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**REQUEST FOR TENDER (RFT)**

**MST 01 OF 2025**

**APPOINTMENT OF GRAP 103 VALUATION OF HERITAGE ASSETS FOR UMSUNDUZI AND NCOME MUSEUMS**

BIDDER REFERENCE NUMBER : MST 01 OF 2025

ISSUE DATE : 26 AUGUST 2025

COMPURSOLY SITE BRIEFING :10 SEPTEMBER 2025 11H00

CLOSING DATE AND TIME : 20 SEPTEMBER 2025 AT 12H00

SUBMISSIONS DELIVERY : UMSUNDUZI MUSEUM, 351 Langalibalele Street (Opposite Natalia Building), Pietermaritzburg, 3201

FOR ENQUIRIES ( Admin) : **Mr Msizi Mfeka**

**Senior Finance Officer**

**033 394 6834 (t)**

**Email:** [**mmfeka@msunduzimuseum.org.za**](mailto:mmfeka@msunduzimuseum.org.za)

Technical  **: Mr Njabulo Mpungose**

**Specifications (chairperson)**

**033 394 6834 (t)**

**Email:** [nmpungose**@msunduzimuseum.org.za**](mailto:pmvubu@msunduzimuseum.org.za)

**PLEASE NOTE THAT ALL QUERIES MAYE BE EMAILED TO THE ABOVE LISTED INDIVIDUALS FROM 11 SEPTEMBER 2025 TO 17 SEPTEMBER 2025 (CUT-OFF DATE). QUERIES RECEIVED AFTER THE CUT-OFF DATE WILL NOT BE ADDRESSED.**

BIDDER NAME :

BIDDER STAMP :

**1. INVITATION AND BID SUBMISSION**

UMsunduzi Museum is an agency of the Department of Sport, Arts and Culture and is a schedule 3A public entity that is constituted and mandated in terms of the Cultural Institutions Act 119 of 1998. The museum’s executive authority is the Minister of Sport, Arts and Culture who appoints the Council.

This **request for tender** MST 01 of 2025 must be completed and all applicable pages returned as part of your tender submission. **Please note the following:**

* 1. Do not retype or substitute in any other form
  2. All tender forms must be completed and signed in original ink. Forms with photocopied signatures/initials or any other such reproduction of detail will be rejected, resulting in the tender being disqualified.
  3. The tenders will be evaluated using the **two-envelope system**. Submit the tender in two separate sealed envelopes or suitable containers if necessitated and marked as follows “envelope 1: tender documents” and “envelope 2: financial offer”, your company name as well as this tender reference number **(MST 01 of 2025) must be written** on both envelopes.
  4. Tenderers should ensure that tenders are delivered timeously to the correct address and placed in the tender box at **Museum Reception**, **Monday to Friday 07h30 – 16h00.**
  5. Tender documents must only be deposited in the tender box identified as a tender box of the uMsunduzi Museum. Tender can also be couriered to the following address no later than the closing date and time: 22  **SEPTEMBER**  **2025 AT 12H00**.

**uMsunduzi Museum**

**351 Langalibalele Street (Opposite Natalia Building)**

**PIETERMARITZBURG**

**3201.**

Tenders received after the closing date and time will **not be accepted** for consideration. Any quotation received after this request shall be deemed as non-compliant and will be put aside. Any exceptions to this statement must be clearly and specifically indicated. Tenders submitted by telegram, facsimile, post or by electronic means such as email will not be accepted for consideration.

**1.6 BID VALIDITY DATE: 120 DAYS**

UMsunduzi Museum will publish the award of this tender in the government e-tenders and/or applicable media as required. Service providers should note the award of the tender as published. A service level agreement will be entered into between the successful bidder and uMsunduzi Museum after the award.

1. **BACKGROUND**

The uMsunduzi Museum (Formerly known as Voortrekker Museum) is a Cultural-History Museum and it is tasked to document, preserve, conserve, restore, make available, study and promote items such as, photos, furnitures, documents etc for both uMsunduzi and Ncome Museums using the fair value approach. As part of its mandate, the uMsunduzi Museum is subject to the requirements of Generally Recognised Accounting Practice (GRAP) 103, a standard for accounting for heritage assets. This means the museum must comply with specific guidelines for classifying and accounting for its collections, including valuing them every five years. The museum undertakes stocktakes and valuations of its collections to comply with GRAP 103.  Therefore, the Museum requires appointment of a service provider for the provision heritage assets valuation in accordance with standard of GRAP 103 on Heritage Assets and disclosure of such in the Annual Financial Statement (AFS).

1. **OVERVIEW**

The Museum requires the services of an experienced professional accounting service provider to assist with the valuation of its Heritage Assets. The Museum will enter into a service legal agreement with a successful bidder from the date of appointment to be determined. The preferred service provider is a company with experience and sound knowledge of the Public Finance Management Act (Act No. 1 of 1999) as amended and Treasury Regulations in relation to Public Entities and should have practical experience in the application of GRAP Standards as well as a strategy for the valuation of Heritage Assets.

1. **SCOPE OF WORK**

The service provider will utilise their experience and knowledge and make resources available to assist the Museum with the valuation of its Heritage Assets. The service provider will be required to submit support to the valuation of all individual assets and also provide a valuation certificate. The service provider will be required to:

* 1. Do a stock check and value collection objects which include a variety of items, furniture, photos, documents, etc for both uMsunduzi and Ncome Museums (using the fair value approach).
  2. The total estimated number of items is 6423. However, a unit price for each item needs to be given in case of additional items needing to be processed throughout the project.
  3. Each item must be inspected by a valuator and condition to be recorded.
  4. Service provider to advise if an item is PPE or Heritage and reasons for the decision. Such decisions are not final and discussions can be entered into with the service provider by the museum. Heritage and PPE items must be clearly separated on different sheets.
  5. To ensure that entries on databases are correct for example that the description of the item matches the physical object, and that the location is correct and make changes on registers where needed to reflect accurate information.
  6. Currently, there are excel dabatases for uMsunduzi Collection and Ncome Collection.
  7. Work with include integrating some information in registers or removing/adding/separating information (for example, if an object is found which is not in the register).
  8. Ensure that auditors will be able to easily calculate totals to verify information in financial statements and etc.
  9. Provide a detailed valuation report which must include a detailed account of the approach taken for valuation as well as a detailed spreadsheeet using the museum databases, reflecting each item and its value and how the value was derived.
  10. Proof must be provided of how values were derived including a link to the website which auditors can click on to verify and print-out of a screenshot of a website showing the same or similar item with the price. In cases where websites were not used, proof of evidence must be supplied of how the value was derived.
  11. A list or description of the assumptions behind the valuation of assets must be supplied.
  12. The final report must also include amounts as per the following asset classes: Arts and Artefacts, Audio-visual, photographic, and historical papers
  13. Supply original signed valuation certificates for uMsunduzi Museum and Ncome Museum for Heritage and PPE items.
  14. Please note that the service provider will have to travel to uMsunduzi Museum in Pietermaritburg and Ncome Museum close to Dundee/Nquthu to view the items needing valuation.
  15. The supplier is to work with museum staff who might request additional documents, changes etc until all documentation meets the standard required for the auditing process.
  16. The service provider is required to provide support during the auditing process i.e to respond to any queries raised by the auditors if the auditors need to ask questions or need extra documentation and proof of valuation processes etc.
  17. Valuation must be completed, and all documents submitted by 16 March 2026.
  18. Two printed copies of all the final documents must be handed in and must be signed. All documents must also be handed in electronically on two USBs/CDs.

1. **SPECIAL CONDITIONS OF THE BID**
   1. The uMsunduzi Museum may, at any time or times prior to the bid submission date, issue to the bidders any amendement, annexure or addendum to bid documents. No emendment, annexure or addendum will form part of the bid documents unless it is in writing and expressly stated it shall form part of the bid document.
   2. The uMsunduzi Museum reserves the right :
      1. Not to appoint anyone and /or cancel the bid at any time and shall not be bound to accept the lowest bid or proposal.
      2. To award a bid to one or more service providers.
      3. To enter into negotiation with one or more bidders regarding any terms and conditions, including price (s), of a proposed contract before or after the conclusion of the contract.
      4. To amend any bid condition, validity period, or extend the closing date of bids.
      5. To cancel and /or terminate the bid process at any stage, including after the closing date and/or after presentations have been made, and/or after bids have been evaluated and/or after shorlisted bidders have been notified of their status.
   3. The uMsunduzi Museum may request written clarification or further information regarding any aspect of this bid. The bidders must supply the requested information in writing within three (3) working days after the request has been made, otherwise the proposal may be disqualified.
   4. Individuals/sole proprietors must be registered on the Government Central Supplier Database (CSD) and include in their bid a copy of their Master Registration Number (Supplier Number) in order to enable the uMsunduzi Museum to verify the bidder’s tax status on Central Supplier Database. Note: Non-South Africa citizens must provide a certified copy of a South African work permit that is valid as of the closing date of the bid. Failure to provide the required document will result in disqualification.
   5. As per National Treasury Instruction note no: 9 of 2017/18 bidders are required to register their companies on the government Central Supplier Database (CSD) and include in their bid a copy of their Master Registration Number (Supplier Number) in order to enable the uMsunduzi Museum to verify the bidder’s tax status on Central Supplier Database.
   6. Bidders are required to provide tax complaince status PIN or the Central Database Master Registration Number (MAAA Number) in order to enable the uMsunduzi Museum to verify the bidder’s tax compliance status.
   7. Bidders are required to submit original and valid B-BBEE status Level Verification Certificates or certified copies thereof/Swon Affidavit signed by the commissioner of Oath together with their bids, to substantiate their B-BBEE rating claims. In case of a trust, consortium or joint venture, a consolidated B-BBEE Status Level Verification Certificate must be submitted. Affidavits may only be commissioned by a person designed as a Commissioner of Oaths in terms of Section 6 of the justices of the Peace and Commissioners of Oaths Act, 1965-10 July 1998.
   8. Any completion of bid documents in pencil, correction fluid (Tippex) or erasable ink will not be acceptable and will automically disqualify the submitted bid.
   9. Tax compliance: No award shall be made to a bidder whose tax affairs are not in order and the uMsunduzi Museum reserves the right to withdraw an award made in the event that it is established that such bidder does not remain tax complaint for the duration of the contract.
   10. A bidder may not cede, assign or sub-contract any part of the assignment without the written approval of the u|Msunduzi Museum. Replacements must be of the same calibre (experience and qualification).
   11. The uMsunduzi Museum will enter into a Service level agreement with the successful bidders, effective from the date of bid award, taking all aspects of the contract into account.
   12. Under no circumstances will negotiation with any bidders constitute an award or promise/undertaking to award the contract.
   13. The successful service provider (s) must sign a non-disclosure agreement with the uMsunduzi Museum, which specifies that they may not disclose or use the information acquired in the course of this work without the approval of the uMsunduzi Museum.
   14. Bidders are requested to place their signature/initial on every page of the bid document. Furthermore, bidders must ensure that each place where a signature is required is correctly and fully signed including witnesses where applicable.
   15. Bidders will be required to comply with all health and safety requirements.

**INDEMNITY**

If a bidder breaches the conditions of this bid and as a result the uMsunduzi and Ncome Museums incurs costs or damages (including, without limitation, cost of any investigation, legal costs etc) then the bidder indemnifies and holds the museums harmless from any and all such costs which the museums may incur and from damages or losses the museums may suffer.

1. **REQUIREMENTS**

The service provider must follow the Museum’s Supply Chain Management policies and procedures by submitting the following documents in the order that the documents are listed in the table below.

**Table 1: The proposal should include the following mandatory documents**

|  |  |
| --- | --- |
| **Order** | **Mandatory documents to be submitted:** |
| 1 | A company profile, the mission, vision and values of your organisation, proven track record and details of experience in accounting services for Heritage Assets provided. |
| 2 | Appointment certificate as an appraiser or valuator on Heritage Assets based on the scope of work or valid registration or membership to a professional body (SACPVP or SAIV or other). |
| **3** | A detailed methodology/approach, proposed project plan and timeframes for completion of the project based on the scope of work. |
| **4**  **5** | Details of experience in providing Heritage Assets Verification and Valuation to public entities/similar organisations. A list of clients and reference letters, with contactable contact details, to be provided as confirmation of successful implementation of relevant/similar projects.  The reference letters must contain the following;  • Specific detail of GRAP 103 services provided  • Start and end date for the appointment or contract  • It must be on the letter head or company logo of the client issuing it, and  • It must be signed by the representative of the client  ***(Through submission of the bid, the bidder grants museum the permission to confirm the bidder’s experience through directly contacting the references. The museum reserves the right to disqualify the bidder for false representation.)***    Details of appropriate competence, skills and expertise within your organisation required for the execution of this contract. Detailed and current CV’s of key personnel that will be assigned to the project, including defined roles and responsibilities. The CV’s must include details of expertise and experience related to understanding the functions and operations of museums or public entities. The CV’s should be supported with proof of qualifications. |
| **6.** | Valid B-BBEE Verification Certificate from a Verification Agency accredited by the South African National Accreditation Systems (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) confirming micro enterprise with annual turnover less than R5 million per annum. |
| **7.** | Proof of registration and letter of good standing from compensation commissioner in compliance with COID Act |
| **8** | Signed declaration of Independence from the Valuator |

**Table 2 : The submission should include the below essential documents**

|  |  |
| --- | --- |
| **Order** | **Essential documents** |
|  | Valid Tax Clearance Certificate (Must be valid on closing date of submission of the proposal) and SARS issued pin. |
|  | CSD report/ CSD reference number |
|  | **The completion of the following enclosed documentation:**  SBD 1 - Invitation to submit a Quotation  SBD 3.3 - Pricing Schedule (Professional Services)  SBD 4 - Declaration of Interest  SBD 6.1 - Preference Points Claim 2022  interms of the preferential procurement regulations  SBD 7.2 -Contract form: Rendering of Services  SBD 8 - Declaration of bidder’s past Supply Chain Management Practices  SBD 9 - Certificate of Independent Bid Determination |

**Bidders who do not adhere to the above requirements and/or is found to have false representation will be disaqualified and won’t go to the next stage of functionality.**

**Table 3 : Additional required documents (not compulsory)**

|  |  |
| --- | --- |
| **Order** | **Additional documents to be submitted** |
| **1** | Letter from the doctor for people with Disabilities |

1. **EVALUATION CRITERIA**

Proposals will be evaluated in accordance with the **80/20** preference point system, as contemplated in the Preferential Procurement Regulations of 2022 and will be apportioned and weighted accordingly.

|  |  |
| --- | --- |
| **Preference Point System** | |
| Description | Points allocated |
| Price | 80 points |
| Specific goals | 20 points |

Proposal for the appointment of the service provider will be evaluated on price and functionality in accordance with the Preferential Procurement Policy Framework Act of 2000, Preferential Procurement Regulations of 2022 and Supply Chain Management Procurement policies.

**Technical Proposal evaluation criteria and point system**

A minimum of 65 points will be required in the technical proposal to qualify. Bidders who do not meet the 65 points requirement will be disqualified based on the criteria set out below:

**Functionality formula**

Ps=So x 100

Ms

**Preference Point system formula**



— P min

Pmin

* 1. **Functionality**

The following functionality criteria which have been divided into two phases will be used for evaluating all proposals, where proposals must score an overall minimum of 65 points for functionality criteria to qualify for further evaluation for preference points.

|  |  |
| --- | --- |
| **Functionality Criteria** | **Points allocated** |
| Experience/track record | 40 |
| Technical capability | 35 |
| Methodology | 15 |
| **Total** | **90** |
| Minimum stipulated threshold to be met | **65** |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **No.** | **Functionality** | **Cretiria** | **Max points** | **Points scored** |
| **1** | **Experience/ Track record**  Provide details of previous experience and expertise of providing Heritage Assets verification and valuation: A list of contactable references of accounting services: Heritage Assets projects successfully undertaken by simply stating the following:  Name of the client, Contact, telephone numbers, dates when work performed.  Written contactable reference letters. Reference letters must be on a company letterhead and signed and indicate clearly what valuation of Heritage assets was done satisfactorily. | 5 (five) or more written contactable reference letters on the company letterhead indicating that valuation of Heritage Assets was successfully completed = **40 points.**  4 (four) written contactable reference letters on the company letterhead indicating that Heritage Assets was successfully completed= **30 points**  3 (three) written contactable reference letters on the company letterhead indicating that Heritage Assets was successfully completed= **20 points**  1-2 (one-two) written contactable reference letters on the company letterhead indicating that valuation of Heritage Assets was successfully completed =**10 points**  No reference letters on the company letterhead on Heritage Assets = **0 points**. | **40** |  |
| **2**  **2.1**  **2.2** | **Technical capability**  The service provider must provide an organogram including detailed Curriculum Vitae (CV) of the staff that will be assigned to this project with defined roles and responsibilities of each staff member. The CV must include tertiary qualifications and details of experience. The project team must consist of the following:  **Project manager/ Team leader. Max points = 20 points**  A team leader must have 5 years or more relevant experience, qualification (Fine Arts, History or Cultural Studies) and valid registration or membership to a professional body or appointment certificates as appraiser or valuator . Attach CV and certified copy of qualification. **Max points =20 points**  **Supervisor/ Apprasier/Valuator** on site with 3 years experience, valid registration or membership to professional body or appointment certificates as appraiser/valuator. **Max points= 15 points** | Project manager with 5 or more years of relevant experience on Valuation of Heritage Assets, postgraduate qualification and valid registration or membership to a professional body or appointment certificates as appraiser or valuator = **20 points**  Project manager with 2-4 years of relevant experience on Valuation of Heritage Assets, undergraduate qualification and valid registration or membership to a professional body or appointment certificates as appraiser or valuator = **10 points**  Project manager with zero relevant experience, no relevant qualification and no registration or membership to professional body or appointment certificates as appraiser or valuator= **0 points** | **35** |  |
| Supervisor/Valuator/Apprasier with 3 or more years of experience in Heritage Assets= 1**5 points**  Supervisor with 2 years of experience in valuation of Heritage Assets = **10 points**    Supervisor with 1 year of experience in valuation of heritage asserts = **5 points**  Supervisor with zero years of experience in Heritage Assets = **0 points** |  |  |
| **3.** | **Methodology:**  The service provider should demonstrate an in-depth understanding and implementation of GRAP 103 on the classes of heritage assets stipulated in these ToR and taking into account all relevant legislation that governs these assets.  Provide the detailed methodology as part of the Project Plan and how all the activities will be carried out. | Detailed methodology: demonstrating in-depth understanding of GRAP 103 and clearly outlines of the project plan according to the scope of work =**15 points**    Average methodology : demonstrating adequate knowledge and understanding of GRAP 103 and outlines of the project plan according to the scope of work = **10 points**  Unsatistactory methodology: demonstrating minimum understanding of GRAP 103 =**5 points**  No methodology : demostrating no undertandi ng of GRAP 103= **0 points** | **15** |  |

*Service providers who fail to score a minimum of 65 points out of a possible 90 points on functionality will not be eligible for further consideration.*

|  |  |  |  |
| --- | --- | --- | --- |
| **Tender Evaluation Criteria and Scoring Price and BBBEE** | | | |
| **Evaluation criteria** | **Deliverables** | | **Points** |
| **Price** | **The lowest responsive and responsible** | **80** | **Points** |
| Preference Points | In terms of Regulation 4 (2) and 4 (2) of the Preferential Procurement Regulations, preference points may be awarded to a bidder for the specific goal specified for the tender in accordance with the table below. | 20 | points |
|  | Black Ownership | 12 | Points |
|  | Women Ownership | 4 | Points |
|  | Disability Ownership | 2 | Points |
|  | Youth Ownership | 2 | Points |
|  | Non-complaint | 0 | Points |

|  |  |
| --- | --- |
| **Black Ownership** | **% of Preferential points** |
| Bidder with 100% black ownership | 100% |
| Bidder with 51% to 99% black ownership | 50% |
| Bidder with less than 51% black ownership | 25% |
| Bidder with no black ownership | 0% |
|  |  |
| **Woman ownership** | **% of Preferential points** |
| Bidder with 100%-woman ownership | **100%** |
| Bidder with 51%-to-99%-woman ownership | **50%** |
| Bidder with less than 51%-woman ownership | **25%** |
| Bidder with no woman ownership | **0%** |
|  |  |
| **Disability Ownership** | **% of Preferential Points** |
| Bidder with 100% disability ownership | **100%** |
| Bidder with 51% to 99% disability ownership | **50%** |
| Bidder with less than 51% disability ownership | **25%** |
| Bidder with no disability ownership | **0%** |
|  |  |
| **Youth Ownership** | **% of Preferential Points** |
| Bidder with 100% youth ownership | **100%** |
| Bidder with 51% to 99% youth ownership | **50%** |
| Bidder with less than 51 % youth ownership | **25%** |
| Bidder with no youth ownership | **0%** |

**SBD 1**

PART A

INVITATION TO BID

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (***NAME OF DEPARTMENT/ PUBLIC ENTITY***)** | | | | | | | | | | | |
| BID NUMBER: | **MST 01 OF 2025** | | | CLOSING DATE: | | **22 September 2025** | | CLOSING TIME: | | | **12H00** |
| DESCRIPTION | **Appointment of GRAP 103 Valuation of Heritage Assets for uMsunduzi Museum** | | | | | | | | | | |
| **BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS)*** | | | | | | | | | | | |
| **uMsunduzi Museum, 351 Langalibalele Street, Pietermaritzburg 3201** | | | | | | | | | | | |
|  | | | | | | | | | | | |
|  | | | | | | | | | | | |
|  | | | | | | | | | | | |
| **BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO** | | | | | **TECHNICAL ENQUIRIES MAY BE DIRECTED TO:** | | | | | | |
| CONTACT PERSON | | | **Mr. Msizi Mfeka** | | CONTACT PERSON | | | | | **Mr. Njabulo Mpungose** | |
| TELEPHONE NUMBER | | | **+27 (0)33 394 6834** | | TELEPHONE NUMBER | | | | | **033 394 6834/5** | |
| FACSIMILE NUMBER | | |  | | FACSIMILE NUMBER | | | | |  | |
| E-MAIL ADDRESS | | | **mmfeka@msunduzimuseum.org.za** | | E-MAIL ADDRESS | | | | | **nmpungose@msunduzimuseum.org.za** | |
| **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: | |  | **OR** | | CENTRAL SUPPLIER DATABASE No: | MAAA | | | |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED? | | Yes No  [IF YES ENCLOSE PROOF] | | | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED? | | | | Yes No  [IF YES, ANSWER THE QUESTIONNAIRE BELOW] | | |
| **QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS** | | | | | | | | | | | |
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?  YES  NO  DOES THE ENTITY HAVE A BRANCH IN THE RSA?  YES  NO  DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?  YES  NO  DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?  YES  NO  IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?  YES  NO  **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.** | | | | | | | | | | | |

PART B

TERMS AND CONDITIONS FOR BIDDING

|  |
| --- |
| 1. **BID SUBMISSION:** |
| * 1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.   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.**   3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.   4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).** |
| 1. **TAX COMPLIANCE REQUIREMENTS** |
| 1. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS. 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. 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). 4. BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID. 5. IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER. 6. WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED. 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.” |

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID**.

SIGNATURE OF BIDDER: ……………………………………………

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

(Proof of authority must be submitted e.g. company resolution)

DATE: ……………………………

**SBD 3.3**

**PRICING SCHEDULE**

**APPOINTMENT OF GRAP 103 VALUATION OF HERITAGE ASSETS FOR UMSUNDUZI MUSEUM**

|  |
| --- |
| NAME OF BIDDER: ………………………………………………………………………………………………BID NO.: ……………………………………  CLOSING TIME **12h00** CLOSING DATE……………………... |

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

ITEM DESCRIPTION BID PRICE IN RSA CURRENCY

NO \*\*(ALL APPLICABLE TAXES INCLUDED)

1. The accompanying information must be used for the formulation

of proposals.

2. Bidders are required to indicate a ceiling price based on the total

estimated time for completion of all phases and including all

expenses inclusive of all applicable taxes for the project. R………..…………………………………………………...

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND

RATES APPLICABLE (CERTIFIED INVOICES MUST BE

RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION HOURLY RATE DAILY RATE

-------------------------------------------------------------------------------------- R------------------------------ ---------------------------------

-------------------------------------------------------------------------------------- R------------------------------ ---------------------------------

-------------------------------------------------------------------------------------- R------------------------------ ---------------------------------

-------------------------------------------------------------------------------------- R------------------------------ ---------------------------------

-------------------------------------------------------------------------------------- R------------------------------ ---------------------------------

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE

COMPLETED, COST PER PHASE AND MAN-DAYS TO BE

SPENT

------------------------------------------------------------------------------- R------------------------------ -------------------------- days

------------------------------------------------------------------------------- R------------------------------ -------------------------- days

------------------------------------------------------------------------------- R------------------------------ -------------------------- days

------------------------------------------------------------------------------- R------------------------------ -------------------------- days

5.1 Travel expenses (specify, for example rate/km and total km, class

of airtravel, etc). Only actual costs are recoverable. Proof of the

expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED RATE QUANTITY AMOUNT

-------------------------------------------------------------------------------- ………………. …………….. R………………..

-------------------------------------------------------------------------------- ………………. …………….. R………………..

-------------------------------------------------------------------------------- ………………. …………….. R………………..

-------------------------------------------------------------------------------- ………………. …………….. R………………..

TOTAL: R………………………………………………….

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

5.2 Other expenses, for example accommodation (specify, eg. Three

star hotel, bed and breakfast, telephone cost, reproduction cost,

etc.). On basis of these particulars, certified invoices will be checked

for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED RATE QUANTITY AMOUNT

---------------------------------------------------------------------------------- ………………. …………….. R………………..

---------------------------------------------------------------------------------- ………………. …………….. R………………..

---------------------------------------------------------------------------------- ………………. …………….. R………………..

---------------------------------------------------------------------------------- ………………. …………….. R………………..

TOTAL: R………………………………………………….

6. Period required for commencement with project after

acceptance of bid ……………………………………………………………….

7. Estimated man-days for completion of project ……………………………………………………………….

8. Are the rates quoted firm for the full period of contract? \*YES/NO

9. If not firm for the full period, provide details of the basis on which

adjustments will be applied for, for example consumer price index. ……………………………………………………………….

……………………………………………………………….

……………………………………………………………….

……………………………………………………………

**SBD 4**

**BIDDER’S DISCLOSURE**

1. **PURPOSE OF THE FORM**

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

1. **Bidder’s declaration**

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest[[1]](#footnote-1) in the enterprise,

employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

|  |  |  |
| --- | --- | --- |
| **Full Name** | **Identity Number** | **Name of State institution** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

……………………………………………………………………………………

……………………………………………………………………………………

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

* + 1. If so, furnish particulars:

…………………………………………………………………………….

…………………………………………………………………………….

1. **DECLARATION**

I, the undersigned, (name)……………………………………………………………………. in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

3.1 I have read and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 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[[2]](#footnote-2) will not be construed as collusive bidding.

3.4In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 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.

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

* 1. 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

……………………………… ..……………………………………………

Signature Date

……………………………… ………………………………………………

Position Name of bidder

**SBD 6.1**

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for specific goals outlined in point 3 below.

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF SPECIFIC GOALS, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.**

1. **GENERAL CONDITIONS**
   1. The following preference point systems are applicable to this bid:

* the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included).
* the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included). The lowest acceptable will be used to determine the applicable preference point system
  1. Points for this bid shall be awarded for:

1. Price; and
2. Preference Points based on specific goals.
   1. The maximum points for this bid are allocated as follows:

|  |  |
| --- | --- |
|  | **POINTS** |
| **PRICE** | 80 |
| **Preference Points** | 20 |
| **Total points for Price and Preference Points must not exceed** | **100** |

* 1. 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 are not claimed.
  2. The Museum 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 Museum.

1. **POINTS AWARDED FOR PRICE**
   1. **THE 80/20 PREFERENCE POINT SYSTEMS**

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

**80/20**

****

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

1. **PREFERENCE POINTS AWARDED**
   1. In terms of Regulation 4(2); 5(2); 6(2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for the specific goals specified of tender in accordance with the table below:

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

***(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.***

***Note to tenderers: The tenderer must indicate how they claim points for each preference point system.*)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **The specific goals allocated points in terms of this tender** | **Number of points**  **allocated**  **(90/10 system)**  **(To be completed by the organ of state)** | **Number of points**  **allocated**  **(80/20 system)**  **(To be completed by the organ of state)** | **Number of points claimed**  **(90/10 system)**  **(To be completed by the tenderer)** | **Number of points claimed (80/20 system)**  **(To be completed by the tenderer)** |
| Black Ownership |  | 12 |  |  |
| Women Owned |  | 4 |  |  |
| Youth Owned |  | 2 |  |  |
| Disability Owned |  | 2 |  |  |
| Non-complaint |  | 0 |  |  |

Preference points for black ownership will be awarded as follows:

|  |  |
| --- | --- |
| **Black Ownership** | **% of Preferential Point** |
| Bidder with 100% black ownership | 100% |
| Bidder with 51% to 99% black ownership | 50% |
| Bidder with less than 51% black ownership | 25% |
| Bidder with no black ownership | 0% |

1. **DECLARATION WITH REGARD TO COMPANY/FIRM**
   1. Name of company/firm:……………………………………………….
   2. VAT registration number:…………………………………….……………
   3. Company registration number:………….……………………….………
   4. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One person business/sole propriety

Close corporation

Company

(Pty) Limited

[Tick applicable box]

* 1. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………

* 1. COMPANY CLASSIFICATION

Manufacturer

Supplier

Professional service provider

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

[*Tick applicable box*]

* 1. Total number of years the company/firm has been in business:……………………
  2. 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 specific goals of contributor indicated in paragraphs 1.4 and 3.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

1. The information furnished is true and correct;
2. The preference points and specific goals claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
3. In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.3 and 3.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
4. If the preference points 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 –
   1. disqualify the person from the bidding process;
   2. recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
   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;
   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
   5. forward the matter for criminal prosecution.

……………………………………….

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME……………………………………………………….

DATE: ………………………………………………………

ADDRESS: ………………………………………………………

……………………………………………………….

……………………………………………………….

……………………………………………………….

**SBD 7.2**

# 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:
3. 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;

1. General Conditions of Contract; and
2. 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) …………………………….

WITNESSES

1. …….…………………………….
2. ……….………………………….

DATE: ……………………………..

CAPACITY …………………………….

SIGNATURE …………………………….

NAME OF FIRM …………………………….

DATE …………………………….

**SBD 7.2**

**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).

1. An official order indicating service delivery instructions is forthcoming.
2. 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 OFSERVICE | **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: ……………………………..

SBD 8

# 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-
   1. abused the institution’s supply chain management system;
   2. committed fraud or any other improper conduct in relation to such system; or
   3. 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 | 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 *audi alteram partem* rule was applied).  **The Database of Restricted Suppliers now resides on the National Treasury’s website(**[www.treasury.gov.za](http://www.treasury.gov.za)**) and can be accessed by clicking on its link at the bottom of the home page.** | Yes | No |
| 4.1.1 | If so, furnish particulars: | | |
| 4.2 | Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?  **The Register for Tender Defaulters can be accessed on the National Treasury’s website (**[**www.treasury.gov.za**](http://www.treasury.gov.za)**) by clicking on its link at the bottom of the home page.** | Yes | No |
| 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 outside of the Republic of South Africa) for fraud or corruption during the past five years? | Yes | No |
| 4.3.1 | If so, furnish particulars: | | |
| 4.4 | 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? | Yes | No |
| 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**

Js365bW

**SBD 9**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.

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

3 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.

1. 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.
2. In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

**¹ Includes price quotations, advertised competitive bids, limited bids and proposals.**

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

**SBD 9**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(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.

**SBD 9**

1. 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 consortium³ will not be construed as collusive bidding.
2. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
3. prices;
4. 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.

1. 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.
2. 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.

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

**SBD 9**

1. 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

Js914w 2

1. the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise. [↑](#footnote-ref-1)
2. 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. [↑](#footnote-ref-2)