

# EPHRAIM MOGALE LOCAL MUNICIPALITY



## REQUEST FOR GOODS & SERVICES (R30 000 UP TO R300 000)

QUOTATION NO: 8/2/169

**PROJECT DESCRIPTION: SUPPLY AND REPLACE 6 OVERHEARD LINE WOOD POLES (RE-ADVERT).**

PREPARED FOR AND BY
<p><b>THE MUNICIPAL MANAGER</b></p> <p><b>EPHRAIM MOGALE LOCAL MUNICIPALITY</b> P O Box 111 <b>MARBLE HALL</b> 0450</p> <p>Tel: (013) 261 8400 Fax: (013) 261 2985</p>

**Name of Bidder** : \_\_\_\_\_

**CSD No** : \_\_\_\_\_

**CIDB CRS No** : \_\_\_\_\_

**Total Bid Price** : \_\_\_\_\_

### SUBMISSION DETAILS

#### TENDER BOX:

EPHRAIM MOGALE LOCAL MUNICIPALITY

2 FICUS STREET (ENTRANCE TO FINANCE AND TECHNICAL BUILDING)

MARBLE HALL, 0450 (LIMPOPO)

#### CLOSING DATE AND TIME:

**TUESDAY, 20 MAY 2025 @ 12H00**

# EPHRAIM MOGALE LOCAL MUNICIPALITY

QUOTATION NO: 8/2/169

## **PROJECT DESCRIPTION: SUPPLY AND REPLACE 6 OVERHEARD LINE WOOD POLES (RE-ADVERT).**

Ephraim Mogale Local Municipality hereby invites quotations from suitably qualified and interested service providers who meet the specifications for the **SUPPLY AND REPLACE 6 OVERHEARD LINE WOOD POLES (RE-ADVERT).**

Bidders are required to have an estimated **CIDB grading of 1EP or higher.**

**The required minimum threshold for local content and production of hardware components as follows will be considered.**

✓ Powerline Hardware (see Annexure A)	100%
✓ Electrical cable	90%
✓ Earth wire	90%

Quotations may only be submitted on the quotation document issued. The quotation document will be available at the Supply Chain Management Unit of the Ephraim Mogale Local Municipality and on the Municipal website [www.ephraimmogalelm.gov.za](http://www.ephraimmogalelm.gov.za)

Quotations must be in writing and must clearly indicate the relevant supply or service for which is being quoted and be submitted in a sealed envelope be dropped in the tender box as indicated on the cover page. **Late or unmarked quotations will not be considered. Bids transmitted by fax or e-mail will not be accepted,** although Ephraim Mogale Local Municipality accepts no responsibility for ensuring that quotations are timeously received by Ephraim Mogale Local Municipality.

Quotations will not be considered unless the following information has been furnished:

- i. The Central Supplier Database report with an active “MAAA” number and active Business status (CSD supplier number to be indicated on the cover page and MBD 1);
- ii. PIN to verify status issued by SARS (indicated on the MBD 1);
- iii. Proof of Municipal Rates & Taxes Account for the company and that of the company directors not older than 3 (three) months and should not be in arrears for more than 90 days or valid lease agreement in case of company renting along municipal account of the leased property or a letter from local municipality that confirms that services are not levied/charged which should not be older than three months;
- iv. If a natural person, whether he or she is or not in the service of the state, or has been in the service of the state in the previous twelve months; or
- v. if not a natural person, whether any of its directors, managers, principal shareholders or stakeholders is in the service of the state, or has been in the service of the state in the previous twelve months; or
- vi. Whether a spouse, child or parent of the provider or of a director, manager, shareholder or stakeholder referred to in (vi) is in the service of the state or has been in the service of the state in the previous twelve months.
- vii. Fully completed and signed municipal bidding documents (**MBD1, MBD4, MBD6.1, MBD6.2, MBD8, and MBD9**). Your quotation will be rejected if the above forms are not fully completed and signed.

## Evaluation of Quotations

Notice is drawn to the fact that the awarding of this quotation will be in terms of the Supply Chain Management Policy of the Ephraim Mogale Local Municipality and prescribed evaluation criteria in terms of the Municipal Supply Chain Management Regulations, 2005 and Preferential Procurement Regulations of 2022.

### Bid Evaluation Criteria

The bid will be subjected to functionality evaluation as per below criteria. Bidders will be required to obtain a minim qualifying score of **70 points out of 100** to be further evaluated for price and preferential points.

### Bid Evaluation Criteria

The bid will be evaluated as per the below listed stages:

(a) First

Bid documents that have been disassembled and copies of the Bid documents will be disqualified outright.

(b) Second

Bidders will be checked for compliance with Bid Conditions and administrative responsiveness. Non- compliance with any of the requirements will render the Bid non-responsive and it will not be carried forward to the next stage.

(c) Third

The Bidder's experience and financial standing will be evaluated. Each Bid will be assessed and awarded points for Functionality. **Failure to achieve 70 points out of the 100 for Functionality will render the Bid non-responsive.**

CRITERIA	WEIGHT	SCORES		
<b>Company past experience</b>  The tenderer to attach 3 largest appointment letters and reference letters of similar projects completed in the past 3 years. Failure to submit the required appointment letter reference will result in the bidder getting zero points  <b>Similar projects means any Medium voltage aluminium overhead line construction projects</b>	75	<b>No.</b>	<b>Target Goals: List reference with details</b>	<b>Maximum points (75) total</b>
		1	Completed projects with value of R60 000.00 AND ABOVE	25 Points each project
		2	Completed projects with value of R40 000.00 to <R60 000.00	15 points each project
		3	Completed projects with value of R20 000.00 to <R40 000.00	5 points each project
		4	Completed projects with value of less than R20 000.00	0 points each project
		<b>Referees provided, to be contactable to confirm the value and appointment letter and the completion certificates/reference letter to be provided. NB: Submission of fraudulent documents is discouraged, and the tenderer will be disqualified.</b>		

<b>Bank rating</b>  Tenderer to submit proof of bank rating not older than three (3) months. Bank rating and bank statements should be of the Lead Partner in terms of Joint Venture.	25	<table><tr><th>Bank Rating</th><th>Weighting</th><th>Score</th></tr><tr><td>Bank Rating = A,B</td><td>25</td><td></td></tr><tr><td>Bank Rating = C</td><td>20</td><td></td></tr><tr><td>Bank Rating = D</td><td>15</td><td></td></tr><tr><td>Bank Rating = E</td><td>10</td><td></td></tr><tr><td>Bank Rating = F to G</td><td>5</td><td></td></tr><tr><td><b>TOTAL</b></td><td><b>25</b></td><td></td></tr></table>	Bank Rating	Weighting	Score	Bank Rating = A,B	25		Bank Rating = C	20		Bank Rating = D	15		Bank Rating = E	10		Bank Rating = F to G	5		<b>TOTAL</b>	<b>25</b>	
Bank Rating	Weighting	Score																					
Bank Rating = A,B	25																						
Bank Rating = C	20																						
Bank Rating = D	15																						
Bank Rating = E	10																						
Bank Rating = F to G	5																						
<b>TOTAL</b>	<b>25</b>																						
<b>Total</b>	<b>100</b>																						

Only Bidders that score the specified minimum number of points for Functionality will be deemed to be acceptable and carried forward to the next stage. The rest will be disqualified. The points for functionality will not be carried forward to the remainder of the evaluation.

(d) Fourth

Points will be calculated for price on the relevant prices in accordance with the preference point system of 80/20.

(e) Fifth

Tender preferences claimed (80/20)

### Pricing and Validity

The pricing of the quotation should be in South African Rands (ZAR) and be valid for 90 days from the closing date.

For any administrative enquiries you can contact the Supply Chain Management Unit at 013 261 8450/8462/8496/8448/8541/[ephmlmsupplychain@emogalelm.gov.za](mailto:ephmlmsupplychain@emogalelm.gov.za)  
Technical enquiries you may contact Mr. J Durie at 013 261 8454 / [jdurie@emogalelm.gov.za](mailto:jdurie@emogalelm.gov.za).

Ephraim Mogale Local Municipality does not bind itself to accept the lowest or any bid and reserves the right to accept any bid as a whole or in part.

**MOROPA M.E  
MUNICIPAL MANAGER**

# EPHRAIM MOGALE LOCAL MUNICIPALITY

QUOTATION NO: 8/2/169

## PROJECT DESCRIPTION: SUPPLY AND REPLACE 6 OVERHEARD LINE WOOD POLES (RE-ADVERT).

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### 1. SCOPE OF WORK

Ephraim Mogale Local Municipality hereby invites quotations from suitably qualified and interested service providers who meet the specifications for the **SUPPLY AND REPLACE 6 OVERHEARD LINE WOOD POLES (RE-ADVERT)**.

### REQUIREMENTS

Bidders are required to have an estimated **CIDB grading of 1EP or higher**.

**The required minimum threshold for local content and production of hardware components as follows will be considered.**

✓ Powerline Hardware (see Annexure A)	100%
✓ Electrical cable	90%
✓ Earth wire	90%

The project is the supply and installation of 6 new wood poles with equipment as specified to refurbish an upgrade an existing overhead power line. The six poles will be replaced on a 400V line. The reference specification is the ESKOM Reticulation Line Design specifications. The project will have the following main items:

- Inspect equipment and confirm exact equipment specification and installation configuration
- Compile comprehensive list of material (bill of quantities)
- Excavation
- Equip new poles with new equipment
- Plant new poles
- Transfer lines
- The whole construction site must be cleaned.

Note: The description of the works is not necessarily limited to the above items. Shutdowns/interruptions/outages will be required for some sections and must be arranged in advance.

## 2. PROJECT DESCRIPTION

The project is the supply and installation of 6 new wood poles with equipment as specified to refurbish an upgrade an existing overhead power line. The six poles will be replaced on a 400V line. The reference specification is the ESKOM Reticulation Line Design specifications.

### DESCRIPTION OF THE SITE AND ACCESS

#### 2.1 Location of site

The following details provide the key elements of the project area.

##### General Project Location

- Limpopo Province
- Sekhukhune District
- Municipal Area : Ephraim Mogale local Municipality
- Marble Hall Sewer Plant
- Farm Loskop Nort 12JS      24° 57' 11.97" S, 29° 16' 51.54" E

#### 2.2 Access to site

The site will be accessible from the N11 on the dirt access road to the Municipal Dump Site just outside Marble Hall. At the gate to the Dump Site turn right and follow the overhead line to the Marble Hall sewer plant (Waste water Treatment Plant). The first pole start inside the plant where a low voltage cable connect to the overhead line. It is not advisable to store valuables overnight at the site as it is remote. The site will be accessible at all times if arranged with the Municipality and the Security at the Plant. It is a dangerous environments where there can be crocodiles and snakes and close to the plant where nothing must be touched, opened or operated.

#### 2.3 DETAILS OF THE WORKS

The project will have the following main items and is based on ESKOM standards and specifications where not otherwise specified:

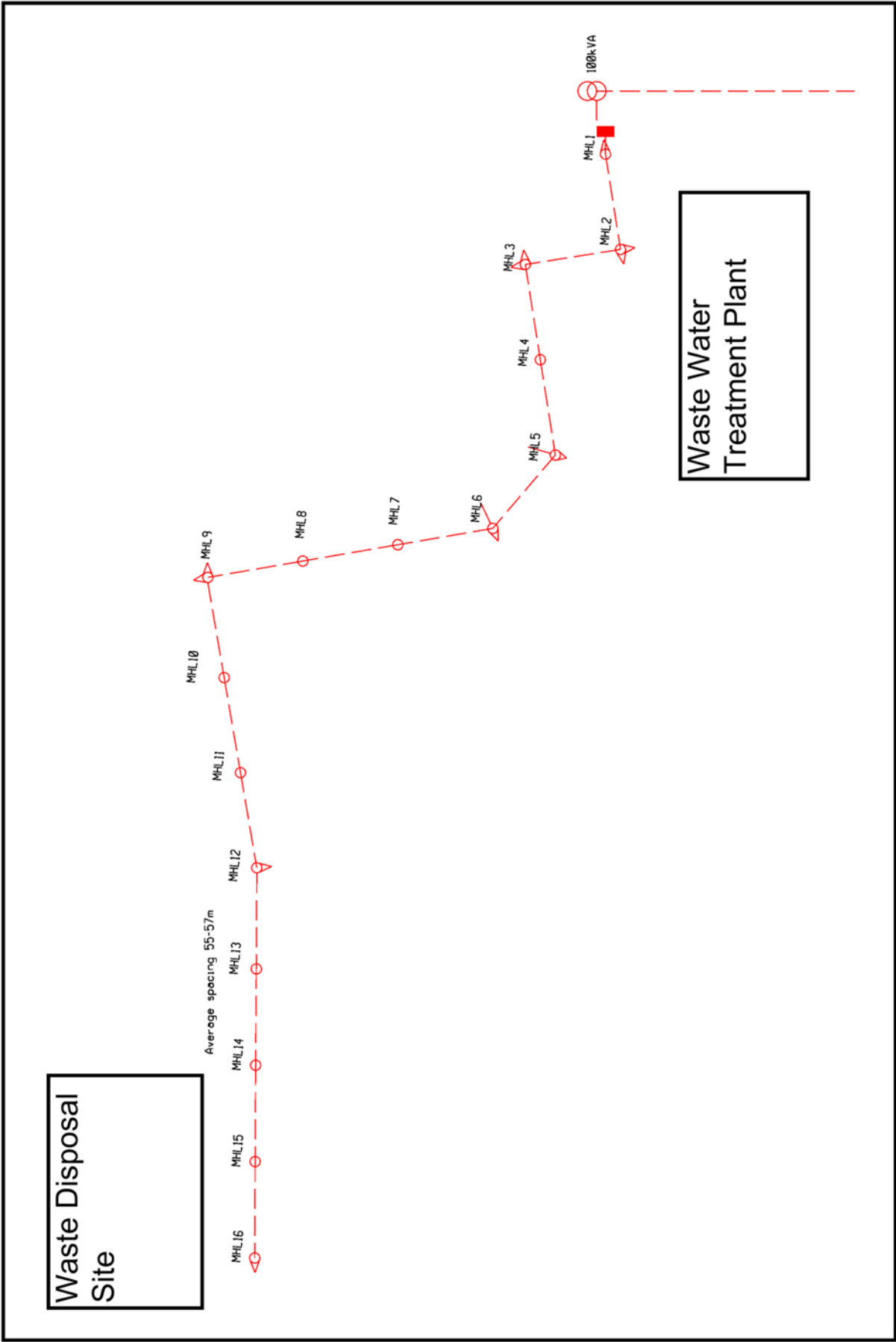
- Inspect equipment and confirm exact equipment specification and installation configuration
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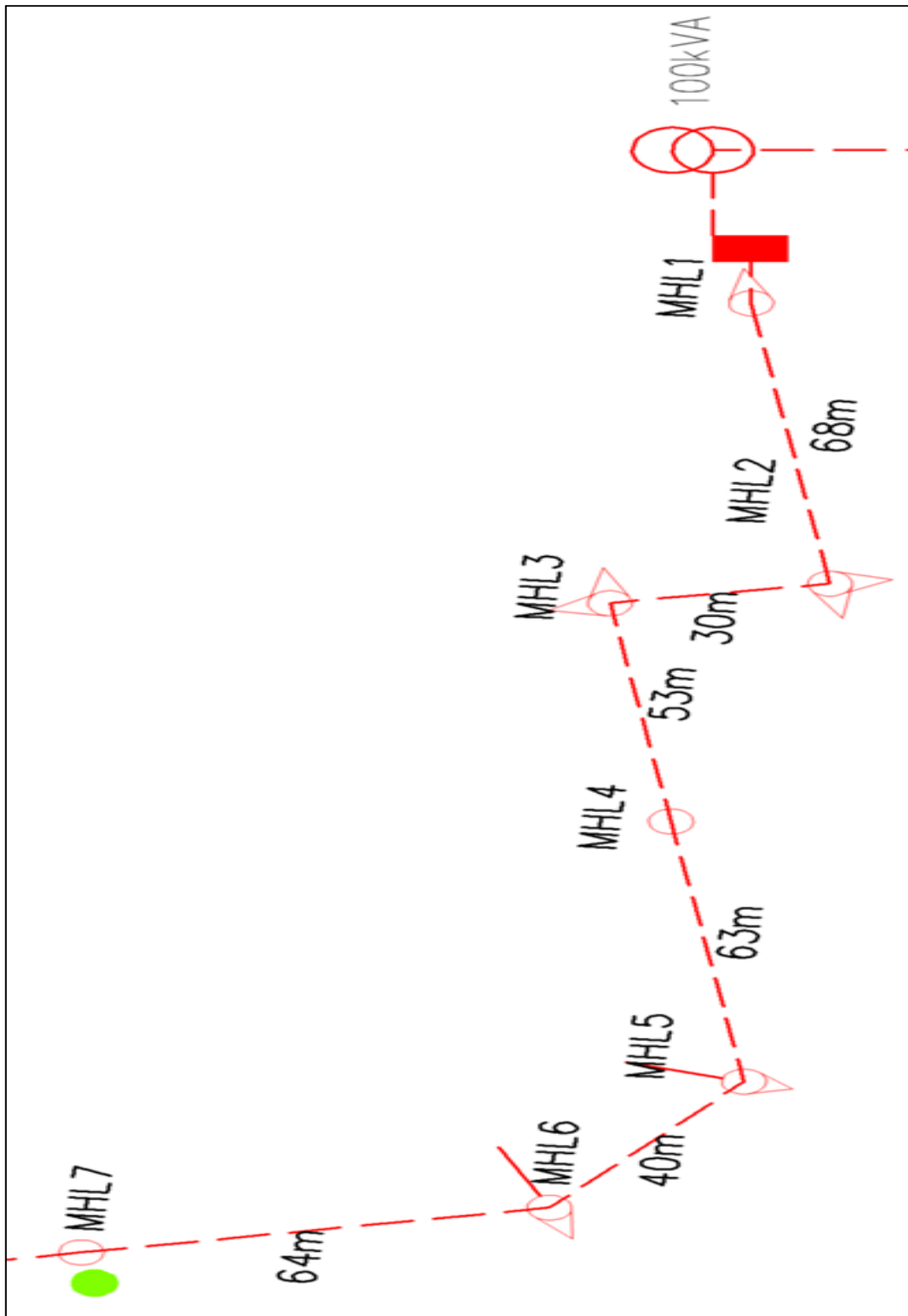
## Page 7 of 33

LINE LAYOUT





## line section to be replaced



# ANNEXURE a -POWER LINE COMPONENTS WITH LOCLA CONTENT REQUIRMENTS

NATIONAL TREASURY DESIGNATED SECTORS INSTRUCTION NUMBER 9 OF 2016/2017  
 INVITATION AND EVALUATION OF BIDS ON A STIPULATED MINIMUM THRESHOLD FOR LOCAL  
 PRODUCTION AND CONTENT FOR: STEEL POWER PYLONS; MONOPOLE PYLONS; STEEL  
 SUBSTATION STRUCTURES; POWERLINE HARDWARE; STREET LIGHTING STEEL POLES; AND STEEL  
 AND LATTICE TOWERS AND MASTS

## APPENDIX A: DESIGNATED LINE HARDWARE COMPONENTS

The stipulated minimum threshold for local content is 100% for each of the items below

Designated Components		
Adaptor plates	Guy Grips	Termination bracket
Adjustable extension links	Helical line items	Threaded rods
Adjustable Stay rod,	Hip stay assembly	Tie strap
Adjustable U bolts	H-Pole Cross-arms	Triangle yokes
Adjustor plate	Insulator spindles & hardware	Trimble
A-Frame Cross-arms	Interim cross-arm	Turnbuckles
Anchor links	Joints & compression fittings	Vibration dampers
Ancillary materials - strain	Jumper terminals	X Arm – A Frames
Arcing horns	Light bracket	Yoke Plates
Armour rods	LV ancillary materials	
Ball clevis	Meter box bracket	
Ball hooks	Midspan joints	
Ball oval eyes	Non-Adjustable stay rod	
Ball tongues	PG clamps	
Base assembly	Pigtail	
Big guards	Pistol clamps	
Bird diverters	Pole clamps	
Bolted connectors	Pole top bracket	
Bolted strain clamps	Pole top make-offs	
Bonding clip	Repair sleeves	
Castings line hardware	Rigid spacers	
Composite/ Silicone Insulators	Rock anchor	
Compression strain clamps	Sag Adjustor	
Conductor clamps	Shackles	
Corona rings	S-Hook	
Counterweights	Socket clevis	
Crosby clamps	Socket tongues	
Cross-arm	Soil Anchors	
Curved washer	Spacer dampers	
Dampers	Spacer yokes	
D-Iron	Spindles	
Earth anchor	Stay bracket	
Earthing	Stay plate	
Equipment platform / Transformer platform	Stay steel components	
Equipment platform bracket	Stay Wire / Steel Wire	
Eye bolt	Steel Poles	
Eye nut	Steel rope terminal fittings	
Fasteners - threaded rods	Strain bracket	
Fasteners (Bolts, nuts, washers, threaded rod)	Strain cross-arm	
Fasteners bolt, nuts & washers	Strapping	
Fasteners strain nuts, strain bolts & forgings	Streetlight brackets	
Forging line hardware	Strut bracket	
Fuse Cut-out Brackets	Support cradle	
Fuse Holder brackets	Suspension cross-arm	
Galvanised pre-fabricated steel	Swivel bracket	

# EPHRAIM MOGALE LOCAL MUNICIPALITY

QUOTATION NO: 8/2/169

## PRICING SCHEDULE:

**PROJECT DESCRIPTION: SUPPLY AND REPLACE 6 OVERHEARD LINE WOOD POLES (RE-ADVERT).**

### Conditions:

- All prices quoted should be VAT inclusive (for Vat vendors)
- Prices should be valid for a 90-day period.
- If the pricing schedule is not signed the quotation will not be considered

Name of Bidder: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Tel / Cell No: \_\_\_\_\_

Email Address: \_\_\_\_\_

Business Address: \_\_\_\_\_

ITEM		DESCRIPTION	WORK TO BE DONE	UNIT	QTY	AMOUNT
1		Preliminary and General	Site establishment, transport, accommodation, and all other responsibilities including safety requirements and insurances	Sum	1	
2	POLE NO	WOOD POLES	WORK TO BE DONE	UNIT	QTY	AMOUNT
2.1	MHLT1	Termination pole. Line start, 1 stay, LT cable	Replace pole (11m, 180-200 pole. ) Upgrade insulators to 11kV. Replace GP bi metal clamps to clamp copper cable to aluminium line. Upgrade stay wire to 11kV line spec	No	1	
2.2	MHLT2	90deg, 2 stay	Replace Pole (11m, 180-200mm pole) Upgrade insulators to 11kV – two sets. Upgrade two stay wires for 11kV installation spec.	No	1	
2.3	MHLT3	90deg, 2 stay	Replace Pole (11m, 180-200mm pole) Upgrade insulators to 11kV – two sets.	No	1	

			<b>Upgrade two stay wires for 11kV installation spec.</b>			
<b>2.4</b>	<b>MHLT4</b>	<b>Intermediate</b>	<b>Replace Pole (11m, 160-180mm pole) Upgrade insulators to 11kV</b>	<b>No</b>	<b>1</b>	
<b>2.5</b>	<b>MHLT5</b>	<b>45deg, support stay pole and stay wire</b>	<b>Replace Pole. (11m, 180-200mm pole.) Upgrade insulators to 11kV Replace stay pole with new pole Upgrade stay wire for 11kV installation spec</b>	<b>Sum</b>	<b>1</b>	
<b>2.6</b>	<b>MHLT6</b>	<b>45deg, support stay pole and stay wire</b>	<b>Replace Pole. (11m, 180-200mm pole.) Upgrade insulators to 11kV Replace stay pole with new pole Upgrade stay wire for 11kV installation spec</b>	<b>Sum</b>	<b>1</b>	
<b>Vat (15%)</b>						
<b>TOTAL TENDER SUM</b>						

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**SIGNATURE**


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**DATE**

## PART A INVITATION TO BID

MBD 1

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE EPHRAIM MOGALE LOCAL MUNICIPALITY					
BID NUMBER:	8/2/169	CLOSING DATE:	20 MAY 2025	CLOSING TIME:	12:00
DESCRIPTION	SUPPLY AND REPLACE 6 OVERHEARD LINE WOOD POLES (RE-ADVERT).				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX  
SITUATED AT;

<b>EPHRAIM MOGALE LOCAL MUNICIPALITY (BUDGET &amp; TREASURY AND TECHNICAL BUILDING)</b>					
<b>NO. 2 FICUS STREET</b>					
<b>MARBLE HALL</b>					
<b>0450</b>					
<b>NOTE: THE BID BOX IS ONLY ACCESSIBLE MON - FRI DURING OFFICE HOURS (08:00 TO 16:30)</b>					
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:	.....	OR	CSD No:	MAAA .....
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3 ]		
TOTAL NUMBER OF ITEMS OFFERED	.....		TOTAL BID PRICE		R.....
SIGNATURE OF BIDDER	.....		DATE		.....
CAPACITY UNDER WHICH THIS BID IS SIGNED		.....			
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>			<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>		
DEPARTMENT	SCM		CONTACT PERSON	Johan Durie	
CONTACT PERSON	JOSEPH MADISHA		TELEPHONE NUMBER	013 261 8454	
TELEPHONE NUMBER	013 261 8450/ 8462		FACSIMILE NUMBER	013 261 2985	
FACSIMILE NUMBER	013 261 2985		E-MAIL ADDRESS	jdurie@emogalelm.gov.za	
E-MAIL ADDRESS	<a href="mailto:epmlmsupplychain@emogalelm.gov.za">epmlmsupplychain@emogalelm.gov.za</a>				

## PART B

### TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	<b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</b>
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
<b>2. TAX COMPLIANCE REQUIREMENTS</b>	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4	FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
2.5	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.6	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.7	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>	
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
<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 ABOVE.</b></p>	

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

SIGNATURE OF BIDDER: .....

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

DATE: .....

**DECLARATION OF INTEREST**

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

3.8.1 If yes, furnish particulars.

.....

.....

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

- (a) a member of –
- (i) any municipal council;
  - (ii) any provincial legislature; or
  - (iii) the national Assembly or the national Council of provinces;

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

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



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

3.9.1 If yes, furnish particulars

.....

.....

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

3.10.1 If yes, furnish particulars

.....

.....

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

3.11.1 If yes, furnish particulars

.....

.....

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

3.12.1 If yes, furnish particulars

.....

.....

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

3.13.1 If yes, furnish particulars

.....

.....

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

3.14.1 If yes furnish particulars:

.....

.....

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

Full Name	Identity Number	Employee Number

**CERTIFICATION**

**I, THE UNDERSIGNED**

**(NAME)** .....

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

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Capacity

.....

Name of Bidder

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

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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

### 1.2 To be completed by the organ of state

a) The applicable preference point system for this tender is the **80/20** preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

### 1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

**80/20**

$$Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

#### 3.2.1. POINTS AWARDED FOR PRICE

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

**80/20**

$$Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest acceptable tender

## 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender.

For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
  - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**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	Means of Verification	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Atleast 51% Black ownership	Identification documents / CSD Report / CIPC Certificate	10	
Atleast 51% Women Ownership	Identification document / CSD Report / CIPC Certificate	5	
At least 51% People with Disability	Medical Report indicating disability	3	
Atleast 51% Youth ownership (18 to 35 Years of age)	Identification document / CSD Report / CIPC Certificate	2	

#### **DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name of company/firm.....

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
  - ☐ One-person business/sole propriety
  - ☐ Close corporation
  - ☐ Public Company
  - ☐ Personal Liability Company
  - ☐ (Pty) Limited
  - ☐ Non-Profit Company
  - ☐ State Owned Company
- [TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

<p>.....</p> <p><b>SIGNATURE(S) OF TENDERER(S)</b></p>	
<p><b>SURNAME AND NAME:</b></p>	<p>.....</p>
<p><b>DATE:</b></p>	<p>.....</p>
<p><b>ADDRESS:</b></p>	<p>.....</p>

## DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

### 1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and Specific goals.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

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

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

**The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.**

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation.



**2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
<b>Powerline Hardware (see Annexure A)</b>	<b>100%</b>
<b>Electrical cable</b>	<b>90%</b>
<b>Earth wire</b>	<b>90%</b>

**3. Does any portion of the goods or services offered have any imported content?**

*(Tick applicable box)*

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

The relevant rates of exchange information is accessible on [www.reservebank.co.za](http://www.reservebank.co.za)

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

<b>Currency</b>	<b>Rates of exchange</b>
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

**4.** Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the DTI must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

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

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

**IN RESPECT OF BID NO.** .....

**ISSUED BY:** (Procurement Authority / Name of Institution):

.....  
NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on [http://www.thdti.gov.za/industrial development/ip.jsp](http://www.thdti.gov.za/industrial%20development/ip.jsp). Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, ..... (full names),

do hereby declare, in my capacity as .....

of .....(name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
  - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

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

**If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.**

**The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.**

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 1** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 2** \_\_\_\_\_

**DATE:** \_\_\_\_\_

### Local Content Declaration - Summary Schedule

**Note:** VAT to be excluded from all calculations

(C1)	Tender No.
(C2)	Tender description:
(C3)	Designated product(s)
(C4)	Tender Authority:
(C5)	Tendering Entity name:
(C6)	Tender Exchange Rate:
(C7)	Specified local content %

Pula		EU		GBP	
------	--	----	--	-----	--

Specified local content %		Calculation of local content						Tender summary			
Tender item no's	List of items	Tender price - each (excl VAT)	Exempted imported value	Tender value net of exempted imported content	Imported value	Local value	Local content % (per item)	Tender Qty	Total tender value	Total exempted imported content	Total Imported content
(C8)	(C9)	(C10)	(C11)	(C12)	(C13)	(C14)	(C15)	(C16)	(C17)	(C18)	(C19)
Signature of tenderer from Annex B								(C20) Total tender value			
								(C21) Total Exempt imported content			
								(C22) Total Tender value net of exempt imported content			
								(C23) Total Imported content			
								(C24) Total local content			
Date:								(C25) Average local content % of tender			

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

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
  - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
  - b. been convicted for fraud or corruption during the past five years;
  - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<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>(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).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

### CERTIFICATION

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

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

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

Js367bW

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

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

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

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



### CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

---

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

---

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of:

---

(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

**MBD 9**

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

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

**MBD 9**

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

Js9141

Supply and replace 6 overhead line wood poles (Re-advert)

BLANK