STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

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 b id, 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:_____

TECHNICAL SPECIFICATIONS AND CONDITIONS

Supply and delivery of:

Job Readiness Programme Together Franschhoek: Catering (190)			
	NEW DATES 13 & 20 APRIL 2021		
Item no	Item Description	Quantities	Packaging size
	13 APRIL 2021		
1	**Refreshments**		
	500ml bottled water	50	single
	340ml assorted juice	25	single
	Tea and Coffee	25	single
	Assorted Biscuits	50	individually wrapped
2	**Lunch**		
	2 x 2 slice sandwiches with 1 fruit	25	Individually pre-packed
	Assorted filling for above sandwiches consisting of: Cheese and Tomato, Ham		
	and Cheese		
	20 APRIL 2021		
1	**Refreshments**		
	500ml bottled water	50	single
	340ml assorted juice	25	single
	Tea and Coffee	25	single
	Assorted Biscuits	50	individually wrapped
2	**Lunch**		
	2 x 2 slice sandwiches with 1 apple	25	Individually pre-packed
	Assorted filling for above sandwiches consisting of: Cheese and Tomato, Ham		
	and Cheese		
	VENUE: Franschhoek Town Hall		
	SET-UP REQUIREMENTS		
	Serving Times:		
	Coffee and Tea: 10 am		
	Lunch: 12 am		
	Set-up must adhere to Covid Protocols and allow for social distancing		
	ADDITIONAL ITEMS		
	Urn, crockery, cutlery and table clothes must be included in the quotation.		
	70% Alc Hand Sanitizer	1	5l

Kindly provide me with a quotation for the following project event on behalf of Social Development Services: (See specification detail below).

- *For further detailed enquiries about this event you may contact Portia Jansen at: (021) 808 8423 / Portia.Jansen@Stellenbosch.gov.za*
- *The event date is mentioned below however should you be the successful SP, the event arrangement must be done with Portia Jansen.*
- *The MBD Documentation must be completed, if a recent completed set is available, include it with all your responses. (Kindly include the event name/detail on your quotation).*
- *It is the service provider's responsibility to ensure a tax compliant status on CSD at all times and adherence to COVID 19 regulations and protocol.*
- *The quotation must be include VAT where applicable and must be detailed and priced per item No as the specification with the Total (Inclusive of VAT)*
- *The successful service provider to further communicate with Portia Jansen after awarding of this RFQ.*

Signed quotations must be submitted via email only (Astrid.Luyt@stellenbosch.gov.za).
No submissions per hand for this RFQ.

CLOSING DATE FOR SUBMISSION OF QUOTATION:
09 April 2021 @ 15h00

PART D: MBD 9 CERTIFICATE OF INDEPENDENT BID DETERMINATION

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

This Municipal Bidding Document (MBD) must form part of all bids[1] invited.

Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).[2] Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

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. takes 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. cancels 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.

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.

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 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 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[3] 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.
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.

[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.

…… ……

SIGNATURE DATE

…….. ……..

POSITION NAME OF BIDDER

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state[1].

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[2]):
……..

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.
…..……..……

……..……
……

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 _____
_____

[1]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) an executive member of the accounting authority of any national or provincial public entity; or
(f) an employee of Parliament or a provincial legislature.

[2] 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.

3.10 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 Bidder**