

## REQUEST FOR QUOTATION

### INVESTIGATION INTO THE FEASIBILITY OF THE RE-UTILISATION OF THE RAILWAY LINE BETWEEN ATLANTIS AND THE PORT OF CAPE TOWN

#### YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE ASEZ

BID NUMBER:	RFQ 008/2021/IP	CLOSING DATE:	15 November 2021	CLOSING TIME:	12h00
DESCRIPTION	INVESTIGATION INTO THE FEASIBILITY OF THE RE-UTILISATION OF THE RAILWAY LINE BETWEEN ATLANTIS AND THE PORT OF CAPE TOWN				

#### BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

Due to Covid19, no bids will be allowed to be hand delivered. All bids / RFQs must be emailed to the email address provided.

All submissions to be emailed to: Rayyan Arnold at [rayyan@atlantiszez.co.za](mailto:rayyan@atlantiszez.co.za)

<b>BRIEFING SESSION</b>	Yes	<b>COMPULSORY</b>	Yes
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<b>BRIEFING SESSION DETAILS</b>	Compulsory Briefing on MS Teams: <a href="https://teams.microsoft.com/l/meetup-join/19%3ameeting_Yjl3N2U0MDctMjVlZS00YTZhLWEwZWmtYzc2NTlyNWlwMTQx%40thread.v2/0?context=%7b%22Tid%22%3a%22375e1718-ba69-4b4e-8908-e26b6aed4b68%22%2c%22Oid%22%3a%2231dca1ce-d2e9-4218-8d3f-95cf74759803%22%7d">https://teams.microsoft.com/l/meetup-join/19%3ameeting_Yjl3N2U0MDctMjVlZS00YTZhLWEwZWmtYzc2NTlyNWlwMTQx%40thread.v2/0?context=%7b%22Tid%22%3a%22375e1718-ba69-4b4e-8908-e26b6aed4b68%22%2c%22Oid%22%3a%2231dca1ce-d2e9-4218-8d3f-95cf74759803%22%7d</a>
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<b>DATE</b>	3 November 2021 at 11:00
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<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>	<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>
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CONTACT PERSON	Rayyan Arnold	CONTACT PERSON	Pierre Voges
TELEPHONE NUMBER	087 183 7010 <i>*please note that staff work rotationally which could result in unanswered calls</i>	TELEPHONE NUMBER	+27 83 309 0351
E-MAIL ADDRESS	<a href="mailto:rayyan@atlantiszez.co.za">rayyan@atlantiszez.co.za</a>	E-MAIL ADDRESS	<a href="mailto:pierre@atlantiszez.co.za">pierre@atlantiszez.co.za</a>

#### SUPPLIER INFORMATION

NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	

E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		<b>O R</b>	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]  Yes                      No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX]  Yes                      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?	Yes/ No  [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE <b>GOODS /SERVICES /WORKS OFFERED?</b>		Yes/ No  [IF YES, ANSWER QUESTIONNAIRE BELOW]
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
<p>IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES/NO</p> <p>DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES/NO</p> <p>DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES/NO</p> <p>DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES/NO</p> <p>IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES/NO</p> <p><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 BELOW.</b></p>					

#### **1. BID SUBMISSION:**

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED—(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
- 1.3. THIS BID IS NOT EXPECTED TO EXCEED R1 000 000 INCLUDING VAT FOR THE DURATION OF THE CONTRACT PRICE(S) QUOTED MUST BE FIRM AND MUST BE INCLUSIVE OF VAT.
- 1.4. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.5. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
- 1.6. THE ONLY OR LOWEST PROPOSAL WILL NOT NECESSARILY BE ACCEPTED AND THE ASEZCO

RESERVES THE RIGHT TO ACCEPT THE WHOLE OR ANY PORTION OF A PROPOSAL, OR NOT TO MAKE AN APPOINTMENT.

- 1.7. THE ASEZCO RESERVES THE RIGHT TO AWARD AREAS TO DIFFERENT APPLICANTS/SERVICE PROVIDER, AS THE WORK REQUIRES A NUMBER OF DISCIPLINES.
- 1.8. THE ASEZCO PREFERS DEALING WITH ONE SERVICE PROVIDER, WHO MAY OPT TO SUB-CONTRACT PORTIONS OF THE WORKS.
- 1.9. THE ASEZ CO ACCEPTS NO LIABILITY FOR ANY LOSS INCURRED BY ANY PERSON(S) DUE TO EVENTS OR ACTIONS TAKEN AS A CONSEQUENCE OF THE PREPARATION AND DISSEMINATION OF THIS RFP DOCUMENT.
- 1.10. THE ASEZ CO ACCEPTS NO RESPONSIBILITY AND/OR LIABILITY FOR THE FAIRNESS, ACCURACY OR COMPLETENESS OF ANY INFORMATION OR OPINIONS, FOR ANY ERRORS, OMISSIONS OR MISSTATEMENTS, NEGLIGENT OR OTHERWISE, MADE BY ANY PERSON IN THIS RFP DOCUMENT OR ANY WRITTEN OR ORAL COMMUNICATION TRANSMITTED OR MADE AVAILABLE AT ANY TIME TO AN INTERESTED PARTY OR ITS ADVISERS, AND/OR IT'S AGENTS.

## **2. TAX COMPLIANCE REQUIREMENTS**

- 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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE [WWW.SARS.GOV.ZA](http://WWW.SARS.GOV.ZA).
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

## **1. INTRODUCTION**

The Atlantis Special Economic Zone (ASEZ) was officially designated in October 2018. The success of the ASEZ rests on strong collaboration across the public and private sector spectrum. The promulgation of the ASEZ was enabled through collaboration between the Department of Trade and Industry and Competition (DTIC) and Western Cape Government (WCG)'s Department of Economic Development and Tourism (DEDAT), Wesgro and the City of Cape Town (CoCT). Initially inspired by the City of Cape Town's Green Technology Manufacturing Hub, these parties are working together to facilitate the development of the SEZ in Atlantis.

The ASEZ is a keystone initiative that sits within the country's broader green economy industrial development strategy. It thus both supports and draws on these initiatives. Ultimately, Atlantis needs to operate as a viable industrial hub within a thriving green economy and contributing to green technology industrialization and job creation in South Africa. It is an important development intervention tool to unlock green industrial development, manufacturing, employment, technology development, enterprise development and skills development, amongst other opportunities expressed in the green sector strategies, policies and plans of government.

Proposals are invited from interested consortia that can show that they have wide experience in:

- Infrastructure feasibility assessments (on both the costing side and the market demand and modelling side), with experience in freight rail feasibility being a distinct advantage (absence of rail freight feasibility experience must be motivated in context of ability to undertake the project). This experience must include:
  - Present and projected freight market demand assessment.
  - Analysis and synthesis of results of market assessment.
  - Transport/Railway engineering.
  - Financial modelling in respect of railways lines, specifically in respect of freight.
- Experience in working across government in the development of government backed human settlement revitalization/relocation/construction processes.
- Other additional skills and services that would add value to this project.

## 2. SPECIFICATION

### 1. BACKGROUND

Owing to the importance of reviving the critical strategic and economic potential of the Atlantis Industrial development area, in close cooperation with the WCG and the CoCT, the ASEZ Co continues to investigate mechanisms that will ensure a more competitive investment location.

The Atlantis/Cape Town Port Line is seen as one such asset that will benefit the ASEZ Co's competitive edge in attracting potential investors. It will also benefit the City of Cape Town's waste management strategy.

### 2. RECENT DEVELOPMENTS

Other than the WCG majority shareholding, the CoCT will also be a shareholder in the ASEZ Co. The ASEZ Co have formed a number of task teams with aligned parties where appropriate (e.g., infrastructure, community matters) to investigate avenues that will make the Atlantis SEZ a more competitive investment destination and where they can cooperate. The intention here is to do the same through the establishment of a steering committee that will include Transnet, PRASA, WC Transport & Public Works, WC Human Settlements and City of Cape Town (waste, transport and human settlements).

The ASEZCo will proceed with an elaboration of the intended feasibility study. However, it is important to emphasize that ASEZ Co is undertaking this exercise as a basis for lobbying Transnet with a solid Business Case going forward (should the feasibility prove it to be justified) to reach a decision to invest in revitalizing the railway line.

The elaboration will include a number of key components to be investigated:

- 2.1. A complete railway engineering assessment to determine the state of the line and the bridges between Atlantis and the Cape Town Port, along with an estimated cost of refurbishment. This assessment and costing must be done to satisfaction of Transnet.
- 2.2. The invasion of the rail reserve where it runs through DuNoon effectively halted the operation of the line. An engagement is required with the City of Cape Town and Provincial Human Settlements Departments to understand what steps have been undertaken to relocate the households on the invaded rail reserve portion of the DuNoon. The status of this process must be clarified, along with what steps are required to put into effect the relocation of households on the rail reserve portion of DuNoon. Drawing on information available from the respective human settlement departments the costing and sequenced set of steps and associated responsibilities should be set out.
- 2.3. A complete assessment of the capital outlay required to get the line to a full operational position – including apportionment of those costs as per tasks 1 and 2 above.
- 2.4. The market feasibility and demand analysis of the Atlantis/City of Cape Town Port Line from a freight point-of-view, including inter alia market research in respect of goods imported to and exported from Atlantis, as well use of line for other purposes, such as transport of solid waste.
  - In the context of congestion at the Port of Cape Town container terminal, consider if there might be a role that this line and/or the Atlantis SEZ could play in alleviating this.

- The research should also consider intermodal connectivity and potential connections to Kraaicon vs Belcon.
  - The above will need to determine present and projected future demand for utilization of the freight rail link to the Port of Cape Town or other destinations in Cape Town, South Africa and Africa.
- 2.5. The demand analysis must feed into a financial analysis showing potential revenue and operating cost associated with the Line running at low, medium and high demand. The financial analysis should also include financial and economic affordability – a cost-benefit analysis (CBA) outlining the following, Benefit-Cost Ratio (BCR), Internal Rate of Return (IRR), Payback Period (PP) and Net Present Value (NPV). This should be supplemented with an Excel financial model that could be used to assess other potential scenarios (sensitivity analysis) for this project.
  - 2.6. Provide an assessment of any environmental and other land-use compliance that needs to be attended to in order to get the line in a fully operation capacity.
  - 2.7. An assessment of the sidings within the SEZ in complementarity of the Atlantis Cape Town Port Line feasibility and the capital outlay required to revitalize these sidings. This should investigate the rationalization of these sidings (if possible and feasible).
  - 2.8. Investigate independent/alternative funding that may be used to revitalize the Atlantis/City of Cape Town Port Line and/or the sidings.

The focus on work must consider the feasibility of an integrated project which considers the potential for:

- a) A freight transportation service between Atlantis and the Cape Town Port, South Africa and Africa.
- b) Alignment with the approved Atlantis Long Term Infrastructure Plan and the Atlantis Urban Design Plan.
- c) Alignment with the City of Cape Town Blaauwberg District Plan, sector plans and IDP
- d) Alignment with Provincial and National rail infrastructure and human settlement plans.

### **3. SCOPE OF WORK:**

#### **3.1. Deliverables**

- 3.1.1. The study will culminate in the comprehensive business rationale for the redevelopment and re-utilisation of the line between Atlantis and the Cape Town Port (including the sidings in the Atlantis industrial area). The more convincing the outcome of such a business rationale, the more effectively the process can be motivated.
- 3.1.2. The work to be undertaken will be in conjunction with representatives from the ASEZCo, CoCT, DEDAT, WCG, Transnet, community forums and other relevant parties.
- 3.1.3. Regular briefings and progress meetings must be held with the Steering Committee as the project progresses.

#### **3.2. Information sources and consultation**

- 3.2.1. A review of any previous work that has been done with rehabilitation of the line in mind.
- 3.2.2. Any other relevant and more recent data will need to be collected to support the development of the business rationale, including a particular focus on the components of the study as identified above.

- 3.2.3. The bid proposal must outline the nature of the data that the consortium aims to collect as well as the stakeholders that will be consulted, along with the expected costs thereof. Such data and consultation notes/minutes shall be made available to the ASEZ Co as part of the final submission.
- 3.2.4. Collection of data and information shall also include interviews with different stakeholders, in particular manufacturing concerns and business in Atlantis, prospective businesses in Atlantis as well present and prospective businesses in the Dunoon/Killarney/Montague Gardens area that may wish to use the line for freight purposes.
- 3.2.5. Background data shall be analysed and processed in whatever way the consortium deems necessary and the results of this analysis shall form part of an interim presentation to the Steering Committee. Based on the analysis, the ASEZ Co shall be permitted to redirect the project, providing further direction, or it shall merely instruct the consortium to proceed.

### **3.3. Written Report**

- 3.3.1. A detailed written report shall be submitted and summarized in a PowerPoint presentation. Editable electronic copies must be provided.
- 3.3.2. The report shall provide a succinct summary of findings and recommendations – details shall be in the form of annexures to the final report.
- 3.3.3. All data sheets and data collected must be provided in excel format. Drawings and graphics must be provided separately in either ArcView (.shp file) or other raw formats on a separate memory stick.

### **3.4. Final Submission**

- 3.4.1. The final submission shall be made in both hard copy format as well as in electronic format for presentations with text in Microsoft Word and PowerPoint. All data sheets and data collected must be provided in excel format. Drawings and graphics must be provided separately in either ArcView (.shp file) or other raw formats on a separate memory stick.
- 3.4.2. The feasibility study and final report shall include, inter alia, the following:
  - A comprehensive report documenting the process (data and interviews, consultation) and the rationale for the re-launching of the line from a freight point-of-view, or a clear rationale why such is not feasible or desirable from a cost-benefit perspective. The report should include the following:
    - 3.4.2.1. Recommendations, together with a rationale, an overall approach and methodology for the relevant stakeholders to facilitate the relocation of the informal settlement and rehabilitation of this rail line.
    - 3.4.2.2. A high-level project implementation plan (action plan) signed off by the parties that includes a list of sequenced actions that partners/stakeholders need to undertake to facilitate the relocation of the informal settlement and rehabilitation of this line, along with associated costs.

### **3.5. Public Involvement**

- 3.5.1. The Applicant will be responsible for carrying out all interviews and collection of data, including that required for a proper market assessment which will include extensive interviews with relevant stakeholders, particularly present industry in Atlantis and prospective investors.

### **3.6. Expertise Required**

Owing to the fact that the project is multi-faceted, an integrated and multidisciplinary team will most likely be required.

The key disciplines that will most likely be required to a greater or lesser degree include the following:

- 3.6.1.Experience and expertise in respect of market research and assessments.
- 3.6.2.Experience and expertise in the development of feasibility studies
- 3.6.3.Experience and expertise in respect of financial modelling.
- 3.6.4.Experience and expertise in respect of economic impact regarding property, Gross Domestic Product (GDP) and job creation.
- 3.6.5.Experience and expertise in transport (rail freight) demand assessments.
- 3.6.6.Experience and expertise in the assessment of railways line and bridges.
- 3.6.7.Experience and expertise in respect of transport via road versus via rail.
- 3.6.8.Experience and expertise in technical railway technology.
- 3.6.9.Experience and expertise in social, environmental and governance assessments

### **4. CONTRACT DURATION**

- 4.1. It is anticipated that the duration of the project will be a maximum of 8 months, unless otherwise motivated or justified. Any extension of time shall be fully motivated.
- 4.2. The successful Applicant will be required to prepare a detailed project programme in Gantt chart form, and this shall be submitted to the ASEZ Company for approval, based on the broad outlines given in this document.
- 4.3. Each component of the consortium shall specify its specific role and function as part of the team and in relation to the specific component within the budget.



**1. EVALUATION CRITERIA****1.1 Evaluation Process**

1.1.1. The bid will be evaluated in terms of the evaluation criteria stipulated in the tender documentation.

1.1.2. This bid will be evaluated in terms of the following stages:

- a) Prequalification criteria
- b) Evaluation for mandatory (compliance) criteria
- c) Evaluation in terms of local production and content if applicable
- d) Evaluation in terms of functionality/technicality if applicable
- e) Evaluation in terms of 80/20 preference point system

**2. EVALUATION PROCESS:**

Submissions must consist of a summarized technical proposal which must follow and talk to the evaluation criteria set out below. Annexures must provide the ASEZ Co with sufficient information to make a sound and fair evaluation of the different bid proposals.

The following information must be clearly spelt out:

- Introduction and background to the team and their respective companies or practices, specifying in detail what each member of the team will contribute to the various aspects of the process. Detailed CVs of team members should be attached as annexures to the submission.
- A detailed statement of the applicant's approach and methodology for accomplishing the deliverables. This is to include their approach to involving the stakeholders and industry in the Atlantis and Dunoon areas. A detailed statement showing and substantiating the ability of the team to provide creativity and innovation in the execution of the assignment, and the ability to contribute value-add to the process
- A detailed statement of the applicant's company experience and track record in similar projects. Ideally provided through specific project examples.

- **The bid will be evaluated in accordance with the following Compliance (part A) and**

**Functionality (part B) criteria:**

## A. COMPLIANCE REQUIREMENTS

A. Compliance Requirements – all documents to be submitted	Compliance Status
<b>1. CSD Registration</b>	
a) Supplier active status b) Supplier not restricted c) Active tax status (NB: award cannot be made to the bidder whose tax matters are not in order) d) SARS on-line tax status verification	Info provided will be validated during evaluation stage & failure to meet CSD requirements & Tax Status will lead to disqualification
<b>2. Certified Documentations Required</b>	
➤ Certified copy of a BBBEE certificate issued by a verification agency accredited by SANAS or a sworn affidavit signed by the EME representative & certified by a Commissioner of Oaths as per DTI requirement for exempted EME's or QSE's	Invalid certificates will not be recognised
➤ Confirmation of Banking details.	Bank Stamped Letter

## B. FUNCTIONALITY AND CAPABILITY REQUIREMENTS

**Table 1: Quality of submission in addressing criteria and sub-criteria**

FUNCTIONALITY & CAPABILITIES	Maximum	Score	Minimum
<b>NB:</b> The bidder should achieve a minimum score of 75 points under functionality to be able to be evaluated further on pricing & BBBEE as per preferential system.	<b>100</b>		
<b>1. TEAM COMPOSITION (INCLUDE WRITE-UP UNDER THE HEADINGS BELOW, SUPPORTED IN ANNEXURES)</b>	<b>40</b>		
Project Lead: Relevant Degree (minimum NQF7) and a registered professional with relevant transport/ engineering/ economic professional organization the project lead. Full points if related to freight rail.	10		
Project lead has extensive experience (10 years or more) working on projects similar in nature (rail and/or transport route upgrade/new route feasibility – with both demand and cost projections).	10		
The balance of team has the requisite skills and proven track record to undertake the work as outline in this ToR. The proposal must allocate tasks as per the brief to each member, including the project lead, and explain/motivate their skills and experience in support of their ability to do each specific task allocated to them	20		
<b>2. APPROACH &amp; METHODOLOGY / METHOD STATEMENT</b>	<b>35</b>		
Full approach on how the bidder plans to carry out the project from inception to close out. Deliverables and timelines must be clearly stated at every stage. Stakeholder (CoCT, DEDAT, DTIC and the community CSN just to	35		

name a few) engagements is a big focus of the ASEZ and this must form part of the bidder's methodology.			
<b>3. COMPANY PROFILE / LIST OF PROJECTS</b>	20		
List of companies involved in the feasibility, their relevant experience relating to the nature of the bid and their relevant projects worked on. Maximum of 5 projects each per consultant making up the Team/JV.	20		
<b>4. LOCAL OFFICE / CAPE TOWN</b>	5		
An established branch office within Cape Town. Attach up-to-date lease agreement or proof of ownership.	5		

**A minimum threshold of 75 points will apply to qualify to the next stage of Price and BBBEE**

#### 4. PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ALL DELIVERY COSTS MUST BE INCLUDED IN THE BID PRICE, FOR DELIVERY AT THE PRESCRIBED DESTINATION.

\*\* “all applicable taxes” includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

**The quotation must reflect a breakdown of professional and other staff to be employed on the project as well as the tariff of fees associated with each of the member of the Applicant. A full breakdown of the stages and cost components must be provided.**

Where appropriate, tariff of fees quoted must be in terms of regulations by relevant professional bodies.

No	Description	Key activities	Milestone and associated deliverable	Professionals involved (total cost per professional per phase – hourly/fixed % rates must be stipulated)	Total
1					
2					
3					
4					
5					
6					
7	Sub-Total Professional Fees (ex. VAT)				

8	Total Professional Fees (including VAT)				
9	Other Items/Disbursements (including VAT)				
10	<b>Other:</b> (Specify)				
	Subtotal				
	Vat				
	<b>GRAND TOTAL</b>				

The total estimated cost of the contract will not exceed R 1 000 000.00 **(One Million Rand)** including VAT and all disbursement.

**Please append an official quotation on your company letterhead as well.**

The bidder is free to add items to the pricing schedule or adjust as appropriate, provided the items listed above are covered.

The schedule will be used as a bases to draw up Service Level Agreement (SLA) between the bidder and the ASEZ.

The bidder may add any relevant cost to the schedule at they feel necessary so as to give a comprehensive bid amount.

No other amounts would be entertained after award unless otherwise agreed to by both parties.

\_\_\_\_\_  
**Signature of Service Provider**

\_\_\_\_\_  
**Date**

COMPANY STAMP

## 5. DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
  - the bidder is employed by the state; and/or
  - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**
  - 2.1 Full Name of bidder or his or her representative: .....
  - 2.2 Identity Number: .....
  - 2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>): .....
  - 2.4 Company Registration Number: .....
  - 2.5 Tax Reference Number: .....
  - 2.6 VAT Registration Number: .....
  - 2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

<sup>1</sup>"State" means –

- (a) 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);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

<sup>2</sup>"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder **YES / NO**  
presently employed by the state?

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member: .....

Name of state institution at which you or the person

connected to the bidder is employed : .....

Position occupied in the state institution: .....

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain **YES / NO**  
the appropriate authority to undertake remunerative

work outside employment in the public sector?

2.7.2.1 If yes, did you attached proof of such authority to the bid document?

**YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....  
.....  
.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?

**YES / NO**

2.8.1 If so, furnish particulars:

.....  
.....  
.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?

**YES / NO**

2.9.1 If so, furnish particulars.

.....  
.....



.....

2.10 Are you, or any person connected with the bidder, **YES/NO**  
aware of any relationship (family, friend, other) between  
any other bidder and any person employed by the state  
who may be involved with the evaluation and or adjudication  
of this bid?

2.10.1 If so, furnish particulars.

.....

.....

.....

2.11 Do you or any of the directors / trustees / shareholders / members **YES/NO**  
of the company have any interest in any other related companies  
whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:

.....

.....

.....

**3 Full details of directors / trustees / members / shareholders.**

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Persal Number


#### 4 DECLARATION

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

**6. 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:

- 1.1.1. the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- 1.1.2. the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2.

- 1.2.1. The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the ..... preference point system shall be applicable; or
- 1.2.2. Either the 80/20 or 90/10 preference point system will be applicable to this tender (delete whichever is not applicable for this tender).

- 1.2.3. Either the 80/20 or 90/10 preference point system will be applicable to this tender (delete whichever is not applicable for this tender).

1.3. Points for this bid shall be awarded for:

- 1.3.1. Price; and
- 1.3.2. B-BBEE Status Level of Contributor.

1.4. The maximum points for this bid are allocated as follows:

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

- 1.5. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor 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

- 2.1. **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.2. **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.3. **“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 goods or services, through price quotations, advertised competitive bidding processes or proposals;
- 2.4. **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.5. **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- 2.6. **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- 2.7. **“prices”** includes all applicable taxes less all unconditional discounts;
- 2.8. **“proof of B-BBEE status level of contributor”** means:
  - 2.8.1. B-BBEE Status level certificate issued by an authorized body or person;
  - 2.8.2. A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 2.8.3. Any other requirement prescribed in terms of the B-BBEE Act;
- 2.9. **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- 2.10. **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

## 3. POINTS AWARDED FOR PRICE

### 3.1. THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20

or

90/10

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

or

$$P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

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

P<sub>t</sub> = Price of bid under consideration

P<sub>min</sub> = Price of lowest acceptable bid

#### 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1. In terms of Regulation 6 (2) and 7 (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 (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

#### 5. BID DECLARATION

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

#### 6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 6.1. B-BBEE Status Level of Contributor: . = .....(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

#### 7. SUB-CONTRACTING

- 7.1. Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES		NO	
-----	--	----	--

7.1.1. If yes, indicate:

7.1.1.1. What percentage of the contract will be subcontracted.....%

7.1.1.2. The name of the sub-contractor.....

7.1.1.3. The B-BBEE status level of the sub-contractor.....

7.1.1.4. Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
-----	--	----	--

7.1.1.5. Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME	QSE
	✓	✓
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		
OR		
Any EME		
Any QSE		

## 8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1. Name of company/firm: .....

8.2. VAT registration number: .....

8.3. Company registration number :.....

8.4. TYPE OF COMPANY/ FIRM

☐ Partnership/Joint Venture / Consortium

☐ One person business/sole propriety

☐ Close corporation

☐ Company

☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....  
.....  
.....

8.6. COMPANY CLASSIFICATION

☐ Manufacturer

☐ Supplier

☐ Professional service provider

☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

8.8. 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-BBEE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

8.8.1. The information furnished is true and correct;

8.8.2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

8.8.3. In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

8.8.4. If the B-BBEE status level of contributor 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 –

8.8.4.1. disqualify the person from the bidding process;

8.8.4.2. recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

8.8.4.3. 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;

8.8.4.4. recommend that the bidder or contractor, its shareholders and directors, or only the

shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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

8.8.4.5. forward the matter for criminal prosecution.

WITNESSES

1. ....
2. ....

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

DATE: .....



## 7. 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 .....

**8. CONTRACT FORM - RENDERING OF SERVICES**
**PART 2 (TO BE FILLED IN BY (ASEZ)**

1. I.....in my capacity as.....Accept your bid under reference number .....date.....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)	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

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

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

WITNESSES

1 .....

### 9. DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions 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 disregarded if that bidder, or any of its directors have-
  - a. abused the institution's supply chain management system;
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. failed to perform on any previous contract.
- 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	<p>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?</p> <p><b>(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></p> <p>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.</p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>

4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p><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></p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	<p>Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>

4.4.1	If so, furnish particulars:
-------	-----------------------------

**SBD 8**

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME).....**

**CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS 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**

### 10. 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 *pe 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.

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(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.
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.

<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.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

**11. NATIONAL TREASURY GENERAL CONDITIONS OF CONTRACT (NT GCC)**

**NATIONAL TREASURY GENERAL CONDITIONS OF CONTRACT (NT GCC)**

\*Please refer to the website of the National Treasury for the general conditions of contract  
<http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/General%20Conditions%20of%20Contract-%20Inclusion%20of%20par%2034%20CIBD.pdf>

I confirm that I have read and understand the conditions set out in the above link in terms of the General Conditions of Contract am duly authorized to sign this contract.

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

NAME (PRINT) .....

SIGNATURE .....

WITNESSES

3 .....