



Administrative enquiries: Lindsay Linders **Tel:** 0218088522 **e-mail:** Lindsay.linders@stellenbosch.gov.za

Dear Sir / Madam

REQUEST FOR FORMAL WRITTEN PRICE QUOTATIONS: BIRD CONTROL INSTALLATIONS: STELLENBOSCH WASTE WATER TREATMENT WORKS AND NEETLINGSHUIS

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 Lindsay.linders@stellenbosch.gov.za by not later than **12 May 2021 at 11h00** with **BIRD CONTROL INSTALLATIONS: STELLENBOSCH WASTE WATER TREATMENT WORKS AND NEETLINGSHUIS** as reference

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
- 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: _____



SPECIFICATIONS

Qty	Description: Bird Control Installations: Stellenbosch Waste Water Treatment Works and Neetlingshuis
<p>46 meters</p>	<p>Specifications</p> <p>Supply and Installation of Galvanised Bird Mesh to be installed around the roof edges at Stellenbosch Waste Water Treatment – for birds to have no entry.</p> <div data-bbox="308 801 512 1057" data-label="Image"> </div> <div data-bbox="518 801 1038 1057" data-label="Image"> </div> <div data-bbox="308 1066 798 1321" data-label="Image"> </div>
<p>60 meters</p>	<p>Supply and Installation of V-spike stainless-steel bird spikes to be installed on top of the airconditioners (grade 316) at Neetlingshuis and Stellenbosch Waste Water Treatment</p> <div data-bbox="359 1585 1182 1888" data-label="Image"> </div>



Qty	Description: Bird Control Installations: Stellenbosch Waste Water Treatment Works and Neetlingshuis
2	<p>Supply and Install 2 x wind driven reflectors</p> <p>The Reflector:</p> <ul style="list-style-type: none"> - Must be manufactured from durable ABS plastic and coated with a highly reflective coating to reflect light while absorbing very little Ultra Violet. - The design and structure of the reflector is resistant to damage from falling objects like hail or golf balls. - Two wind-sensitive cups to drive the unit in the slightest of breezes - Sealed double bearing configuration to ensure durability and wind sensitivity. - The reflector should include mounting brackets. 
	<p>General</p> <ul style="list-style-type: none"> - The cost must include supply and installation of the bird proofing. - The building at Waste Water Treatment Plant is a single story. - Neetlingshuis is a double story building. - The price must include a 2-year guarantee on the products and workmanship. - Health and Safety must be adhered to. <p>Health and Safety file to be submitted to Stellenbosch Municipality.</p>



Local Content

Description of services, works goods	Components	Stipulated minimum threshold as a %
Fasteners	Bolts, nuts, rivets, nails	100%
Wire Products	Mesh reinforcing	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.
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.

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.



3.9 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:

.....

.....



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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder



MBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably). **The guidance document for the calculation of local content is available on request and on the municipality's website by following the Supply Chain Management link.**

Before completing this declaration, bidders must study the following:

1. General Conditions,
2. Definitions,
3. Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011; and
4. the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 and the guidance on the calculation of local content together with the local content declaration templates which are:
 - i. Annexure C – local content declaration : summary schedule
 - ii. Annexure D – imported content declaration: supporting schedule to annexure C and
 - iii. Annexure E – local content declaration: supporting schedule to annexure C.

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) makes provision for the promotion of local production and content.
- 1.2. Regulation 8(1) prescribes that in the case of designated sectors, where in the award of bids local production and content, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Regulation 9(4) prescribes that where there is no designated sector, a specific bidding condition may be included, that only locally produced services, works or goods or locally manufactured goods with a stipulated minimum threshold for local production and content, will be considered.
- 1.4. Where necessary, for bids referred to in paragraphs 1.2 and 1.3 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4.1. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = 1 - \left(\frac{x}{y} \right) \times 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange



rate published by South African Reserve Bank (SARB) at 12:00 on the date of the advertisement of the bid.

1.6. A bid will be disqualified if:-

- i. the bidder fails to achieve the stipulated minimum threshold for local production and content indicated in paragraph 3 below; and
- ii. this declaration certificate and annexure C (Local content declaration: summary schedule) is not submitted as part of the bid documentation.

2. Definitions

2.1. "bid" includes advertised competitive bids, written price quotations or proposals;

2.2. "bid price" price offered by the bidder, excluding value added tax (VAT);

2.3. "contract" means the agreement that results from the acceptance of a bid by an organ of state;

2.4 "designated sector" means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;

2.5 "duly sign" means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility (close corporation, partnership or individual).

2.6 "imported content" means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad, plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;

2.7 "local content" means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;

2.8 "stipulated minimum threshold" means that portion of local production and content as determined by the Department of Trade and Industry; and

2.9 "sub-contract" means the primary contractor's assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.

3. The stipulated minimum threshold(s) for local production and content for this bid is/are as follows:-

#	Description of services, works or goods	Stipulated minimum threshold as a %
A	Steel value added products	100%
1	electrical and telecom cables are designated	90%
2	Steel tubing	100%
3.	Pipe and Steel	100%

4. Does any portion of the services, works or goods offered have any imported content?



(Tick applicable box below)

YES		NO	
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4.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of the advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za.

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to annexure A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate(s) of exchange used.

5. Were the Local Content Declaration Templates (Annex C, D and E) audited and certified as correct?(*Tick applicable box*)

YES		NO	
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5.1. If yes, provide the following particulars:

Full name of auditor	
Practice number	
Telephone and cell number	
Email address	

Documentary proof regarding the declaration will, when required, be submitted to the satisfaction of the Accounting Officer.

6. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the Accounting Officer provide directives in this regard.



LOCAL CONTENT DECLARATION
(REFER TO ANNEXURE B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF FQ/SM NO:

ISSUED BY: Stellenbosch Municipality

NB: The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annexure C, D and E) is accessible on <http://www.thedti.gov.za/industrial development/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C.

Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made. Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),

do hereby declare, in my capacity as

of (name of bidding entity), the following:-

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286.
- (c) The local content has been calculated using the formula given in clause 3 of SATS 1286, the rates of exchange indicated in paragraph 4.1 above and the following figures:-

Bid price, including VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286	

If the bid is for more than one product, a schedule of the local content by product shall be attached.

(d) I accept that the municipality has the right to request that the local content be verified in terms of the requirements of SATS 1286.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the municipality imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Policy Framework Act (PPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS 1: _____

DATE: _____

WITNESS 2: _____

DATE: _____



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Note: It should be noted that the **SABS** approved technical specification number **SATS 1286:2011** and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates (attached)[Annexure C (Local Content Declaration: Summary Schedule), D (Imported Content: Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annexure C)] are accessible to all potential bidders on the dti's official website <http://www.thedti.gov.za/industrialdevelopment/ip.jsp> at no cost.

ANNEXURE C								SATS 1286.2011			
Local Content Declaration – Summary Schedule											
(C1) Tender No.								NOTE: VAT to be excluded from all calculations			
(C2) Tender Description											
(C3) Designated product(s)											
(C4) Tender Authority											
(C5) Name of Tendering Entity											
(C6) Tender Exchange Rate		Currency				Rate					
(C7) Specified local content %											
Calculation of local content											
Tender Item No's	List of Items	Tender Price – each	Exempted imported value	Tender value net of exempted imported content	Imported value	Local value	Local content % (per item)				
(C8)	(C9)	(C10)	(C11)	(C12)	(C13)	(C14)	(C15)				
								(C20) Total tender value			
								(C21) Total Exempt imported content			
								(C22) Total Tender value net of exempt imported content			
SIGNATURE OF TENDERER AS PER LOCAL CONTENT DECLARATION								(C23) Total Imported content			
DATE								(C24) Total local content			
								(C25) Average local content % of tender			

FQ/SM 117/21: SUPPLY AND INSTALLATION OF ICT INFRASTRUCTURE AT 135 DORP STREET, TRANSVALIA 4, STELLENBOSCH

SATS 1286.2011

Imported Content Declaration – Supporting Schedule to Annexure C

NOTE: VAT to be excluded from all calculations

C. Imported by a 3rd party and supplied to the Tenderer

Calculation of imported content

Summary

C. Imported by a party and supplied to the tenderer						Calculation of imported content					Summary	
Description of imported content	Unit of measure	Local supplier	Overseas supplier	Foreign currency value as per Commercial Invoice	Tender Exchange Rate	Local value of imports	Freight costs to port of entity	All locally incurred landing costs & duties	Total landed cost		Quantity imported	Total imported value
(D33)	(D34)	(D35)	(D36)	(D37)	(D38)	(D39)	(D40)	(D41)	(D426)		(D43)	(D44)
									(D45) Total imported value by 3 rd party			

D. Other foreign currency payments

Calculation of imported content

Summary of Payments

[illegible]

SIGNATURE OF TENDERER AS PER LOCAL CONTENT DECLARATION

This total must correspond with Annex C – (C23)

DATE _____

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	No
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	No



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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	No
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	No
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	No
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 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 *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:

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.



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MBD9

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



- 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 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 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

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.