lulu	Fanie Viljoen	9780799375565	
Daar's 'n haai in die bad	Ruth Symons	9780799375572	
Grietjie en die baie honger leeu	Alex T Smith	9780799376050	
Daar's n beer in my boek	Emma Clark	9780799376067	
Kop Skouers Knie en toon	Jaco Jacobs	9780799376210	
Wat n ramp Dr de Goede	R McGeddon	9780799366600	
Vertel my n storie	Wendy Maartens	9780799366655	
Dierte Hotel: Groot verassing	Kate Finch	9780799366501	
Wat n ramp Breinslym	R McGeddon	9780799366587	
Speurder Annika	Elmarie Botes	9780799362848	
Towerpot	Wendy Maartens	9780799379181	
Groen vingers	Jaco Jacobs	978079979204	
Slaapydstories	LAPA	9780799374117	
Speeltydstories	LAPA	9780799374124	
Moenie T-rex vir ete nooi nie	Gareth Edwards	9780799379051	
Die mammawinkel	Abie Langstaff	9780799377286	
Prinses Pippie verjaar	Mariska Le Grange	9780799359121	



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Dino's hou partytjie	Gareth Jones	9780799378962	
Viskos	Jaco Jacobs	9780799373942	
The affair	Lee Child	9780553841008	
Blue moon	Lee Child	9781787630277	
Die trying	Lee Child	9780857500052	
Echo burning	Lee Child	9781846572425	
One shot	Lee Child	9780857501196	
Midnight line	Lee Child	9780593078181	
Personal	Lee Child	9780857502674	
Persuader	Lee Child	9780857500106	
A wanted man	Lee Child	9780553825534	
Without fail	Lee Child	9786593046883	
Gideon se geskenk	Karen Kingsbury	9781415321294	
See me	Nicholas Sparks	9781455520602	
Two by two	Nicholas Sparks	9780751550047	
Dear John	Nicholas Sparks	9780446618304	
At first sight	Nicholas Sparks	9787455545384	
The last song	Nicholas Sparks	9780751543261	
Ettie Bierman Keur 7	Ettie Bierman	9780624053958	
Net n mens	Alta cloete	9780799380903	
Inni skylte vanni Jirre	Hans du Plessis	9780799328752	
Lira	Chanette Paul	9780799394474	
Doodsroeper	Rika Cloete	9780799383126	
Regte Kandidaat, Onder sterre en Ongeslypte liefde	-	9780799385731	
Moordhuis	Madelein Rust	9780799385007	
Onvergeetlike oomblikke	Dina Botha	9780799388077	
Living coloured	Yusuf Daniels	9781431428816	
Ena Murray Keur 17	Ena Murray	9780624084914	
Ena Murray Keur 18	Ena Murray	9780624084877	
Ena Murray Keur 14	Ena Murray	9780624082910	
Schalkie van Wyk Keur 15	Schalkie van Wyk	9780624083528	
Helene de Kock Keur 3	Helene de Kock	9780798177504	
Brandwaterkom	Alexander Strachan	9780624073369	
Ligaman	Magdaleen Walters	9780799393712	
Net 'n lewe	Franci Phillips	9780799351606	
Die uitgeworpene	Beverley Lewis	9781868298297	
Die afrekening	Beverley Lewis	9781868298563	
Logika van die liefde	Marilee Cloete	9780799390858	
Mentje – kind van die Pas-Opkamp	Irma Joubert	9780799385939	
Katelknaap	Leon van Nierop	9781485903550	
Grensgeval	Marita van der Vyfer	9781485903796	
Die belydenis	Beverley Lewis	9781868297802	
Blind side	James Patterson		



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Die meesterstuk	Francine Rivers	9781431617401	
Bet-El	Helena Hugo	9780796320520	
In sy voetspore	Jaco Thom	9781770312685	
In die skadu van n engel	Jaco Thom	9781432200817	
Elim	Helena Hugo	9780796319722	
Sandveldstories	Ferdinand Deist		
Kristalvlakte	Amy Jephtha	9780624080008	
Gifbeker	Irma van Zyl	9781485903680	
Spieelbeeld	Frans Marx	9781485303992	
Mirre	Chanette Paul	9780799398175	
Ontwakende passie	Dina Botha	9780799342994	
'n Man vir altyd	Marilee Cloete	9780799385403	
27 Grootdruk blokraaisel No.1	-	9780799371604	
The little blue box of bright and early board books by Dr Seuss	Dr Seuss	9780307975867	
The little green box of bright and early board books by Dr Seuss	Dr Seuss	9780525648147	
The little red box of bright and early board books (20 books)	P D Eastman	9780385392075	
N Tuin vir Tessa	Helena Hugo	9780796321084	
Hartsbesit	Anna van Tonder	9780799395617	
Oopmond	Jan Vermeiren	9780799389319	
N Belofte vir Bippi	Elsa Winckler	9780796321459	
Die wolkversamelaars	Nadia de Kock	9780795709036	
Ter wille van jou	Magdaleen Walters	9780799399158	
Bloedfamilie	Elsa Hamersma	9780799399271	
Omdat ons saam is	Elsa Winckler	9780799398717	
Tania se liefdes	Jolene de Koningh	9780799398618	
Strykstok van die hart	Lizelle von Wielligh	9780799398649	
Corali	Chanette Paul	9780799398670	
Wilde Jasmyn vir Steyn	Rosita Oberholster	9780799398496	
Die Alfa dokument	Rene van Zyl	9780799396799	
Eendag is nou	Kristel Loots	9780799398427	
Klaskamer	Vita du Preez	9780799397277	
Blinde gode	Dibi Breytenbach	9780799398205	
Seks leuns en die Internet	Erla-Mari Diedericks	9780799393415	
Eendag is nou	Kristel Loots	9780799398427	
Donatello en die volksie	Marion erskine	9780795802078	
Keegan en Samier: die sleutelspeurders	Andre Jacobs	9780799397666	
Sasha word stil	Jacob Jacobs	9780799395877	
Blou Maandag	Jenny Robson	9780625033393	
Cowboy Koekemoer en die soutwatergogga	Henry Ferreira	9780799394887	
Draakasem	Jaco Jacobs	9780799394122	





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Monsterpizza	Jaco Jacobs	9780799395730	
Vakansie pret: son see en dolfyne	Theresa van Baalen	9780799394030	
Wilde Wikus	Jaco Jacobs	9780799394900	
Aksieheld Austin: onheil op Skedelbaai	Fanie Viljoen	9780799393132	
Die groot koele	Leon de Villiers	9780799389258	
Die legendariese Lua Verwey 2: 'n plaas se geraas	Dihanna Taute	9780798178839	
Die skandalige 3 susters Smit	Adeline Radloff	9780624086802	
Die spookperd van Skimmelkrans	Mary Sadler	9781928482024	
Lea lief seeskilpaaie: avonture by die akwarium	Cecilia Steybn	9780799395716	
Olke Bolke Lulu	Fanie Viljoen	9780799397741	
Pieksel	Fanie Viljoen	9780799394108	
Zackie Mostert en die monster melkskommel	Jaco Jacobs	99780799390612	



**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.
- 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): .....

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. ....

.....

\*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 executive 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:

.....  
.....



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

Full Name	Identity Number	State Employee Number

.....  
**Signature**

.....  
**Date**

.....  
**Capacity**

.....  
**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, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> , 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"/>



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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? (attached copy of payment arrangements of arrears account)	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"/>
4.5.1	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 documentation:

---

**REQUEST**

---

in response to the invitation for the bid/written quotation/formal quotation made by:

---

**STELLENBOSCH MUNICIPALITY**

---

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 Contractor)

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" must 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





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**MBD9**

- 6 The contractor has arrived at the accompanying proposal 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 proposal;
  - e) the submission of a proposal which does not meet the specifications and conditions of the proposal; or
  - f) propose with the intention not to win the bid/formal quotation/written quotation.
- 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 invitation relates.
- 9 The terms of the accompanying bid/formal quotation/written quotation have not been, and will not be, disclosed by the contractor, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the 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 Contractor

<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.