

**REQUEST FOR QUOTATION (RFQ)**

<b>RFQ</b>	<b>RFQ/HC/2022/58</b>
<b>RFQ ISSUE `DATE</b>	<b>23 MAY 2022</b>
<b>RFQ DESCRIPTION</b>	<b>APPOINTMENT OF MULTIPLE SUITABLE SERVICE PROVIDER FOR THE PROVISION OF AN ONLINE RECRUITMENT PLATFORM FOR A PERIOD OF 24 MONTHS (2 YEARS).</b>
<b>COMPULSORY BRIEFING SESSION</b>	<b>N/A</b>
<b>CLOSING DATE &amp; TIME</b>	<b>13 JUNE 2022 AT 1200PM</b>

**Submissions must be emailed to: SABC [RFQSubmissions@sabc.co.za](mailto:RFQSubmissions@sabc.co.za) on or before the closing date of this RFQ.**

**PLEASE NOTE THAT AS FROM 01 JULY 2016 COMPANIES THAT ARE NOT REGISTERED WITH CSD SHALL NOT BE CONSIDERED.**

For queries, please contact **Vusimuzi Kheswa @ [tenderqueries@sabc.co.za](mailto:tenderqueries@sabc.co.za)**

The SABC requests your quotation on the services listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above. Late and incomplete submissions will invalidate the quote submitted.

**SUPPLIER NAME:** \_\_\_\_\_

**POSTAL ADDRESS:** \_\_\_\_\_

**TELEPHONE NO.:** \_\_\_\_\_

**FAX NO.:** \_\_\_\_\_

**E MAIL ADDRESS:** \_\_\_\_\_

**CONTACT PERSON:** \_\_\_\_\_

**CELL NO.:** \_\_\_\_\_

**SIGNATURE OF BIDDER:** \_\_\_\_\_

## **NOTES ON QUOTATIONS AND PROPOSALS SUBMISSION**

1. All electronic submissions must be submitted in a **PDF** format that is protected from any modifications, deletions, or additions.
2. Financial/pricing information must be presented in a **separate** attachment from the Technical / Functional Response information.
3. The onus is on the Bidder to further ensure that all mandatory and required documents are included in the electronic submission.
4. All submissions should be prominently marked with the following details in the email subject line:
  - **RFQ and bidders' name.**
5. Bidders are advised to email electronic submissions at least thirty minutes before the bid closing time to cater for any possible delay in transmission or receipt of the bid. The onus is on bidder to ensure that the bid is submitted on time via email
6. Tender submission emails received after submission date and time will be considered late bid submissions and will not be accepted for consideration by SABC.
7. SABC will not be responsible for any failure or delay in the email transmission or receipt of the email including but not limited to:
  - receipt of incomplete bid
  - file size
  - delay in transmission receipt of the bid
  - failure of the Bidder to properly identify the bid
  - illegibility of the bid; or
  - Security of the bid data.

**NB: THE BIDDER SHOULD ENSURE THAT LINKS FOR WETRANSFER AND GOOGLE DROP BOX EXPIRE AFTER 30 DAYS OF THEIR SUBMISSIONS INSTEAD OF SEVEN DAYS**

## REQUIRED DOCUMENTS

- 1.1 Submit proof of CSD registration
- 1.2 Proof of Valid TV License Statement for the Company; all active Directors and Shareholder must have valid TV Licenses.  
(Verification will also be done by the SABC internally).
- 1.3 Valid SARS Tax Compliance Status Pin Issued to validate supplier's tax matters.
- 1.4 Original or Certified copy of Valid BBBEE Certificate (from SANAS accredited Verification Agency)
- 1.5 All EME's and 51% black Owned QSE's are only required to obtain a **sworn affidavit** on an annual basis, confirming the following;
  - 1.4.1 Annual Total Revenue of R10 Million or less (EME) or Revenue between R10 Million and R50 Million for QSE
  - 1.4.2 Level of Black Ownership

**Note 1:**

**Verification Agencies and Auditors who are accredited by the IRBA (Independent Regulatory Board for Auditors) are no longer the 'approved regulatory bodies' for B-BBEE verification and therefore IRBA auditors are not allowed to issue B-BBEE certificates after 30 September 2016.**

**Note 2:**

**Any misrepresentation in terms of the above constitutes a criminal offence as set out in the B-BBEE act as amended.**

- 1.6 Certified copy of Company Registration Document that reflect Company Name, Registration number, date of registration and active Directors or Members.
- 1.7 Certified copy of Shareholders' certificates.
- 1.8 Submit Proof of Public Indemnity Cover for a minimum of R10 000 000
- 1.9 Certified copy of ID documents of the Directors or Members.

**NB: NO CONTRACT WILL BE AWARDED TO ANY BIDDERS WHO'S TAX MATTERS ARE NOT IN ORDER.**

**NO CONTRACT WILL BE AWARDED TO ANY BIDDERS WHO'S TV LICENCE STATEMENT ACCOUNT IS NOT VALID.**

## **DETAILED TECHNICAL SPECIFICATION**

### **1. BACKGROUND**

South African Broadcasting Corporation (SABC) is a Public Entity founded in August 1936 and listed in terms of Schedule 2 of the Public Finance Management Act, Act No. 1 of 1999, as a public broadcaster in South Africa, and provides 19 radio stations as well as five television broadcasts to the general public.

In the current economic climate, this role is also linked to job creation and entrepreneurship promotion through the development of industries and businesses. It is critical for the organization to have excellent talent or talent acquisition in order to achieve this goal. Furthermore, in a talent war, talent acquisition is a key business lever, and for the corporation to attract talent, it is also important to use a world-class e-recruitment system that will ensure a compelling candidate experience, sound recruitment processes, and the ability to add to business value.

Therefore, we are looking for a reputable, experienced, and technologically innovative service provider, which will ensure that suitable talent and talent pools are provided cost effectively and timely. In addition, to ensure that there is value for the corporation and a seamless integration to the current talent acquisition processes and Human Capital drivers.

### **2. BUSINESS REQUIREMENTS**

The online sourcing system must provide the following:

- Indication of how marketing and communication of system is conducted to ensure that the system is well known and utilised in the market i.e. details of marketing campaigns conducted and provide market and marketing research results.
- Must be able to integrate with the SAP success factors system
- System users (companies) and registered job seekers i.e. the number of registered companies and job seekers, their profile and demographics and how this has expanded overtime.
- Site traffic and system statistics i.e the type of traffic the site obtains, provide usability and functionality statistics and research i.e how different users with different disabilities (visual, auditory, etc.) may be accommodated on the site, provide research data on how users and job seekers rate and evaluate the site user-friendliness, navigation and functionality, how the site can be accessed using social media, mobile cell-phone site and typical laptop browser, etc.

## 1. FIRST PHASE EVALUATION CRITERIA: MANDATORY TECHNICAL REQUIREMENTS

- A point-by-point response is required, i.e., a comment for each point or paragraph that is associated with the numbering should be made.
- The response to technical requirements must state “Comply” or “Non-Compliance.” The bidder must specify how are they complying for each aspect as stated below, including references, or supporting information to clarify the response.
- No response, without detail will be seen as “Non-Compliance”. Specify proof of compliance i.e., page number on technical proposal.

### SCOPE OF MANDATORY TECHNICAL REQUIREMENTS

**Any bidder that does not meet any of the following requirements will be disqualified and not taken to the next phase of evaluation Third Phase: Paper Based Evaluation.**

NO.	ITEMS	COMPLY / NON- COMPLY	Bidder to indicate clearly in their response on full compliance.
1.	<p><b>Job Advertising</b></p> <p>The system must have an ability to publish jobs to multiple channels including the client's own website and intranet, as well as an extended reach and exposure to leading South African websites for added exposure, ensuring that the client's brand and jobs receive maximum exposure to SA's largest pool of quality candidates.</p>		The bidder must indicate how the proposed e-recruitment system will meet this requirement.
2.	<p><b>Candidate Database</b></p> <ul style="list-style-type: none"> <li>• The system must be able to generate our own company 'talent pool' and search for Resumes with advanced search tools.</li> <li>• The Resume database will be automatically searched for candidates who match our job requisition requirements.</li> </ul>		The bidder must indicate how the proposed talent tool and resume database will meet this requirement.
3.	<p><b>Response Handling</b></p> <ul style="list-style-type: none"> <li>• The system must be able to save time and increase efficiency with superior response handling tools including online screening, and resume shortlist features.</li> <li>• The response handling should contain the following functionality: Requisition, job posting, candidate management, searching, screening, and short-listing.</li> </ul>		Suppliers' systems need to demonstrate the efficiency with regards to the response handling and the functionality to the requisition, job posting, candidate management etc.

4.	<b>Sophisticated Integration</b> <ul style="list-style-type: none"> <li>The system should be an interactive system which sends email triggers to the relevant parties to advise on actions needed to move forward in the process (Including automatic closing of adverts and status changes).</li> </ul>		Suppliers' systems need to demonstrate that our system will be able to integrate with their system e.g a smooth integration.
5.	<b>Confidentiality and Security (Ensuring that information practices are secure and confidential)</b> <ul style="list-style-type: none"> <li>The bidder must confirm that they comply with the POPI Act..</li> <li>The system must be able to protect candidate information from unauthorized persons, should be able to use passwords.</li> </ul>		Supplier needs to show or give proof of complying with the POPI Act.
6.	<b>Report Generation</b> The system should have the functionality to generate reports according to organizational requirements. The system should enable recruitment reports from candidate activities, recruitment activities, recruiter performance management and SLA adherence, and turnaround times to fill vacancies.		The supplier model should demonstrate the report modeling function.
7.	<b>System support</b> <ul style="list-style-type: none"> <li>The service provider should indicate the technical support and services that they provide as part of the online recruitment system.</li> <li>The support should indicate how system and upgrades will be managed.</li> <li>In addition, they should provide how an account manager will support queries and manage the relationship.</li> </ul>		The supplier should demonstrate or provide technical support for the system
8.	<b>Training</b> <ul style="list-style-type: none"> <li>The service provider must provide information on the training that is used to accredit users, different types of users, and related information.</li> <li>In addition, training information such as materials, trainers' profile and evaluation of training conducted should ideally be shared.</li> </ul>		The suppliers training for the SABC staff with regards to the systems should be indicated on the proposal.

**NON-COMPLIANCE TO THE MANDATORY TECHNICAL REQUIREMENTS CRITERIA  
WILL RESULT IN AUTOMATIC DISQUALIFICATION IN THE PROCESS.**

## 2. Contract Period

Two (2 Years).

## 3. RFQ Response Information

## Effective Date of Bid

Vendor(s) should state in their offer to the SABC in writing that all information, including price, provided shall remain valid and applicable for 90 days from the date the SABC receives the vendor quotation.

## 4. COSTING

The quotation must reflect a detailed cost breakdown, and any indirect costs with the rendering of the service.

## 5. EVALUATION CRITERIA

### 5.1. *BBBEE and Price*

- The RFQ responses will be evaluated on the **80/20**-point system.

### 5.2. Technical Evaluation

- The RFQ submission will be technically evaluated out of a maximum of **100 points**.
- A threshold of **60 out of 100** has been set.
- Bidder who obtains less than 60 will not be considered for the next phase of evaluation.

### 5.3. Objective Criteria

- SABC further reserve the right not to award this RFQ to any bidder based on the proven poor record of accomplishment of the bidder in previous projects within the SABC.

### Functionality Criterion

Technical Evaluation Criteria	Proof of Document/s	Min Points	Max Points
<b>1. Company Experience</b> The company must have extensive experience in offering online recruitment services, using appropriate tools across all levels within a medium sized organisation within South Africa.	List of online recruitment services provided in the past (indicating how long ago as well as size of the organisations service was provided to)	<b>20</b>	<b>40</b>
• 10 Years		20	
• 8 Years but < 10 years' experience		10	
• 5 Years but < 8 years' experience 1		5	
• < 5 years' experience		0	
<b>2. Proof of subscribers on online platform, e.g provide stats on number of potential candidates or subscribers.</b>		<b>10</b>	<b>10</b>

<b>3. The bidding company must attach proof of delivery at clients for the following:</b>  Please provide reference letters as proof for all online recruitment services provided as per the above. Reference letters must be on client's letterhead	Reference Letters	15	20
• 3 or more reference letters		20	
• less than 3 reference letters		10	
• No letters provided		0	
<b>4. Proposal and Project Methodology :</b> including methodology, milestones, deliverables, and post-implementation support provided. The bidder must provide a proposal in accordance with the scope of work.	Methodology proposal	0	10
<b>5. Lead time</b> Clearly indicate the project delivery lead time :	Gantt Chart	15	20
• Less than 4 weeks		20	
• More than 4- 6 Weeks		15	
• More than 6 Weeks		0	
<b>TOTAL</b>		<b>60</b>	<b>100</b>

## 6. ADJUDICATION USING A POINT SYSTEM

- a. The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder.
- b. Preference points shall be calculated after process has been brought to a comparative basis considering all factors of non-firm prices.
- c. If two or more bids received equal points, the successful bid must be the one with the highest number of B-BBEE preference points. However, when functionality is part of the evaluation process and two or more bids have scored equal points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- d. Should two or more bids be equal in all respect, the award shall be decided by the drawing of lots.

## 7. POINTS AWARDED FOR PRICE

The **80/20** preference point system  
A maximum of **80** points is allocated for price on the following basis:

$$Ps = 80 \left( 1 - \frac{Pt - Pmin}{Pmax - Pmin} \right)$$

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*Pmin*

Where:

Ps = Points scored for comparative price of bid under Consideration  
 Pt = Comparative price of bid under consideration  
 Pmin = Comparative price of lowest acceptable bid

**B-BBEE PREFERENTIAL POINTS WILL BE AWARDED AS FOLLOWS:****B-BBEE Status Level of Contributor Number of Points**

<b>B-BBEE Status level of Contributor</b>	<b>Number of points</b>
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
<b>Non-compliant contributor</b>	<b>0</b>

- a. Bidders who qualify as EME's in terms of the B-BBEE Act must submit a certificate issued by a verification Agency accredited by SANAS for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates or DTI Affidavit.
- b. Bidders other than EMEs must submit their original and valid B-BBEE status levels verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a verification agency accredited by SANAS.
- c. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- d. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- e. Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- f. A tenderer will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such

a bidder qualifies for, unless the intended Sub-contractor is an EME that has the capacity and the ability to execute the sub-contract.

- g. A tenderer awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capacity and the ability to execute the sub-contract.

## 8. **COMMUNICATION**

Respondents are warned that a response will be disqualified should any attempt be made by a tenderer either directly or indirectly to canvass any officer(s) or employees of SABC in respect of a tender, between the closing date and the date of the award of the business.

All enquiries relating to this RFQ should be emailed three days before the closing date.

## 9. **CONDITIONS TO BE OBSERVED WHEN TENDERING**

- a. The Corporation does not bind itself to accept the lowest or any tender, nor shall it be responsible for or pay any expenses or losses which may be incurred by the Tenderer in the preparation and delivery of his tender. The Corporation reserves the right to accept a separate tender or separate tenders for any one or more of the sections of a specification. The corporation also reserves the right to withdraw the tender at any stage.
- b. No tender shall be deemed to have been accepted unless and until a formal contract / letter of intent is prepared and executed.
- c. The Corporation reserves the right to:

**Not evaluate and award submissions that do not comply with his RFQ document.**

**Make a selection solely on the information received in the submissions and**

- i. Enter into negotiations with any one or more of preferred bidder(s) based on the criteria specified in the evaluation of this tender.
- ii. Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders. During the evaluation process, no change in the content of the RFQ shall be sought, offered, or permitted.
- iii. Award a contract to one or more bidder(s).

iv. Accept any tender in part or full at its own discretion.

v. Cancel this RFQ or any part thereof at any time.

vi. If a bidder or bidders are chosen for further negotiations, they will be chosen on the basis of the greatest benefit to the Corporation, not necessarily the lowest cost, in accordance with the BBBEE & Preference Point system.

#### **10. Cost of Bidding**

The Tenderer is responsible for all costs and expenses associated with the preparation and submission of its tender or RFQ, and the Corporation is not responsible or liable for any such costs, regardless of the conduct or outcome of the bidding, evaluation, and selection process.

**END OF RFQ DOCUMENT**

**Annexed to this document for completion and return with the document:**

Annexure A	- Declaration of Interest
Annexure B	- Consortiums, Joint Ventures and Sub-Contracting Regulations
Annexure C	- Previous completed projects/Current Projects
Annexure D	- SBD 8 & 9 Forms

**ANNEXURE A****DECLARATION OF INTEREST**

1. Any legal or natural person, excluding any permanent employee of SABC, may make an offer or offers in terms of this tender invitation. In view of possible allegations of favouritism, should the resulting tender, or part thereof be awarded to-

- (a) any person employed by the SABC in the capacity of Tenderer, consultant or service provider; or
- (b) any person who acts on behalf of SABC; or
- (c) any person having kinship, including a blood relationship, with a person employed by, or who acts on behalf of SABC; or
- (d) any legal person which is in any way connected to any person contemplated in paragraph (a), (b) or (c),

it is required that:

The Tenderer or his/her authorised representative shall declare his/her position *vis-à-vis* SABC and/or take an oath declaring his/her interest, where it is known that any such relationship exists between the Tenderer and a person employed by SABC in any capacity.

Does such a relationship exist? [YES/NO]

If YES, state particulars of all such relationships (if necessary, please add additional pages containing the required information):

	[1]	[2]
NAME	: .....	
POSITION	: .....	
OFFICE WHERE EMPLOYED	: .....	
TELEPHONE NUMBER	: .....	
RELATIONSHIP	: .....	

- 2. Failure on the part of a Tenderer to fill in and/or sign this certificate may be interpreted to mean that an association as stipulated in paragraph 1, *supra*, exists.
- 3. In the event of a contract being awarded to a Tenderer with an association as stipulated in paragraph 1, *supra*, and it subsequently becomes known that false information was provided in response to the above question, SABC may, in addition to any other remedy it may have:
  - recover from the Tenderer all costs, losses or damages incurred or sustained by SABC as a result of the award of the contract; and/or
  - cancel the contract and claim any damages, which SABC may suffer by having to make less favourable arrangements after such cancellation.

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SIGNATURE OF DECLARANT

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TENDER NUMBER

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DATE

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POSITION OF DECLARANT

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NAME OF COMPANY OR TENDERER

## ANNEXURE B

### CONSORTIUMS, JOINT VENTURES AND SUB-CONTRACTING REGULATIONS

#### 1. CONSORTIUMS AND JOINT VENTURES

- 1.1 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 1.2 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate tender.

#### 2 SUB-CONTRACTING

- 2.1 A person awarded a contract may only enter into a subcontracting arrangement with the approval of the organ of state.
- 2.2 A person awarded a contract in relation to a designated sector, may not subcontract 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.
- 2.3 A person awarded a contract may not subcontract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level of contributor than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.

#### 3 DECLARATIONS OF SUB-CONTRACTING

- 3.1 Will any portion of the contract be sub-contracted? YES / NO
- 3.2 If yes, indicate:
  - 3.2.1 The percentage of the contract will be sub-contracted .....%
  - 3.2.2 The name of the sub-contractor .....
  - 3.2.3 The B-BBEE status level of the sub-contractor.....
  - 3.2.4 whether the sub-contractor is an EME      YES / NO

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SIGNATURE OF DECLARANT

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TENDER NUMBER

---

DATE

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POSITION OF DECLARANT

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NAME OF COMPANY OR TENDERER

## ANNEXURE "C"

Previous completed projects (*preferably provide a detailed company profile, detailed the below mentioned information*)

Project Descriptions	Client	Contact no	Contact person	Email address	Period of projects	Value of projects	Project Commence date	Completed date

Current projects (*preferably provide a detailed company profile, detailed the below mentioned information*)

Project Descriptions	Client	Contact no	Contact person	Email address	Period of projects	Value of projects	Project Commence date	Completion date

**ANNEXURE "D"**

**SBD 9**  
**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Standard Bidding Document (SBD) 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 *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD 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 (SBD 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.

**SBD 9**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

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(Bid Number and Description)

in response to the invitation for the bid made by:

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(Name of Institution)

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