



## RFQ132/2025

Artscape is a Cultural Institution in terms of section 3 of the Cultural Institutions Act 1998 (Act no.119 of 1998). Artscape, listed as a schedule 3A (National entity) under the Public Finance Management Act, 1999 (Act No1 of 1999) seeks Quotations for  Goods  or  Services  below five hundred thousand rand (R500 000.00).

**Insert CSD Codes:**

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**Insert CSD 36 digit security code:** \_\_\_\_\_

**Supplier name:** \_\_\_\_\_

**The following documents needs to be submitted with quotations:**

- BBBEE Certificate/ Sworn Affidavit
- SARS No and SARS status Pin

**The attached forms to be completed by Supplier:**

- SBD 4, SBD 6.1, SBD 8 & SBD 9

**As a service provider, you are deemed to have read and accepted the Government Procurement: General Conditions of Contract (GCC) of July 2010, (<http://www.treasury.gov.za>)**

<b>Date Issued:</b>	21/01/2026
<b>Description of Service: Medical Aid Broker</b>	<b>Quantity: 1</b>
Artscape requires the services of a medical aid broker to give healthcare and group benefits consultancy to the organisation for a period of 60 months.	
<p><b>Requirements of Service Provider</b></p> <p>Artscape's expectations of the successful service provider (broker) will be to provide the following:</p> <p>(1) Advice on the appropriate medical aid scheme and ongoing service</p> <p>(a) The appointed service provider must :</p> <ul style="list-style-type: none"> <li>(i) Do the Administration of medical aid.</li> <li>(ii) Appoint the Service Team</li> <li>(iii) Consult on all matters pertaining to medical aid.</li> <li>(iv) Provide Strategic advice on all matters pertaining to medical aid.</li> <li>(v) Conduct annual review: Annually do a presentation on the analysis and comparison of different medical schemes offerings and make a recommendation</li> <li>(vi) Facilitate the transition: Facilitate the transition to the new medical aid scheme should there be a change</li> <li>(vii) Visibility: Have a representative visiting the site on a regular basis (fortnightly)</li> <li>(viii) Accessibility - Employees must access the service support 24/7 in cases of emergency</li> <li>(ix) Changing health needs and new products: Benefit options and benefit ranges change constantly. Service provider to alert the entity and individual employees of the changes and advise on the options that are best suited to their needs</li> <li>(x) Negotiate with the scheme on behalf of the Artscape or any of its employees if there is a dispute about a specific claim. Few individual members have an overall in-depth understanding of benefit details – the service provider is expected to fill the gap</li> </ul> <p>(2) Ongoing service support. Provide ongoing service support and advice to Artscape and its employees</p>	



<ul style="list-style-type: none"><li>i. Inform new employees of the different plans and ensure that ARTSCAPE has sufficient stock of the required forms and brochures. Advice related to medical aid must at all times be relevant, accurate and up to date.</li><li>ii. Inductions sessions will be held upon advice of ARTSCAPE to ensure that all new employees complete medical aid application forms (if applicable) when they sign their contract of employment with ARTSCAPE</li><li>iii. All new employees are to be provided with detailed information about the choice of medical aid plans available to them.</li><li>iv. Ensure that all medical aid beneficiary nomination forms are completed accurately, correctly and timeously.</li><li>v. All application forms are to be submitted to the HR Department of ARTSCAPE for sign off. Once approved, the forms must be submitted to the relevant company for processing.</li><li>vi. New employees that are already members of the approved schemes must be transferred to the ARTSCAPE bill within the required time frames.</li><li>vii. Follow up on all applications and transfers, providing weekly updates to the applicant and HR until application forms have been fully processed.</li><li>viii. Delivery of medical aid membership cards to HR at ARTSCAPE for distribution.</li><li>ix. Investigate and resolve all employee medical aid enquiries and problems. Feedback must be given to the employee every 24 hours and the problem must be resolved within 5 working days, if possible.</li><li>x. Provide training to all employees on how to make the most of their medical aid plans, particularly with regards to the Vitality or Rewards/Loyalty programme.</li><li>xi. Complete and provide reports that reflect how many queries and / or problems are handled monthly, what the resolutions are, the date of the query and the date it was resolved.</li><li>xii. Ensure that the payroll receives the monthly client list from the approved schemes/s and that it is received timeously.</li><li>xiii. Assist Payroll with the reconciliation of the monthly client list with the ARTSCAPE salary deductions.</li><li>xiv. Ensure that all ARTSCAPE staff are on the correct medical aid package, according to the Discovery records, and action any changes that need to be made.</li><li>xv. Provide ad hoc reports for ARTSCAPE as required.</li><li>xvi. Provide a monthly newsletter containing relevant topics</li><li>xvii. Participate in employee wellness days. Active participant in the Artscape employee wellness days</li></ul> <p>(3) Expected profile</p> <ul style="list-style-type: none"><li>(i) Number of schemes: The provider must be contracted to more than 5 reputable and viable medical aid schemes</li><li>(ii) Track record: Have a good track recording of servicing employers with more than 100 employees</li><li>(iii) Minimum of ten (10) years' experience servicing public entities with more than 100 employees</li><li>(iv) Compliant with all regulatory accreditation requirements</li><li>(v) Professional Indemnity Insurance and Fidelity Insurance</li><li>(vi) Financially viable (Provide latest audited financial statements). Financial viability ratios will be applied.</li></ul> <p>(4) Accreditation and Experience of representative</p> <ul style="list-style-type: none"><li>(vii) Representative to be assigned to Artscape must be qualified and accredited (FAIS) with a minimum of 5 years relevant experience in the industry</li></ul> <p>(5) Selected bidders will be required to do a presentation to the Artscape team</p> <p>(6) Provide five most recent reference letters (not more than 6 months old).</p> <p>(7) Cost: The charges must be within the regulated medical aid scheme rates</p>	
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REPUBLIC OF SOUTH AFRICA

**ARTSCAPE**



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<b>Date Goods or Service required:</b>	01/04/2026- 31/03/2029
<b>Delivered to :</b>	DF Malan Street, Foreshore, Cape Town
<b>For more information (Technical)</b>	<a href="mailto:Feleciap@artscape.co.za">Feleciap@artscape.co.za</a> OR <a href="mailto:Lungisanin@artscape.co.za">Lungisanin@artscape.co.za</a>
<b>For more information (Supply Chain Management)</b>	<a href="mailto:scm@artscape.co.za">scm@artscape.co.za</a>
<b>RFQ Closing date &amp; Time:</b>	29/01/2026 @13:00 pm
<b>Submit RFQ To:</b>	<a href="mailto:scm@artscape.co.za">scm@artscape.co.za</a>

**SUPPLIER RESPONSE**

<b>Name of Supplier:</b>	
<b>Address of Supplier:</b>	
<b>Contact Tel :</b>	<b>Email:</b>

<b>Supplier Specifications include Brand/Model if applicable</b>	<b>Quantity</b>	<b>Price Per Unit (incl VAT)</b>	<b>Total (incl VAT)</b>
<b>TOTAL</b>			

\*Insert more rows if needed.

\*Brochures/Catalogues can be submitted with quotation.

\*All prices must be firm and VAT Inclusive.

- The 80/20 price/preference point system will be applied to the evaluation of responsive quotations, whereby the order(s) will be placed within the Supplier(s) scoring in the highest total number of adjudication points. Price shall be scored as follows:  $Ps = 80x \frac{1-(Pt-Pmin)}{Pmin}$
- **Where:** Ps is the number of points scored for price; Pt is the comparative price of the quoted under consideration; Pmin is the comparative price of the lowest responsive quotation.
- Preference points shall be scored as follows:  
Points will be awarded to tenderers who are eligible for preference in respect of B-BBEE contribution.

By signing this request for order form the supplier offers to supply the goods or service in respect of **RFQ** and **Description** of goods or services \_\_\_\_\_, as described in this document.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Print name: \_\_\_\_\_



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On Behalf of the Supplier (duly authorised)

**COMPANY STAMP**

**Note: It is advised that documents be returned in PDF**



**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.

### **2. Bidder's declaration**

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> 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.

<b>Full Name</b>	<b>Identity Number</b>	<b>Name of State institution</b>

2.2 Do you, or any person connected with the bidder, have a relationship

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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.



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**

2.3.1 If so, furnish particulars:

.....

.....

### **3 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<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In 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

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<sup>2</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.



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.

3.6 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 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

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.
- b) The 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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 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 the 80/20 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 the 80/20 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 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 the 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 (80/20 system) <i>(To be completed by the organ of state)</i>	Number of points claimed (80/20 system) <i>(To be completed by the tenderer)</i>
<b>B-BBEE Status level 1 = 20 points</b>	20	
<b>B-BBEE Status level 2 = 18 points</b>		
<b>B-BBEE Status level 3 = 14 points</b>		
<b>B-BBEE Status level 4 = 12 points</b>		
<b>B-BBEE Status level 5 = 8 points</b>		
<b>B-BBEE Status level 6 = 6 points</b>		
<b>B-BBEE Status level 7 = 4 points</b>		
<b>B-BBEE Status level 8 = 2 points</b>		
<b>Non-compliant contributor = 0 point</b>		



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### **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 proprietor
- 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.

.....  
**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....  
.....

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

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
  - a. abused the institution's supply chain management system;
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's database 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 National Treasury after the <i>audi alteram partem</i> rule was applied).</p>	<input type="checkbox"/>	<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>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.</p>	<input type="checkbox"/>	<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 outside of the Republic of South Africa) for fraud or corruption during the past five years?	<input type="checkbox"/>	<input type="checkbox"/>



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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 <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

#### **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**



## SBD 9

### CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

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

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



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### **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

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(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Institution)

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

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

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



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

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



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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder