



**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

**REQUEST FOR THE QUOTATION TO PROVIDE TRAINING ON THE USE OF TRIMBLE  
TERRESTRIAL LASER AND 3D MOBILE SCANNERS, AT THE TSHWANE MARKET  
AND TSHWANE TRAINING ACADEMY.**

**QUOTATION NUMBER: Q34-2022-23**

**NAME OF BIDDER: .....**

**CSD NUMBER: .....**

**VENDOR NUMBER: .....  
(compulsory)**

Prepared by:  
City of Tshwane Metropolitan Municipality  
Tshwane House  
320 Madiba Street  
Pretoria  
0001

Tel: 012 358 9999

**CLOSING DATE**

**12 OCTOBER 2022**

Only bidders registered on the central supplier database (CSD) and with a CSD number will be considered for this tender, as it is a requirement from the National Treasury.



**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

**DEPARTMENT: ECONOMIC DEVELOPMENT AND SPARTIAL PLANNING**

Bids are hereby invited from suppliers for the following bid:

Bid number	Description	Department	Contact persons	Compulsory briefing session	Closing date
Q34-2022-23	<b>REQUEST FOR THE QUOTATION TO PROVIDE TRAINING ON THE USE OF TRIMBLE TERRESTRIAL LASER AND 3D MOBILE SCANNERS, AT THE TSHWANE MARKET AND TSHWANE TRAINING ACADEMY.</b>	ECONOMIC DEVELOPMENT AND SPARTIAL PLANNING	James Naledi	N/A	12 October 2022 @ 10:00

**The document is downloadable on the e-Tender Portal.**

**Each quotation must be enclosed in a sealed envelope that bears the correct identification details and must be placed in the tender box located at:**

**City of Tshwane Metropolitan Municipality  
Tshwane House  
320 Madiba Street  
Pretoria  
0002**

Documents must be deposited in the bid box not later than **10:00 on 12 October 2022** when the bids will be opened in public.

**Technical enquiries:** James Naledi at 012 358 7687 or [jamesn@tshwane.gov.za](mailto:jamesn@tshwane.gov.za)

**Supply chain enquiries:** Josia Masenya at 012 358 0658 or [josiasma@tshwane.gov.za](mailto:josiasma@tshwane.gov.za)

**Bids will remain valid for a period of 90 days after the closing date.**

- Bids received after the closing date and time will not be considered. The City of Tshwane does not bind itself to accept the lowest or any other bid in whole or in part.
- Bid documents must be completed using a black pen (not retyped or scanned).
- Mistakes made on the price schedule must be crossed out in ink and each price alteration must be initialled.
- Price corrections may not be made with correction fluid, such as Tipp-Ex or a similar product.
- If correction fluid was used on any specific item price, such an item will not be considered. No correction fluid may be used on a bill of quantities where prices are calculated to arrive at a total amount. If correction fluid was used, the quotation as a whole will be repudiated.
- The City of Tshwane will reject the quotation if corrections are not made in accordance with the above.

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## **ECONOMIC DEVELOPMENT AND SPATIAL PLANNING DEPARTMENT**

### **REQUEST FOR THE QUOTATION TO PROVIDE TRAINING ON THE USE OF TRIMBLE TERRESTRIAL LASER AND 3D MOBILE SCANNERS, AT THE TSHWANE MARKET AND TSHWANE TRAINING ACADEMY.**

**BID NUMBER**

**(Q34-2022-23)**

#### **1. BACKGROUND**

Surveying Technology in Architectural, Engineering and Construction Industries:

Novel technologies are transforming the way activities, such as surveying, progress measurement process and creating as-built three-dimensional (3D) models, are conducted in the Architectural, Engineering and Construction (AEC) industries for efficient planning of sustainable development.

Among those is the use of the 3D Terrestrial Laser Scanning (TLS), and Mobile Scanners. These are surveying technologies that use laser to measure the 3D surfaces of objects densely, automatically and efficiently. TLS thus enables the rapid and accurate acquisition of the as-is (as-built) state of projects and is particularly advantageous in the cases of inaccessible or hazardous environments. For all these reasons, TLS has been rapidly gaining popularity.

The department, in an attempt to keep up with the technological improvements on the surveying systems and technologies, acquired both the TLS as well as the 3D Mobile Scanner. The department now seeks to ensure that there is optimal use of these equipments by providing the hands-on intense training, on the use of these equipments, to its personnel. The training will focus on, but not limited to, the use of these equipments to capture and process the data.

Classroom training can be curriculum based and customized to our specific requirements or project. The option should be of theory and software training combined with field training / data capture – to help trainees get a better understanding of the field-to-finish project scenario.

The company to be appointed must be certified to provide training services on the Trimble Geospatial and Geo Instruments Products.

## **2. DELIVERABLES**

- Density - 3D point cloud
- Scan Accuracy - Absolute & Relative
- Output Format - Software / Classification
- Integrate Aerial Image with DATA surveyed by means of the drone (**Data will be provided**)
- Production of 3D Point Clouds and fly-through video
- Provision of the as – built survey drawings (including all survey records)
- Provision/Preparation of survey reports
- Extraction of sectional and layout **building plans**
- WGS 84 Geo referencing

## **3. PROJECT SCOPE**

### **3.1 Practical training will include:**

#### **N.B Utilize the surveyors to do the survey as part of training**

- Use Available City of Tshwane existing Trimble MX2 Mobile Scanner and Trimble TX8 Terrestrial scanners for practical training and processing of data and using software.
- Ground control points derived from the drone survey and other data will be made available as a base, additional control will be the responsibility of the service provider (utilize the Surveyors being trained).

<b>Skills Gap\ Learning Intervention</b>
<b>Survey Data capture</b>
Site Establishment and survey control Sufficient survey control needs to be established on site to support the extents of the survey. <b>Aerial surveyed DATA control will be provided</b>
<b>Topographical and boundary Survey</b>
Traditional survey of certain site features may require the use of traditional survey methods such as Manhole invert levels etc
<b>3D mobile scanning</b>
The Trimble MX2 can be used for the data capture of the road infrastructure
<b>3D Static Trimble TX8 Scanning</b>
3D static Scanning can be used for the data capture of the structures, steel frames, and building interiors. The TX8 can be used for most ground-based data capture.
<b>Software Processing</b>
MX2 Office workflow and Field Data Capture
TX8 Scanner Office workflow, Real Works and Field Data Capture
Trimble business center
Extraction of layout Plans
Integration into Esri environment for Esri users who use Trimble Terr Snc as their field software solution, providing streamlined data collection straight into GIS

<b>Attendee ID</b>	<b>Employee Number</b>	<b>Job Title</b>
Sipho Masina	10016883	Surveyor
Dirk Olivier	311151	Senior Surveyor
Ntokozo Myeza	10014445	Surveyor
Bheki Ncube	202183	Surveyor
Sipho Skosana	10003333	Surveyor
Njabulo Magagula	10056040	Surveyor

- Helping process and manage the data collection work, from terrestrial scanner to provide tools for management and integration of spatial and enterprise information.
- Locate and identify physical assets not shown on the drone survey provided. The data can be used for as-built and asset management including, architectural planning, space optimization and security Management of space leased by various companies within municipal buildings such as areas space occupied by relevant departments.
- Provide mobile and terrestrial mapping the process of collecting geospatial data from a mobile vehicle for the collection of very high resolution, high accuracy street-level views of urban infrastructure in facilities
- **Identify one small building not bigger than 1000 square metres for the warehouse building type or 500 square metre building to scan LEVEL OF DETAIL 100 such as:**

#### Walls

- All external walls
- No materials assigned to walls
- Generic single or double brick walls and sizes

#### Floors

- Basic shapes using external walls as reference
- Generic floor finish including window and door openings and assign generic material

#### Roofs

- Using generic roof types

#### Columns

- Using generic1 column types (Depending on the line of sight)

#### Stairs and railings

- Generic stairs and generic railings (No materials assigned)

### 3.2 Goal of this training:

The main goals are to teach the attendees how to;

- Collect or capture data using both scanners with best practices.
- Process the trajectory in POSPinc software.
- Analyse the accuracy and quality of the data.
- Generate and convert MX2 data in Trigent.



- Import data and Navigate in Trimble MX Asset Modeler.
- Measure features from the imagery and point cloud.
- Create layer with attribute information and save data to them.

#### **4. CATEGORIES**

The trainers must fall in either of the categories listed below.

##### **4.1 CATEGORY A: GEOMATICS PROFESSIONAL LAND SURVEYOR**

A person who is registered with the South African Geomatics Council (SAGC) as a Geomatics Professional (Professional Land Surveyor).

##### **4.2 CATEGORY B: GEOMATICS PROFESSIONAL ENGINEERING SURVEYORS**

A person who is registered with the South African Geomatics Council (SAGC) as a Geomatics Professional (Engineering Surveyor).

##### **4.3 CATEGORY C: GEOMATICS TECHNOLOGISTS (SURVEYORS) Or TECHNICIAN**

A person who is registered with the South African Geomatics Council (SAGC) as a Geomatics Technologist/Technician.

#### **5. PHYSICAL ADDRESS OF THE TRAINING AREA**

The training venue will be in the City of Tshwane, as outlined on ANNEXURE A, SKETCH PLAN AREA OVER TSHWANE MARKET AND TRAINING ACADEMY, and the accompanying kmz file as part of the Advert.

ANNEXTURE A, MAP & KMZ will also be made available to bidders upon request.

#### **6. LEGISLATION**

Cadastral Surveys must be done in accordance with the Land Survey Act No. 8 of 1997 and the regulations promulgated or framed thereunder. All Engineering Surveys must be done in accordance with the Technical Methods for Highways (TMH 11), Standard Survey Methods 2013.

#### **7. COPYRIGHT**

It is the policy of City of Tshwane to retain all Intellectual Property Rights

Over all goods and services produced during the performance of a City of Tshwane contract

## **8. STAGES OF EVALUATION**

This bid will be evaluated in four evaluation stages; namely:

- **Stage 1:** Administrative Compliance
- **Stage 2:** Mandatory
- **Stage 3:** Functionality
- **Stage 4:** Preference Point System

### **a. STAGE: 1 ADMINISTRATIVE COMPLIANCES**

All the bids will be evaluated against the administrative responsiveness requirements as set out in the list of returnable documents.

### **b. STAGE: 2 MANDATORY REQUIREMENTS**

The following information must be provided for the key personnel outlined below: Attach certified Registration certificates from the South African Geomatics Council (SAGC) and the company to be appointed must be certified and accredited by Trimble to provide training services on the Trimble Geospatial and Geo Instruments Products in this Region.

The following information must be provided for the key personnel:

- Attach certified registration certificate of SAGC (South African Geomatics Council) as well as educational qualifications for all key team members.
- Proof that the company is accredited and certified to provide training services on the Trimble Geospatial and Geo Instruments Products in this Region.
- Proof that the Project Leader and team members, such as surveyors, are registered with the South African Geomatics Council (SAGC), in terms of Section 13 (4) (b), 13 (4) (c) or 13 (4) (d) of the Geomatics Profession Act 2013, (Act No. 19 of 2013) and that the registration status is effective.

**NB:**

- **The tenderer must meet all the requirements in terms of the Geomatics Act and its Regulations.**

- All professional body registrations for the key personnel outlined above have to be submitted, failure to submit any professional body registration of any key personnel will result in the bid being disqualified and will not be evaluated any further.
- The Director(s) of the Tenderer whose acts and/or omissions have been found to have constituted an improper conduct, as stipulated in the Geomatics Profession Act No. 19 of 2013, Land Survey Act No. 8 of 1997 and the Regulations framed thereunder, that Tenderer's bid will be disqualified and will not be evaluated any further.

### c. STAGE: 3 FUNCTIONALITY CRITERIA

Only tenderers who obtain a minimum of 70 points in respect of the following criteria will be considered for the next stage of evaluation. Bidders that do not achieve a minimum 70 points out of 100 points will not be evaluated further.

CRITERIA	SUB-CRITERIA	SCALE	WEIGHT	HIGHEST POSSIBLE SCORE
Company Experience  No. of Projects On practical and theoretical training on the use of equipment and software processing in Topographical, Engineering Surveys, Terrestrial Scanning, UAV Surveys and Imagery Processing) (Submit reference letters of work done and successfully completed and accepted by the previous employer)	4 Reference letters indicating such for above 5 or more projects	9	5	45
	3 Reference letters indicating such for 3 to 4 Projects	6		
Manager and Technical team relevant experience (Attach Curriculum Vitae clearly demonstrating the experience in practical and theoretical training on Topographical, Engineering Surveys, Terrestrial Scanning, Mobile Scanning and software	5 years and above	8	5	40
	3-4 years	6		

Processing) for TX8 and Mx2 or the latest.  (Submit reference letters of work done and successfully completed and accepted by the previous employer include each sample copy of approved project signed off)				
Location of the business (Attach municipal rates and services account/ valid lease agreement/ letter from ward councillor. These should be in the name of the bidding entity or in the name of the director(s) of the bidding entity.)	Tshwane based	3	5	15
	Gauteng based	2		
	Based outside Gauteng	1		
Total				100

#### **d. STAGE: 4 PREFERENCE POINT SYSTEM**

The preferential point system used will be the 80/20 points system in terms of the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000) Regulations 2017.

- 80 points for price
- 20 points for B-BBEE status (service provider to submit the certified copy of the B-BBEE level rating certificate).

## 9. PRICING SCHEDULE

PRICING SCHEDULE		
Item Description	Description of training program	Unit Rate (per Unit / Surveyor)
<b>Learn Theory (Classwork overview)</b>	<ul style="list-style-type: none"> <li>• use hardware <b>TX8 and Mx2</b> laser scanner) effectively,</li> <li>• plan the positions of the scanner in the best possible way,</li> <li>• position scanning targets optimally,</li> <li>• process the scan data efficiently in the registration software,</li> <li>• export the data and use it in your CAD software.</li> <li>• Workflow processes</li> <li>• Importing raw scan data into Trimble Real Works Software and processing scans can registration and georeferencing in TRW</li> <li>Working with 3D scan data in TRW and exporting deliverables</li> </ul>	
<b>Practical experience and training on software processing, field data, output of reports and plans.</b>		
<b>TOTAL (Exclusive of Vat)</b>		
<b>VAT @ 15%</b>		
<b>TOTAL (Incl of Vat)</b>		

## 9. VALIDITY PERIOD

The validity period for the tender after closure is 90 days.

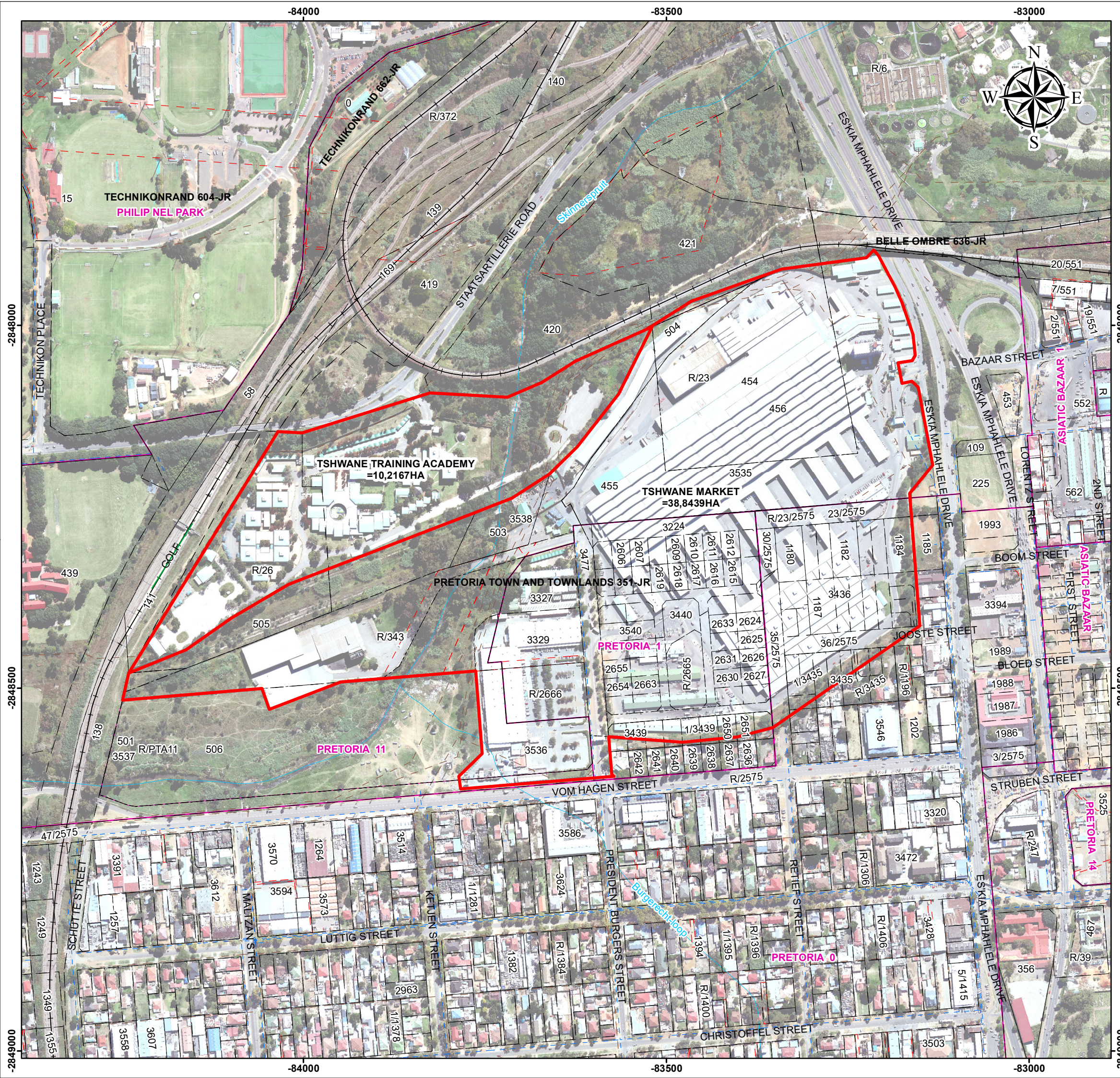
## 10. MARKET ANALYSIS

The city of Tshwane reserves the right to conduct market analysis. Should the city exercise this option, where a tenderer offers a price that is deemed not to be viable to supply goods or services as required, written confirmation will be made with the tenderer if they will be able to deliver on the price,

if a tenderer confirm that they cannot, the tenderer will be disqualified on the basis of being non-responsive. If they confirm that they can deliver, a tight contract to mitigate the risk of non-performance will be entered into with the service provider. Further action on failures by the supplier to deliver will be handled in terms of the contract including performance warnings and listing on the database of restricted suppliers.

The city further reserves the right to negotiate a market related price with a tenderer scoring the highest points. If the tenderer does not agree to a market-related price, the city reserves the right to negotiate a market-related price with the tenderer scoring the second highest points, if the tenderer scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the tenderer scoring the third highest points. If a market-related price is not agreed, the city reserves the right to cancel the quotation.

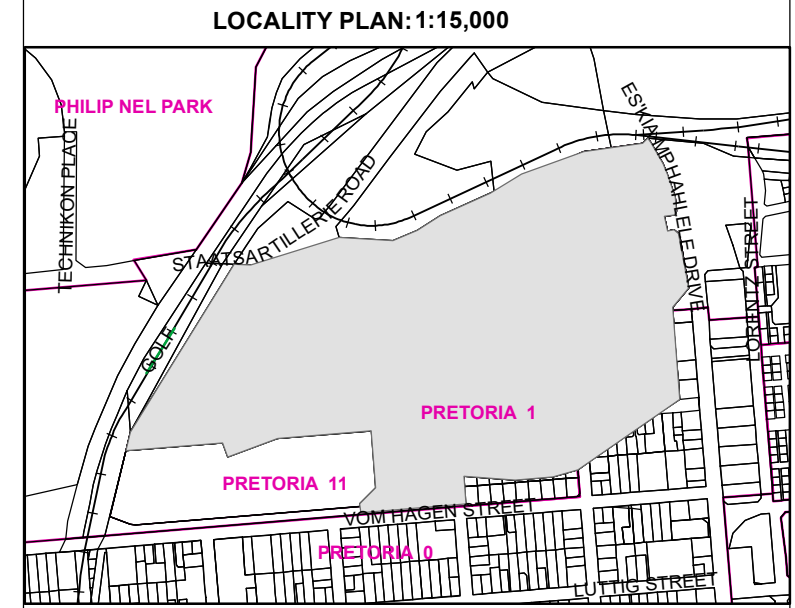




AMENDED  
**SKETCH PLAN**  
PROPOSED SCANNING AREA OVER TSHWANE MARKET  
AND TRAINING ACADEMY  
SCALE 1:5,000  
(A3 Landscape/System - WGS29)

- NOTES:**
1. Tshwane Market = 38.8439Ha
  2. Tshwane Training Academy = 10.2167Ha
  3. This plan was prepared from the 2018 aerial photography.  
No survey was done
  4. All dimensions are subject to final survey

- Legend**
- Proposed Scanning Area
  - Servitude
  - River
  - Water Pipe
  - Sewer Pipe



Attention : J. Naledi  
Your Ref :  
Our Ref : DSB 9/3/1/10  
N.W. Hadebe Tel: 012-358-6589  
Date : September 2022  
Sheet No : 2  
Job No : S033/22





**MBD1  
COMPULSORY  
PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)</b>					
<b>QUOTATION NUMBER:</b>	Q34-2022-23	<b>CLOSING DATE:</b>	12 October 2022	<b>CLOSING TIME:</b>	10:00
<b>DESCRIPTION</b>	<b>REQUEST FOR THE QUOTATION TO PROVIDE TRAINING ON THE USE OF TRIMBLE TERRESTRIAL LASER AND 3D MOBILE SCANNERS, AT THE TSHWANE MARKET AND TSHWANE TRAINING ACADEMY.</b>				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).</b>					
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS</b>					
City of Tshwane Metropolitan Municipality					
Tshwane House					
320 Madiba Street					
Pretoria					
<b>GPS coordinates:</b> 25.750151°S, 28.173666°E					
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]		
<b>SIGNATURE OF BIDDER</b>	.....		<b>DATE</b>		
<b>CAPACITY UNDER WHICH THIS BID IS SIGNED</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>			<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>		
DEPARTMENT	Supply Chain Management		CONTACT PERSON	James Naledi	
CONTACT PERSON	Josia Masenya				
TELEPHONE NUMBER	012 358 0658		TELEPHONE NUMBER	012 358 7687	
			E-MAIL ADDRESS	<a href="mailto:jamesn@tshwane.gov.za">jamesn@tshwane.gov.za</a>	
E-MAIL ADDRESS	<a href="mailto:josiasma@tshwane.gov.za">josiasma@tshwane.gov.za</a>				



**MBD1  
COMPULSORY**

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

<b>1.</b>	<b>BID SUBMISSION:</b>	
1.1	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.	
1.2	<b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</b>	
1.3	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.	
<b>2.</b>	<b>TAX COMPLIANCE REQUIREMENTS</b>	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.	
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.	
2.3	APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.	
2.4	FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.	
2.5	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.	
2.6	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.	
2.7	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.	
<b>3.</b>	<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>	
3.1	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.2	DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.3	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.4	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.5	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</b>		

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID. NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....

DATE: .....

**MBD 4  
COMPULSORY**

**DECLARATION OF INTEREST**

1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
3. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**
  - 3.1 Full Name of bidder or his or her representative: .....
  - 3.2 Identity Number: .....
  - 3.3 Position occupied in the Company (director, trustee, hareholder<sup>2</sup>) .....
  - 3.4 Company Registration Number: .....
  - 3.5 Tax Reference Number: .....
  - 3.6 VAT Registration Number: .....
  - 3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.
  - 3.8 Are you presently in the service of the state? **YES / NO**
    - 3.8.1 If yes, furnish particulars.  
.....  
.....

<sup>1</sup> MSCM Regulations: "in the service of the state" means to be –

(a) a member of –

- (i) any municipal council;
  - (ii) any provincial legislature; or
  - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
  - (c) an official of any municipality or municipal entity;
  - (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
  - (e) a member of the accounting authority of any national or provincial public entity; or
  - (f) an employee of Parliament or a provincial legislature.

<sup>2</sup> Shareholder" means a person who owns shares in the company and is actively involved in

the management of the company or business and exercises control over the company.

3.9 Have you been in the service of the state for the past twelve months? **YES/NO**

3.9.1 If yes, furnish particulars.

.....  
.....

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?  
**YES / NO**

3.10.1 If yes, furnish particulars.

.....  
.....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?  
**YES / NO**

3.11.1 If yes, furnish particulars.

.....  
.....

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?  
**YES / NO**

3.12.1 If yes, furnish particulars.

.....  
.....

3.13 Are any spouse, child or parent of the company's directors trustees, managers, principle shareholders or stakeholders in service of the state?  
**YES / NO**

3.13.1 If yes, furnish particulars.

.....  
.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract.  
**YES / NO**

3.14.1 If yes, furnish particulars:

.....  
.....

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

Full Name	Identity Number	State Employee Number

.....  
**Signature**

.....  
**Date**

.....  
**Capacity**

.....  
**Name of Bidder**

**COMPULSORY****PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL  
PROCUREMENT REGULATIONS 2017**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

**1. GENERAL CONDITIONS**

- 1.1 The following preference point systems are applicable to all bids:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- 1.2 The value of this bid is estimated **not to exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable.
- 1.3 Preference points for this bid shall be awarded for:
- (a) Price; and
  - (b) B-BBEE Status Level of Contribution.
- 1.4 The maximum points for this bid are allocated as follows:

	POINTS
<b>PRICE</b>	<b>80</b>
<b>B-BBEE STATUS LEVEL OF CONTRIBUTION</b>	<b>20</b>
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

- 1.5 Failure on the part of a bidder to submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS), or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or a sworn affidavit confirming annual turnover and level of black ownership in case of an EME and QSE together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

**2. DEFINITIONS**

- (a) **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- (b) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (c) **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (d) **“bid”** means a written offer in a prescribed or stipulated form in response to an

invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;

- (e) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003) as amended by Act No 46 of 2013;
- (f) **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- (g) **“consortium or joint venture”** 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;
- (h) **“contract”** Error! Bookmark not defined. means the agreement that results from the acceptance of a bid by an organ of state;
- (i) **“EME”** means an Exempted Micro Enterprise as defines by Codes of Good Practice issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (j) **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- (k) **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- (l) **“non-firm prices”** means all prices other than “firm” prices;
- (m) **“person”** includes a juristic person;
- (n) **“QSE”** means a Qualifying Small Enterprise as defines by Codes of Good Practice issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 ( Act No. 53 of 2003);
- (o) **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- (p) **“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;
- (q) **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- (r) **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- (s) **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

### 3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

### 4. POINTS AWARDED FOR PRICE

#### 4.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80 points is allocated for price on the following basis:

**80/20**

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P<sub>s</sub> = Points scored for comparative price of bid under consideration

P<sub>t</sub> = Comparative price of bid under consideration

P<sub>min</sub> = Comparative price of lowest acceptable bid

### 5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

- 5.2 A bidder who qualifies as an EME in terms of the B-BBEE Act must submit a sworn affidavit confirming Annual Total Revenue and Level of Black Ownership.
- 5.3 A Bidder other than EME or QSE must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.

- 5.4 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.
- 5.5 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.
- 5.6 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.
- 5.7 A person 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 capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract 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 than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

## 6. BID DECLARATION

- 6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

## 7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 5.1

- 7.1 B-BBEE Status Level of Contribution: = (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or a sworn affidavit.

<b>Designated Group: An EME or QSE which is at least 51% owned by:</b>	<b>EME</b> √	<b>QSE</b> √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		



## 8. SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted?

*(Tick applicable box)*

YES		NO	
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8.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted .....%
- ii) The name of the sub-contractor .....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME.

*(Tick applicable box)*

YES		NO	
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## 9. DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm: .....

9.2 VAT registration number: .....

9.3 Company registration number: .....

9.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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.....

.....

.....

9.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

9.7 MUNICIPAL INFORMATION

**Municipality where business is situated:** .....

**Registered Account Number:** .....

**Stand Number:** .....

9.8 Total number of years the company/firm has been in business: .....

9.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution.

WITNESSES

- 1. ....
- 2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....

**CONTRACT FORM - RENDERING OF SERVICES**

**THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.**

**PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)**

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution) ..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number ..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Filled in task directive/proposal;
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
    - Declaration of interest;
    - Declaration of Bidder's past SCM practices;
    - Certificate of Independent Bid Determination;
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

**WITNESSES**

1 .....

2 .....

DATE: .....

**CONTRACT FORM - RENDERING OF SERVICES****PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I..... in my capacity as.....  
accept your bid under reference number .....dated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT ..... ON .....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

WITNESSES

1 .....

2 .....

DATE: .....

## COMPULSORY

### 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 of Restricted Suppliers as companies or persons 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 Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).  <b>The Database of Restricted Suppliers now resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b>	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)?  <b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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:		
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <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"/>
4.7.1	If so, furnish particulars:		

### CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME) .....  
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION  
FORM TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION  
MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE  
FALSE.**

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - a. take all reasonable steps to prevent such abuse;
  - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

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(Bid Number and Description)

in response to the invitation for the bid made by:

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(Name of Municipality / Municipal Entity)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: \_\_\_\_\_ that:  
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder



6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

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